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# Riverside County Habitat Conservation Agency

*City of Corona* ◇ *City of Hemet* ◇ *City of Lake Elsinore* ◇ *City of Moreno Valley*  
*City of Murrieta* ◇ *City of Perris* ◇ *City of Riverside* ◇ *City of Temecula* ◇ *County of Riverside*

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## MINUTES

Thursday, February 21, 2008 - 3:00 p.m.

City of Perris  
101 North "D" Street  
City Council Chambers  
Perris, CA 92570

- PRESENT:** Mr. Mark Yarbrough, Chairperson, City of Perris  
Supervisor Bob Buster, County of Riverside  
Mr. Eugene Montanez, Vice-Chair, City of Corona  
Ms. Robin Lowe, City of Hemet  
Mr. Mike Gardner, City of Riverside  
Mr. Bill Batey, City of Moreno Valley
- ABSENT:** Mr. Gary Thomasian, City of Murrieta  
Mr. Bob Schiffner, City of Lake Elsinore  
Mr. Steve Brown, City of Temecula
- STAFF:** Carolyn Syms Luna, RCHCA  
Gail Barton, RCHCA  
Princess Hester, RCHCA  
Brian Shomo, RCHCA  
Katherine Lind, County Counsel
- GUEST:** Dr. Debra Shier, Center for Conservation & Research for Endangered Species  
Sam Perera, Mayer Hoffman McCann, PC

**1. CALL TO ORDER**

Mark Yarbrough, Chairperson, called the meeting to order at 3:10 p.m.

**2. ROLL CALL**

Roll call of the RCHCA Board of Directors showed six member agencies present with the Cities of Murrieta, Lake Elsinore, and Temecula absent.

**3. PUBLIC COMMENT**

No comments were offered.

**4. BOARD MEMBER ANNOUNCEMENTS**

Ms. Luna introduced Mike Gardner to the Board. Mr. Gardner is the new RCHCA representative for the City of Riverside, replacing Dom Betro.

**5. ADDITIONS/REVISIONS**

There were no additions/revisions to the agenda.

**6. CONSENT CALENDAR:** Presented for Block Approval. Board Members have the option of excluding discussion items from a master motion.

**6.1 Minutes from the May 20, 2004, Meeting**

The minutes from the May 20, 2004, meeting was presented for approval.

**6.2 Minutes from the November 15, 2007, Meeting**

The minutes from the November 15, 2007, meeting was presented for approval.

**6.3 Status of Mitigation Fee Transfers from Member Agencies through December 31, 2007**

The fees collected as of December 31, 2007, for FY 2007/08 total \$260,699.50.

**6.4 RCHCA Financial Report through December 31, 2007**

The fund balance as of December 31, 2007, is \$15,544,328.22.

**6.5 Status Report Concerning Reserve Managers Coordinating Committee**

Ms. Barton reported that the Reserve Managers Coordinating Committee (RMCC) met on October 25, 2007, and considered the following:

- Bureau of Land Management (BLM) presentation on the Revision to the South Coast Resource Management Plan including the following:
  - Overview of the process of revising the Management Plan.
  - Description of the various categories of BLM land designation and planned use designation.
  - Request for "Cooperative Agency Status" participation by those who will assist in the planning process and provide a presence at the scoping meetings.
  - Request for comments on the existing Management Plan that was adopted in 1994 in order to direct the Revision.

- Discussion of monitoring and habitat management efforts to benefit the SKR at each of the reserves.

#### **6.6 Professional Services Agreement for Consulting Services with Patricia Lock-Dawson**

RCHCA staff is proposing a three (3) year Agreement, to be renewed in one (1) year increments, with Patricia Lock-Dawson, to provide services necessary to assist the RCHCA in securing support from the Bureau of Land Management (BLM) to meet their obligations under the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP).

#### **6.7 Report on Surplus Lands List**

The properties that the RCHCA deems excess are those that are not needed for inclusion within the existing SKR reserve system. The parcels listed below were received from the BLM to be traded or sold to contribute to the federal commitment under the SKR HCP. These lands are considered "surplus".

<u>APN</u>	<u>No. of Acres</u>	<u>Location</u>
454-090-014	80 acres	East Hemet Community
569-320-026	56.9 acres	Sage Community
580-120-013	40 acres	Anza Community
580-120-014	40 acres	Anza Community
580-450-001	40 acres	Anza Community

#### **6.8 Minutes from the January 10, 2008, Study Session**

The minutes from the January 10, 2008, Study Session was presented for approval.

**MOTION for approval of items 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8: Eugene Montanez**  
**SECOND: Bill Batey**  
**Motion Approved**  
**Ayes-6**  
**None Opposed**

### **7. POLICY CALENDAR:**

#### **7.1 Presentation on the Lake Mathews Reserve**

Mr. Shomo discussed the Lake Mathews Reserve and shared the following:

##### What is the Reserve?

- There are more than 11,000 acres functioning as a core reserve designed to mitigate regional impacts for multiple species.
- The Reserve is owned by the following:
  - RCHCA
  - Metropolitan Water District (MWD)
  - California Department of Fish and Game (CDFG)

- Bureau of Land Management (BLM)
- County of Riverside

#### Current SKR Status

- High density SKR populations in the northern grassland areas of the Reserve.
- Low density SKR populations, typically confined to ridge tops in the southern areas of the Reserve.

#### Goals

- To provide a benefit to the species and a value to the community.
- Document and quantify results to provide a “roadmap” for future land management decisions.

#### Current Problems

- Illegal trash dumping
  - Sites concentrated near access roads and include:
    - ✓ Agricultural materials
    - ✓ Abandoned vehicles
    - ✓ Shooting and target debris in the southern part of the Reserve
- Illegal trespassing and off-highway vehicles (OHV)
  - Two (2) “motocross tracks” and hill climbs
  - Unauthorized roads
  - Parties and litter
- Illegal shooting
- Vandalism

#### Results of Illegal Activities

- Increased direct and indirect impacts to SKR
  - Direct crushing of SKR and their burrows
  - Habitat loss
  - Increased “alien” grasses = decreased forage space
- Increased incidence of fires
  - The previous two fires within the Reserve happened because of the absence of spark arresters on motorcycles
- Increased risk of liability

#### Security

- Phase 1 Fencing Plan
  - Includes fencing the northern boundary of RCHCA lands
    - ✓ Materials include welded rail, commercial chain link with barbed wire and three strands of barbless barbed wire
  - Increased “No Trespassing” signs depicting boundaries
  - Heavy duty gates at access locations
  - In combination with MWD’s existing fence fully secures the northern boundary of the Reserve

- Increased patrols
  - ROVE sting operations; Manager patrols; coordination with other agencies

Short-Term Objectives

- 1<sup>st</sup> Year
  - Security
    - ✓ Complete Phase 1 fencing
  - Clean up
    - ✓ Remove excess debris and litter
  - Presence/Absence Survey
    - ✓ Ensure 12,000 acres of habitat are occupied by SKR within core reserves
- 2<sup>nd</sup> Year
  - Begin habitat restoration and management
    - ✓ Secure a Vegetation Management Plan (VMP)
    - ✓ Remove invasive species from riparian corridors

Long-Term Objectives

- Community involvement and outreach programs
- Educational opportunities
  - Primary education
  - University
- Peer reviewed research identifying SKR population changes and trends
  - Statistically robust and scientifically defensible
  - Maintain or increase the amount of SKR and/or their habitat

Ms. Lowe thanked Mr. Shomo for the eloquent job he did of outlining the Reserve and what his plans are for the Reserve.

Mr. Batey asked when the fencing project will begin.

Mr. Shomo stated that he anticipates that the fencing project will begin within the next few months, at least by June, and that he anticipates the project will be completed by the end of August.

Chairperson Yarbrough made the suggestion that the Board members and staff get together on the Reserve, on a Saturday, in jeans and t-shirts, and host a BBQ for the “neighbors”. He stated it also might be nice to have a couple of golf carts available to shuttle people around the Reserve to familiarize them with the Reserve. He also suggested inviting the media to this event.

Chairperson Yarbrough also suggested having a “clean-up” day on the Reserve. He suggested contacting a waste management company to see if they would provide us with large waste containers for disposing of discarded agricultural equipment, etc., that is on the Reserve. He also stated that he would be willing to provide complimentary towing service to remove abandoned vehicles from the Reserve.

Please note that Supervisor Buster stepped out of the room at this time.

## 7.2 Approval of the 9<sup>th</sup> Amendment to the Joint Powers Agreement (JPA)

Ms. Hester requested that the Board approve the 9<sup>th</sup> Amendment to the Joint Powers Agreement (JPA) which includes the following:

- 3.6 Board of Directors. This Agreement and the Agency created hereby shall be administered by the governing body of the Agency which shall be known as the "Board of Directors of the Riverside County Habitat Conservation Agency" herein called the "Board".  
The Board shall be composed of one Elected Official ~~regular representative~~ from each Member Agency. Each Member Agency shall appoint one Elected Official ~~person~~ to serve as the regular representative and shall also appoint an Elected Official to serve as an alternate representative ~~an alternate representative~~ of such Agency to the Board. ....
- 3.8.4 General Manager. The general manager, if appointed, or such other officer or employee of the Agency to whom the Board delegates such authority, shall have the power to appoint, promote, demote and remove employees of the Agency subject to the provisions of the Agency's approved budget, and subject to such personnel policies as may have been adopted by the Board. The General Manager shall also have the power to enter into Agreements in an amount not to exceed Twenty-Five Thousand dollars (\$25,000) and enter into non-substantive Amendments to such Agreements where there is no change to the maximum obligation amount or the scope of work in the Agreement, in accordance with the Riverside County Purchasing Department guidelines.

Ms. Hester also requested that the consolidated JPA, which includes Amendments 1-9 be approved. She stated that any subsequent amendments will be incorporated into the document which will then be submitted to the Board for approval. RCHCA staff will be responsible for maintaining all historical documents, along with an index of the amendments to the JPA.

**MOTION to adopt the 9<sup>th</sup> Amendment to the JPA as indicated above: Robin Lowe**

**SECOND: Bill Batey**

**Motion Approved**

**Ayes-6**

**None Opposed**

## 7.3 Approval of the Professional Services Agreement with Mayer Hoffman McCann for Mitigation Fee Auditing Services

Princess Hester stated that in May 2006, based on the independent auditor's recommendation, the RCHCA Board directed staff to conduct an audit of the Stephens' kangaroo rat (SKR) development mitigation fees that are collected by the Member Agencies.

In September 2007, the RCHCA issued a Request for Proposal (RFP) to solicit prospective vendors to provide auditing services for the mitigation fees that are collected. Of the three bids that were received, Mayer Hoffman McCann was selected to conduct the audit based on their overall score, response, and methodology.

The audit will provide the following:

- A review of the process that each Member Agency has in place to calculate, collect, deposit, distribute and remit SKR fee revenues to the RCHCA.
- Determine that the correct fees were collected and transmitted to the RCHCA.
- Recommendations on bringing the Member Agencies into compliance and fee obligations current, if necessary.
- Make recommendations, if necessary, to any portion of the overall processes to simplify and increase the accuracy of the program.
- A final written audit report of the findings, along with a presentation to the RCHCA's Finance Committee and Board of Directors.
- Methodology for subsequent annual random sampling.

Ms. Hester reported that the terms of the Agreement will be for three fiscal years, renewable in one-year increments. The maximum obligation amount shall not exceed \$59,840.

The Agreement will allow Mayer Hoffman McCann to provide the information necessary to ensure that the RCHCA is receiving the SKR fee revenues consistent with the terms of the JPA and each individual jurisdiction's adopted SKR Mitigation Fee Ordinance.

Ms. Hester asked the Board to approve and execute the Agreement with Mayer Hoffman McCann.

**MOTION to approve and execute the Agreement with Mayer Hoffman McCann to conduct the audit of the Stephens' kangaroo rat development mitigation fees that are collected by Member Agencies: Robin Lowe  
SECOND: Mike Gardner**

**Motion Approved  
Ayes-6  
None Opposed**

Please note that Supervisor Buster returned to the room at this time.

#### **7.4 Report on Reserve Management Committees for the Southwest Riverside County Multi-Species Reserve and the Lake Mathews Reserve**

Gail Barton gave an update on the Reserve Management Committee (RMC) meetings as follows:

##### Southwestern Riverside County Multi-Species Reserve:

Discussion included the following:

- Office Facility
  - Since there is not an active interpretive program at the Alamos Schoolhouse and since MWD is not looking to establish one at that location, this is a feasible and logical facility to use at this time for the Reserve Office.
    - "To do" items include:
      - ✓ Reserve Manager is securing a ramp for ADA compliance.
      - ✓ Repairs and modifications are being completed.

- ✓ Displays are being rearranged to allow for an area accessible by the public.
- ✓ Prices are being secured for a building for shop/storage with procurement of the facility yet to be determined.
- Management Plan
  - In progress; awaiting several outstanding items that need to be provided to the Reserve Manager for incorporation in the Plan.
- Conservation and Research for Endangered Species (CRES)
  - Potential research project was met with general approval with a formal presentation to the RMC to be made subsequent to the presentation made to the RCHCA Board.

Lake Mathews Reserve:

Discussion included the following:

- Introduction of Brian Shomo
  - Mr. Shomo provided an overview of his background.
- Management Plan Update
  - The RCHCA Table of Contents template was utilized as a basis for preparing an outline to be incorporated in a RFP for the preparation of a management plan for the MWD lands which include the RCHCA held conservation easement.
  - Mark Pavelka, of the US Fish and Wildlife Service, agreed to incorporate the various ideas expressed in order to come up with an outline that meets the needs of all.
- Agency Coordination
  - There are issues that come to the MWD for consideration, but because of the conservation easement, require the approval of the RCHCA.
    - MWD has brought this to the attention of their people.
    - The RCHCA is prepared to respond to issues that impact the MWD lands within the conservation easement.
  - Discussion of the sharing of GIS information.

Chairman Yarbrough requested that Ms. Barton provide the Board members with dates and times of upcoming RMC meetings so that those Board members that are interested, can plan to attend a meeting of the RMC to let those committee members know they are interested and concerned with the business that is discussed at the RMC meetings.

Ms. Barton stated that she will provide dates and times of the RMC meetings to all Board members.

**7.5 Report from Conservation and Research for Endangered Species (CRES) from the San Diego Zoological Society**

Ms. Barton introduced Dr. Debra Shier to the Board. She stated that Dr. Shier is a postdoctoral fellow at CRES and is a behavioral ecologist specializing in the social and ecological factors that affect the development of survival skills of small mammals during translocation/reintroduction.

Dr. Shier thanked the Board for allowing her to present her proposed study in the translocation of the Stephens' kangaroo rat (SKR). She stated that her plan is to study SKR at Lake Skinner during the summer of 2008. She stated that the plan is for her team to locate active burrow entrances and place numbered flags at each entrance. Traps will be set at the entrances during the hour before dusk and will be checked regularly throughout the night so that no animal remains in a trap for more than two hours. The animals will be marked with numbered eartags that are covered with color coded reflective tape. The SKRs will also be weighed, aged, sexed, and checked for reproductive condition. Dr. Shier stated that they will re-trap all SKR on the study site 20-75 times in order to establish burrow residency and population density. Assuming that weather is not a problem, trapping will be done nightly on a schedule of five days on and two days, off from May 1 thru September 30, 2008.

Please note that Supervisor Buster left the Board meeting at this time in order to attend another meeting.

Dr. Shier stated that her team will radiotrack 20 animals in order to determine home range size and dispersal biology of the species. They will collect data by locating each radio-collared animal by foot at 1-hour intervals for 5-hour nights either from 8:00 p.m. to 2:00 a.m., from 11:00 p.m. to 4:00 a.m., or from 1:00 a.m. to 6:00 a.m. Time periods for tracking will be randomized over the duration of the tracking. Transmitters will be attached to the SKR by using either a standard collar attachment or via a backpack attachment that has successfully been used on pocket mice. A 12-channel receiver and a hand-held Yagi antenna will be used to locate the SKR that have been fitted with radios. Once an animal's radio signal is received via the Yagi antenna, Dr. Shier stated that they will walk toward the signal scanning the area ahead with a headlamp. When the animal is located, they will record the distance in meters (North/South or East/West) from a numbered flag and record a GPS location. They will then triangulate at 90° using the nearest numbered flag to orient their direction. The team will take three readings for each location and use the average as a single radio fix for data analysis. Traps will only be opened in the early morning hours during radio-tracking because previous studies have shown that trapping has an inhibitory effect on movements during the night. Retrapping during this period will allow the team to assess the animal's condition, the backpack attachment of radios, and to recover loose or damaged radios.

Dr. Shier proposed that the SKRs be translocated to a site(s) within the species historic range within the Lake Skinner Reserve. The determination of the release site will be made in collaboration with the Reserve Manager. The site(s) will have habitat characteristics similar to that of the source population, but may need to be treated with fire or hand raked to create open ground. Sites will be prepared for "soft release" in order to limit dispersal and allow SKR to acclimate to the new site. One artificial burrow will be installed for each animal that is translocated. Spacing of artificial burrows will be determined by data collected during the 2008 field season. Acclimation cages will consist of an underground nest chamber (15cm in diameter x 20cm) set 0.5m underground, two cardboard tubes (6cm in diameter), which will connect the nest chamber to the surface, and an above-ground wire retention cage (.3m x .3m x .3m). One tube will be plugged during the acclimation period. This design will allow movement of SKR between the nest chamber and the above-ground

retention cage, but will limit escape during the acclimation period.

Dr. Shier stated that SKRs will be observed during the first two hours following release from the acclimation cages. The team will document the presence or absence of the following behaviors: foraging, digging, sandbathing, ranging outside release site, and intraspecific interactions. The team will observe fecal kangaroo rat behavior nightly until the animals aestivate/hibernate for the year.

Dr. Shier stated that to determine if natal habitat preferences affect settlement decisions post-release, the team will document habitat parameters at the source site and release sites. At the source site, they will quantify the following habitat variables: percent of open ground, plant species diversity, and dominant plant species. Dr. Shier stated that the team will determine habitat variables on a large scale (i.e., one-acre) and within each animal's home range (30m radius from capture site). At the release site, the team will quantify the same habitat variable as the large scale, at the site of release, and at the site of settlement. This data will allow the team to determine if the habitat characteristics at the capture and release site interact to affect post-release dispersal and survival.

Dr. Shier stated that all animals will be radiotracked in each treatment group to determine settlement decisions. Her team will also retrap all animals present at the release site and count emergent young in the spring or summer following release (April – May 2009).

Dr. Shier stated that at the end of the study, a final report will be produced which discusses the methods and results of research conducted. The report will include an introduction, discussion of methods, results, and a discussion of findings. She also stated that recommendations will be made for future research, along with any suggested modifications to the current research plan.

Chairperson Yarbrough asked if there is anything in the SKR permit that would restrict or prohibit Dr. Shier from conducting this study.

Ms. Barton stated that Mark Pavelka, from U.S. Fish and Wildlife Service, recommended that the RCHCA review the proposed study and allow Dr. Shier to conduct the study on RCHCA lands.

Robin Lowe stated that she feels the study will provide the RCHCA with some measurement and means of quantification of the SKRs, etc., that we have not had prior to this study. She also suggested that Dr. Shier work closely with Ms. Barton while conducting this study to ensure that SKRs are not inadvertently relocated to any area north of Diamond Valley Lake.

**MOTION to support and approve the proposed study by Dr. Shier in the translocation of the Stephens' kangaroo rat: Robin Lowe**

**SECOND: Mike Gardner**

**Motion Approved  
Ayes-6  
None Opposed**

**7.6 Verbal Report on Status of the Coachella Valley Multiple Species Habitat Conservation Plan**

Ms. Luna stated that permit conditions are currently being negotiated. She hopes that they will be in place by mid-March.

Ms. Luna reported that on Tuesday, February 26<sup>th</sup>, the Board of Supervisors will be considering a policy on how much take will be awarded in the unincorporated portions of Riverside County. She stated that this plan is very different from the Western plan. What is being proposed for any development that comes forward is that they can be afforded approximately 8% of their property to be taken, but no more than that.

**8. EXECUTIVE DIRECTOR'S REPORT**

Ms. Luna introduced Mike Gardner and stated that he is the new RCHCA representative for the City of Riverside. Mr. Gardner is replacing Dom Betro on this Board.

Ms. Luna stated that RCHCA staff will be inviting Mayer Hoffman McCann (auditors), as well as the city managers and finance directors to a luncheon scheduled for March 4<sup>th</sup>. This will be an informational get-together to let the cities know what the auditors will be looking at when they conduct the audit on the SKR mitigation fees.

**9. CLOSED SESSION**

No items were scheduled for closed session.

**10. ITEMS FOR NEXT MEETING**

No items were suggested for the next meeting.

**11. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 4:15 p.m. The next meeting will be held on May 15, 2008. The Board agreed to hold the meeting at the Perris City Council Chambers, beginning at 3:00 p.m.