

## **APPENDIX F**

### **Reserve Public Use Policy and Implementation Guidelines**

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#### **1. Policy**

This public use policy is directed at requests from the general public to utilize RCHCA owned reserve lands. Requests for access to areas outside the RCHCA lands but within the Lake Mathews Reserve will need to go to the Lake Mathews Reserve Management Committee for consideration.

Evaluation of proposals will be based on:

- a. Potential to provide opportunities for the public to learn from and enjoy the Reserve provided that it is done in a manner consistent with good management, public safety, and consistency with the Reserve mandate to protect native species and their habitats; and
- b. Potential for adverse environmental (ecological and/or biological) effects.

Decisions on public access will balance the benefits to the public against the potential impacts to Reserve resources. The potential for public access to generate funds for the management of the Reserve may be a consideration.

#### **2. Implementation Guidelines**

Individuals requesting access to the Reserve (proponent) will be provided with the “RCHCA Public Use Proposal Checklist”. The proposal will address the information required on the checklist.

The proposal will be sent to the Reserve Manager who will conduct a pre-review of the proposal and contact the proponent if further information and/or clarification is necessary. The Reserve Manager will provide the proposal, along with her/his recommendations, to the RCHCA administrative staff for review. The recommendations provided by the Reserve Manager will include, but not be limited to:

- a. A description of the proposed public use;
- b. A brief discussion of how the proposed use will be managed. Such a discussion will identify potential conflicts with other public uses, ongoing research programs, management activities, and the level of oversight that will be necessary by Reserve staff;
- c. A description of potential environmental impacts; and
- d. An analysis of potential income generated by the proposed use.

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The Reserve Manager will discuss the proposal with RCHCA administrative staff. The evaluation will be based on the following considerations (see details in Number 4):

- Ecological/biological benefits and impacts;
- Management issues and conflicts;
- Interpretation and recreation benefits and/or conflicts;
- Cultural resources issues and/or concerns; and
- Potential fees.

A proposal may be approved as presented or with specific terms and conditions as determined by the Reserve Manager and RCHCA administrative staff. It may be deemed necessary to take a proposal to the RCHCA Board.

### **3. Provisions for Summary Approval of Activities**

The implementation guidelines described above apply to all proposed uses of the Reserve, except that, once a general trail and public access plan has been approved and implemented, public uses that are generally consistent with that trail and public access plan may be considered without the formal process outlined above. For example, a request for a special event such as a “group hike” or a one-time “walk-a-thon” may be considered without implementing the process outlined above. Such activities may be summarily approved, provided that all three of the following criteria are met:

1. The proposed public use is consistent with the approved trails and general public access plan;
2. The proposed public use will not have significant impacts, impacts greater than those anticipated in the general trails plan and/or public access plan; and
3. Approval of the proposed public use does not set a precedent which would lead to other activities which might have impacts significantly greater than those anticipated in the general trails and public access plan.

If the Reserve Manager receives a proposal which may fall into this category, s/he will forward the proposal to RCHCA administrative staff for concurrence.

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#### 4. Evaluation Considerations

##### 4.1 Potential Ecological/Biological Impacts

The evaluation of the potential for significant impacts will include consideration of the duration of an activity, the duration of the impact, and the capacity of the resource to adapt to the impact. To evaluate the potential for a proposed public use to have significant ecological or biological impacts, RCHCA administrative staff may utilize available information and data as well as the expertise of biological staff and/or consultants.

##### *Criteria 1: Nature of the activity*

A number of factors will be considered in evaluating the nature of an activity:

- a. Geographic extent of the activity (by habitat, by location, total area covered);
- b. Duration of the activity (daily, seasonal, annual, one-time only);
- c. The timing of the activity (early morning, all day, evening, etc.);
- d. Disturbance potential of the activity (noise, physical impacts on habitat); and
- e. Potential for introduction of exotic species.

The evaluation of ecological impacts will be judged on the basis of the combination of these factors, taking into account, for example, that a wide-spread activity with short duration and low-levels of participation may have an impact equivalent to a highly confined activity that involves daily impacts of many people. The evaluation will reflect the potential for one of the above factors to offset another.

In addition to a purely technical evaluation, the evaluation may also consider whether allowing a particular activity or level of use sets a precedent which would require similar activities to be considered in the future. In short, the evaluation must consider fairness to others with similar interests or proposals.

##### *Criteria 2. Biological Resource Sensitivity*

An evaluation of biological/ecological sensitivity will take into account:

- Seasonal variations in species/community sensitivity;

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- The status of species affected (endangered, threatened, or other levels of official legal protection);
- The specific sensitivity of the suite of species affected to the type of disturbance the activity will involve (i.e., whether the species affected are likely to be tolerant of the activity); and
- The scope of the impact, whether the impact will be to individuals, sub-populations, habitat units, populations, or whole communities.

No public activity which has a significant impact on a species listed as protected under California or Federal regulations including, but not limited to, ESA, CESA, NCCP, MBTA, and CEQA. Further, impacts to any of the species covered under this MSHCP will also be carefully considered.

#### 4.2 Management Issues and Conflicts

The ability to manage an activity will necessarily enhance the ability to ensure its compatibility with Reserve objectives. In evaluating this factor, the following may be considered:

- a. The historic record of management attempts (have other people been successful at managing similar activities); and
- b. The inherent manageability of the activity (do we have the resources needed to manage effectively or can it be self-managed?)

In general, a proposed activity will not be approved if it has a history of being non-controllable or if resources are not available to provide management of the activity. The evaluation will take into consideration a group's ability and willingness to self-manage their proposed activity, thereby not placing a burden on Reserve resources (human or mechanical).

#### ***Criteria 3: Public Safety***

Public safety is an overriding concern. Prior to making a decision, the Reserve Manager and/or RCHCA administrative staff will consult appropriate agency staff to determine the public safety and liability risks involved in approval of an activity. There are several different safety issues: the documented potential for problems (in general and on the Reserve), the potential for injury if there is a problem, and the potential for safety problems associated with the activity. In considering this criterion, the evaluation will address:

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- a. The demonstrated safety record of the activity;
- b. Conditions on the Reserve which may affect the safety of the activity for the general public, researchers, Reserve staff, and Reserve neighbors;
- c. The level of activity which may be allowed consistent with public safety; and
- d. Management, such as signs, patrols, and special regulations, required to provide for public safety, consistent with the wilderness nature of the Reserve.

#### 4.3 Interpretation and Recreation Benefits of the Proposal

##### ***Criteria 5: Purpose of the Activity: Nature Study, Interpretation, or Recreation***

In accordance with the Reserve MSHCP, public uses which have a nature study and/or interpretive component will be given higher priority than uses which do not have such a component. The following should be considered:

- a. The extent to which the proposed activity is generally educational;
- b. The extent to which the proposed activity increases the public's appreciation of the goals and objectives of the Reserve; and
- c. The extent to which the recreation experience provided can be supplemented by an educational or interpretive program.

##### ***Criteria 6: General Public Benefits***

The Reserve is a public trust, and general public uses will be given priority over specialized uses, if there is a conflict. In evaluating this issue, the evaluation will generally consider levels of use, whether a proposed use would restrict other uses, and duration of the restriction. As a guideline, the priorities are, in generally descending order:

- a. General public use;
- b. Special events open to a broad spectrum of the general public; and
- c. Other special events/activities which do not conflict with general public use.

Special events or activities which involve a limited conflict with general public use may be approved if the evaluation concludes that such activities will not significantly affect a general public use, or affect general public health and safety of visitors to and neighbors of the Reserve.

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Finally, the evaluation will consider whether a special activity requires an exemption from rules which govern other general public uses, and whether granting an exemption for a use may set precedents which may lead to general revisions to management or public use rules.

For purposes of evaluation, “general public use” is defined as “use which is available to a broad spectrum of the public, including different age groups, which does not require special training, equipment, or permits.” As an example, hiking would be considered a general public use whereas hang-gliding would not. “Specialized uses” are defined as all uses which are not general public uses.

#### ***Criteria 7: Existing Regional Opportunities for the Activity***

If there are many locations where the activity proposed is available, then the incremental benefit of the activity on the Reserve would be considered to be lower than if the Reserve was one of only a few areas where the activity was available. This criterion is not applicable to the general trails uses specified in the Reserve MSHCP. For other activities, the evaluation will consider:

- a. The extent to which there are other opportunities/venues for the activity in the region and the immediate vicinity of the Reserve;
- b. The potential for the Reserve to provide a higher quality opportunity for the activity than at other locations in the region and the immediate vicinity of the Reserve; and
- c. The extent to which the activity requires open space, or can be conducted elsewhere.

#### ***Criteria 8: Demand***

Demand will be evaluated in terms of the number of people who will likely participate in the proposed activity and the probability that demand will change in the future. Frequent changes in permitted activities or levels of use can confuse people and lead to frustration. The evaluation will consider the potential long-term demand for an activity with the understanding that any activity may be cancelled if it proves harmful to the Reserve.

#### **4.4 Cultural Resources Impacts**

Compliance with Federal and State laws and regulations regarding the protection of cultural resources is required. University of California Riverside is the repository for information on cultural resources.

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#### *Criteria 9: Cultural Impacts*

The following factors will be considered in evaluation of cultural resources:

- a. Importance of affected resource;
- b. Nature of the impact;
- c. Potential for permanent loss or damage to the resource;
- d. Cost of mitigation; and
- e. The desires of the Native American Community.

In general, higher priority will be given to activities affecting low-importance resources, with low impact, low potential for permanent loss, low mitigation costs, and low concern of the Native American Community.

#### 4.5 Potential Fees

A fee and/or deposit may be required.

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## **RCHCA Public Use Proposal Checklist**

Mail proposal at least three months prior to the requested event date to:

Reserve Manager

\_\_\_\_\_  
\_\_\_\_\_

This form is for activities that are not associated with already approved Reserve trail use. In addition, this form is not for research proposals. If you need a research proposal application, or if you have any questions, please contact the Reserve Manager at \_\_\_\_\_.

Please use this checklist to be sure you include all relevant information in your proposal. Please be aware that the following are not allowed: overnight events, off-road vehicle use, off-road bicycle use, or open fires of any kind:

1. Current date
2. Date(s) and time(s) of requested event
3. Applicant name, mailing address, telephone number, email address
4. Description of the proposed activity
  - a. What kind of activity are you proposing?
  - b. How many people would be participating?
  - c. How long will the event last?
  - d. How many vehicles will need to be in the Reserve?
  - e. Will there be a need to travel off road?
5. Describe or map the area where you would like the event to take place. (Please contact the Reserve Manager for a map.)
6. The Reserve may charge a deposit and/or fee for public use. Please be prepared to discuss the fee for your activity with the Reserve Manager.
7. Please list all anticipated impacts to the Reserve from your activity:
  - a. Damage to habitat
  - b. Noise
  - c. Dust
8. Will you need to collect any plants or animals?
9. Be sure to carefully review and sign the rules and regulations below. If the application is approved, the user must comply with all applicable reserve regulations.

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#### RESERVE REGULATIONS

1. The person who is identified as the applicant in the proposal will accept all responsibility for the actions of the group and agrees to apprise the group of all Reserve rules and regulations.
2. Firearms are prohibited on the reserve unless specifically authorized.
3. Smoking and/or other incendiary devices is/are prohibited within Reserve boundaries.
4. Alcohol is prohibited within Reserve boundaries.
5. Gates will be kept locked at all times.
6. The speed limit on the reserve is a maximum of 15 m.p.h.
7. All elements of your visit (trash, equipment, etc.) must be removed at the end of your stay.
8. Cultural resources may not be disturbed or removed.
9. Do not disturb the wildlife. Any wildlife encountered shall be avoided.
10. The applicant listed on this proposal **will notify the Reserve Manager** by phone (\_\_\_\_\_) and/or email (\_\_\_\_\_) at least 24 hours prior to visiting the reserve.
11. Failure to comply with the reserve regulations, any special limitations, or unnecessary damage to roads or other Reserve resources may result in the revocation of privileges or access.

I have read and agree to comply with the regulations listed above and any specific terms and conditions appended to this application and I am aware that it is my responsibility to disseminate this information to all members of my party.

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Applicant's Signature

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Date