

UPPER SANTA ANA RIVER WASH LAND MANAGEMENT AND HABITAT
CONSERVATION PLAN TASK FORCE

MINUTES
June 4, 2013

PRESENT

Governing Committee

Jon Harrison, Chair
David E. Raley
Christine Goeyvarts
Christine Jones
Scott Hess
John Mura
Mike Mestas

Technical Committee

John Jacquess
Ernie Wong
David Lovell
Daniel B. Cozad
David Cosgrove
Randy Scott
Robert Dalquest
Chris Diggs
Doug Headrick
Ken Corey
Geary Hund
Karin Cleary-Rose
Shay Lawrey
Jeff Brandt
Kim Freeburn
Larry LaPre

OTHERS IN ATTENDANCE

Cecilia Griego
AJ Gerber
Tom McGill
Ruth Villalobos
Jeff Beehler

REPRESENTING

City of Redlands
SBV Water Conservation District
Robertson's Ready Mix
CEMEX
CEMEX
East Valley Water District
East Valley Water District

City of Highland
City of Highland
SB County Flood Control District
SBV Water Conservation District
SBV Water Conservation District
SBV Water Conservation District
City of Redlands
City of Redlands
SBV Municipal Water District
US Fish & Wildlife Service
US Fish & Wildlife Service
US Fish & Wildlife Service
IVDA
Department of Fish & Wildlife
Department of Fish & Wildlife
Bureau of Land Management

REPRESENTING

City of Redlands
SB County Parks
RBF Consulting
RBF Consulting
SAWPA

1. CALL MEETING TO ORDER

The Upper Santa Ana River Wash Land Management and Habitat Conservation Plan Task Force meeting was called to order by Chairman Jon Harrison at 9:30 a.m. in the offices of the San Bernardino Valley Water Conservation District, 1630 West Redlands Boulevard, Suite A, Redlands, California.

2. SELF-INTRODUCTIONS

Those present introduced themselves.

3. PUBLIC COMMENT

Chairman Harrison asked if there were any items that anyone wished to discuss that were not on the agenda. Hearing none, the meeting preceded with the published agenda items.

4. PROPOSED APPROACH AND STATUS REPORT ON EFFORTS

Daniel Cozad, General Manager of San Bernardino Valley Water Conservation District (District) gave a PowerPoint presentation overview of the Wash Plan (Plan) and purpose of today's meeting. Randy Scott, Project Manager for the District continued presentation by providing history on the Wash Plan since there were new members present. He noted that Robertson's and CEMEX were interested in expanding their quarries. Beginning in 1993 there were initial discussions about better planning for the Wash Area. Burnie Cavender, a previous General Manager developed an alternative and plan for the Wash Area so called Plan B including such activities as mining and additional groundwater recharge facilities for the District as well as trails and habitat conservation. Through the next few years additional agencies joined the Wash Plan effort and a task force was developed. In 2002, the details of the Plan were developed and environmental documents were prepared. In 2008, the District certified the Environmental Impact Report (EIR) and adopted the Plan including all of its components. Mr. Scott reviewed the map in Figure 3.10 from 2008. In 2009, a Draft Environmental Impact Statement (EIS) that evaluated the proposed land exchange between the Bureau of Land Management (BLM) and the District was distributed for review and comment. Due to concerns raised by the US Fish and Wildlife Service (USFWS), final action on the EIS was deferred. Additionally, a Review Draft HCP was prepared and presented to the USFWS for review and comment. The Draft HCP was also put on hold in order to collaborate with BLM and USFWS on an improved conservation strategy. Mr. Cozad reviewed proposed ownership and habitat currently in the area. The San Bernardino Kangaroo Rat (SBKR), wooly star, and spine flower are key aspects of implementation.

Mr. Cozad continued presentation picking up in June 2012 when Staff prepared a decision document and proposed six phases of work needed for the Wash Plan to be completed. He also indicated that the EIS and Habitat Conservation Plan (HCP) documents still need to be revised and finalized. The Board of the District gave direction

to proceed with Task 1 until staff is able to provide the Board with feedback from the Task Force. After questions were answered this presentation was received and filed.

5. PRESENT THE NEW CONSERVATION STRATEGY APPROACH

Ken Cory of USFWS started a PowerPoint presentation on the new conservation strategy. He reviewed the Plan in depth; focusing on endangered species and habitat areas they were concerned about. He stressed the importance of being sure that the conservation strategy is clearly identified and mapped out. The ultimate success of the plan and the NEPA document are dependent on how clearly defined lines depicting conservation, habitat, and aggregate development are depicted. Geary Hund with USFWS continued review of the conservation strategy and the map of areas for conservation activities and covered activities. The 2008 HCP had a good foundation, but additional information is needed to be included in the proposal of covered activities and conservation to ensure timely implementation of the Plan. Mr. Hund reviewed the endangered species in the Plan area which include: California Gnatcatcher, Woolly Star, Slender-horned spineflower and SBKRUSFWS felt that “ground-truthing” the District’s habitat modeling, as presented in previous documents, was a necessary starting point in developing a sound Conservation Strategy. SBKR is associated with certain plants and substrate which correlates with their likely abundance. Mr. Hund and Tom McGill of RBF Consulting spent many days in the field looking at the habitat. The configuration of the conserved lands are also an important factor to be taken into consideration including ecological processes areas that may not be specifically occupied habitat. There is ultimately 162 additional acres that are recommended balanced with up to 27 acres of additional for acres for mining as are indicated on the map presented. The proposed Enhanced Recharge spreading basins are also taken into account. Another consideration is that the spineflower is extremely rare and the potential for moving this plant into an area where it will thrive has to be taken into account.

Mr. McGill spoke on the management and monitoring costs related to the conservation in the Plan. He is the biologist that walked the proposed Plan area with Mr. Hund. They looked for new infestations of exotic species such as grasses. Mr. McGill stated that management of human use is important and that this disturbance is an ongoing issue, the plan will need to be able to keep trespassers out of habitat. There should be an ongoing monitoring program for the four protected species identified in the Plan area listed above. Management and monitoring costs are currently estimated at between \$500,000 and \$700,000 a year per year depending on phasing. Mr. McGill indicated that he is still getting cost information from outside agencies that are currently doing this type of work and trying to reduce this preliminary estimate. The HCP implementation costs detail presented indicated costs between \$529,000 and \$673,000. California DFW will also need to review the conservation strategy. DFW indicated they like what they have seen and will be available to provide review in a timely manner to keep the process moving, Larry LaPre of BLM asked if there is a public access component. Mr. McGill indicated the plan contains trail access but the plan must also restrict unauthorized access which is a significant issue. Items that will need be considered for public access usage include:

provision of trash cans, trail clean up, trail access parking lots, park rangers, and trail maintenance. The preliminary budget does not have these components as they would be related to the cities interests. The cities can determine what level of participation they want to include in their budget.

Mr. Cozad indicated that stakeholders need to make a go/no-go decision. He stated that each stakeholder will need to identify if the conservation strategy is acceptable to them and provide any suggested revisions. The District would like to go back to the Board with a recommendation based on Task Force feedback in one month and get approval to move forward. Costs may be the primary concern of stakeholders.

Ruth Villalobos with RBF asked for Jeff Brandt and Kim Freeburn of DFW to speak on newest version of the Plan. DFW would like to engage in larger efforts to help move the Plan forward. There are several different entities doing several different activities and public access is of high concern especially to protect habitat. Ms. Villalobos stated that you do not want so much access that it disturbs habitat, but tread carefully as to where that access and trails go. Mr. Hund indicated that for there to be trail use cities will have to direct enough resources to ensure habitat is not affected. Mr. Cozad stated that they would like to have permissive use and to partner with their communities for such uses. Dave Lovell of San Bernardino County Flood Control District (SBCFCD) stated that one of their first efforts (in the mid-90's) to limit vehicular traffic was to place berms and reduce maintenance required in the WSPA and habitat areas.

6. WASH PLAN BUDGET AND SCHEDULE

Mr. Cozad reviewed the PowerPoint on HCP and EIS costs. The proposed budget consists mainly of technical costs, but includes funding for outreach and appropriate staffing. The estimated contributions from all stakeholders are estimated at \$800,000 and the revenue budget was broken out based on previously agreed upon percentages. The level of commitment needed per agency by percentage was detailed on Slide 24. Mr. Cozad anticipates costs to be a percentage of direct activities for implementation. John Mura, General Manager of East Valley Water District (EVWD) asked for more detail to be obtained in order to be presented to EVWD's board. He asked how the District would be impacted by future costs and how those would affect the Groundwater Charge. Mr. Cozad indicated that any expenses for the Plan would be paid out of the Land Resources Enterprise and that there is no direct connection to the groundwater charge/enterprise. He also indicated that the public access issue is an important current issue for the District. Mr. Cozad asked if all stakeholders are interested in moving forward and committing to cover costs of HCP and EIS. John Jaquess with the City of Highland asked if the costs presented are final costs or will there be further requests. Mr. Cozad stated that the current budget represents the costs for the HCP and EIS. He went on to say that this is the best analysis of what potential costs will be and the District cannot say that there will not be additional costs for unforeseen items. Land dedication and fees are an issue.

Mr. Cozad asked if the Task Force was comfortable with the estimated costs and the current percentages for each entity. Mr. Mura asked if they are committing to one time cost of \$787,000 to get project implemented. Mr. Cozad indicated that more work will need to be done for implementation and that there will be long term costs for implementation. The additional costs will be considered and up for approval as they come and may have a different percentage basis, such as percent of covered acres. Mr. Cosgrove indicated that the Plan is currently in the permitting process and that budget presented is the best estimate based on permitting requirements, and the Districts experience dealing in this process.

Chairman Harrison asked if ongoing maintenance costs are covered under \$800,000. Mr. Cozad indicated every stakeholder is in slightly different positions regarding the management actions that are needed to support their actions. The activities that each stakeholder decides to have covered under the Wash Plan will likely pay a percentage the total implementation costs to cover the costs for those activities. The list of covered activities will have to be clearly identified to determine exact costs. Council-member Harrison clarified that implementation management costs are going to be tied to activity and will be a proportional cost. Mr. Cosgrove stated that permitting resource agencies have given enough support and activities for the actions to date. The obligation of the conservation is permanent, the mining revenues will not be. The amenity for the community is permanent as well said Jeff Brandt of CDFW. Mr. Cozad continued presentation and reviewed project schedule. There are some items that can go forward while the HCP and EIS revisions are worked on. It looks as though it will be a 24 month schedule to get to Phase 5. FWS would like solidification of activity for each stakeholder. List of Covered Activities will have to be complete and approved by the group for the Plan to become a "Go". Council-member Harrison inquired as to if USFWS needs commitment such as proposal for public access, where, and what kind of access. USFWS ideally wants detailed information on covered activities to be presented. The level of smoothness in implementation of the plan depends on how well the plan has been put together and the completeness of the information presented. The next two boxes after red line on the slide showing the 24 month schedule slide indicate when the entities would need to submit their proposals, i.e. very soon.

Mr. Cozad said the baseline of what each stakeholder's activities are and that they committed to can come from the EIR and HCP. The GIS maps and details are important to the process and need to be clarified. USFWS stated they will make themselves available to review stakeholder proposals. Mr. Cosgrove said to the extent that you need support from the District to please let us know. He also indicated that any and all feedback is beneficial.

Mr. Cozad stated he will send additional information to the stakeholders of the Task Force to make it easier for them to determine their activities and what was included. This will help them with the decision on participation. Director David Raley of the District asked if it was enumerated somewhere on how the Plan will benefit the stakeholders. He said that it may be helpful to give to them detailed information to take back to their boards. Mr. Cosgrove indicated that there was previously a table with mining,

conservation, habitat, etc. He also indicated that water supply issue long term issue of benefit to the community at large as well as the water providers specifically. There are short term benefits for mining agencies over the next 40 years. The plan with mining, water and conservation ensures regional economic health. Mr. Hund said that the economic benefits of open space and have been studies and the reports are available. A sample “staff report” will be developed and provided to stakeholders.

7. CONSIDER NEED TO REVISE THE TASK FORCE AGREEMENTS

Mr. Cozad stated that the SBVMWD would like to participate in the Plan. He reviewed the Enhanced Recharge Project and its position as the implementation of the added recharge that the District has included in the original HCP. Also, the cost share needs to be presented to stakeholders related to their benefit. Mr. Cozad indicated that costs are likely already paid for mitigation credits the entities for projects. The mitigation cost will be separated once the covered activities are clearly identified.

Any changes in Task Force Agreement will have to be reviewed by Task Force and approved. Mr. Cosgrove refined forecast of habitat and mitigation. Refined management costs should be defined. He also stated that a covered activities and management costs meeting will need to be the next Task Force effort. Mr. Cozad asked what CDFW and USFWS would need. They indicated that they will need to review currently proposed covered activities and consider any changes. The Draft HCP has a list of activities well as EIR. FWS urged stakeholders to watch for overly broad activity descriptions because they are a likely area for problems. The activities need to clearly identify physical locations and ongoing environmental maintenance.

8. NEXT STEPS AND NEXT MEETING

The consensus of the Task Force is to come back mid-July to review covered activities list, consider approval of budget and approval of Task Force amendments. To facilitate these following next steps were identified:

1. Staff will provide materials from the meeting for information and consideration
2. Staff will provide the Covered Activities listed in the HCP and EIR to cities and others and schedule a meeting to review the Covered Activities and Budget. After that meeting a follow up will be held with USFWS and CDFW and activity proponents.
3. Staff will schedule the next Task Force meeting for the Week of July 15, 2013.

9. ADJOURN MEETING

There being no further business, the meeting was adjourned at 11:47 a.m.