

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

MINUTES
March 4, 2015

PRESENT

Governing Committee

Jon Harrison, Chair
Karin Cleary-Rose
Ken Corey
Christine Goeyvarts
Doug Headrick
Christine Jones
John Kalish
David E. Raley
Eliseo Ochoa

Technical Committee

Jeff Beehler
Daniel B. Cozad
Brandon Anderson
Robert Dalquest
Heather Dyer
Kim Freeburn
Geary Hund
Dave Lovell
Lawrence Mainez

OTHERS IN ATTENDANCE

David Cosgrove
Cecilia Griego
Jan Leja
Tom McGill
Angie Quiroga
Charles Roberts
Mikael Romich

REPRESENTING

City of Redlands
US Fish & Wildlife Service
US Fish & Wildlife Service
Robertson's Ready Mix
SBV Municipal Water District
CEMEX
BLM (Via teleconference)
SBV Water Conservation District
East Valley Water District

SBV Water Conservation District
SBV Water Conservation District
Bureau of Land Management
City of Redlands
SBV Municipal Water District
CA Dept of Fish & Wildlife
US Fish & Wildlife Service
SBC Flood Control District
City of Highland

REPRESENTING

SBV Water Conservation District
City of Redlands
Congressman Paul Cook
RBF Consulting
SBV Water Conservation District
Highland Community News
ICF Consulting

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 1:34 p.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 address that were not on the agenda. Hearing none, the meeting preceded with the published agenda items.

4. WASH PLAN HCP:UPDATE AND TAKE PERMIT STRUCTURE

Daniel Cozad, San Bernardino Valley Water Conservation District (SBVWCD) provided an update on the status and structuring of the permit. He stated we are looking for feedback from all members.

Jeff Beehler presented an update on Wash Plan efforts. He explained a significant amount of time was spent on covered activities, conservation strategies and compliance. Next, we want to look at ways to manage the habitat and species while avoiding “take”. The habitat management areas have been classified as full, partial and spot treatment based on level of effort needed for management. As we primarily look at non-native grasses, we recognize herbicide is not a good option due to its expense and it raises many environmental questions. Thinning has been minimized due to expense as well. Most areas have been identified for grazing and fire. Sheep grazing may have species impacts, but we would flag specific grazing areas and contain the sheep with dogs and portable electric fences. Fire, another option, is a natural ecological process and is much cheaper. All treatment areas have been divided into 640 unique polygons and we have come up with an appropriate treatment strategy for each.

Jeff explained much of the management plan for covered activities has been developed: the HCP document which we will call the Wash Plan will be finalized and available March 30, 2015; the EIR/EIS, required environmental documentation, needed to take action; the Implementing Agreement (IA) is an agreement between SBVWCD and US Fish & Wildlife Service (FWS) which explains how the plan will be implemented, how the projects will lay out, conservation, etc. and then a similar agreement is needed between all partners that have covered activities. Lastly, the Habitat Management Plan (HMP) describes how we will manage this habitat to make sure our activities offset the loss to endangered species from our covered activities. Jeff stated the planning stage is ending and the public process phase has begun as of March 3, 2015 with the publication in the Federal register of a notice that we are moving forward. It is a document that BLM and CDFW service recognize as a real effort. A number of meetings to work on the document will be needed as well as several public process meetings. Wednesday, March 18th at SBVWCD from 2:00-4:00 PM and from 6:30-8:30 PM will be the first of the public process meetings. This is the public’s chance to participate and it will become a part of the administrative record of the EIR/EIS process. We are completing an HCP and we are moving forward. Jeff explained the public being notified of a formal CEQA/NEPA process. The Federal Government issued the notice in the Federal Register

and released a press release to their extensive contacts list. On the CEQA side, we posted at the County clerk's office, State Clearing House, notified CDFW directly, and notices are being published in The San Bernardino Sun and Highland Community News newspapers. As the public process is taking place, we will be working on the IA to clarify relationships and everyone's responsibilities. Daniel requested during this public process, if there are any concerns or questions please voice your opinion to SBVWCD staff directly first before saying it at a public meeting. We want to emerge as a coherent group that is moving forward together.

Jeff informed members, the issued "take" permit, which is necessary to move forward with our projects, and the IA, will be between FWS and SBVWCD. Within the IA, each participant will have a Certificate of Inclusion to operate under this permit. Your contribution to the endowment and mitigation must be in place prior to receiving this Certificate. You must adopt mitigation measures and pay mitigation costs. Should you not abide by the conditions of the certificate, FWS still has the same authority and will be notified. For CEMEX, the certificate may come in phases due to mining phases so the costs will be phased as well.

Daniel provided summary of proposed Wash Plan mitigation costs. Mitigation costs are estimated at \$400,000 per year for all of the Wash Plan. Setting up approximately a \$10 million endowment can generate that each year. Jump start funding, to allow progress in the first seven years is also needed. A 4% cap rate is proposed. Compared to prior estimates, this is substantially less. We have figured this is the cost side of the revenue to maintain the land in perpetuity. We are proposing to allocate the funding of the endowment based on land, footprint in acres, and habitat impact of each project but everyone must be in agreement. We have built in the ability to either fund in Year 1 or whenever your project gets funded. If you are deferring your investment, you will pay your share plus the amount of interest (4% Cap) the endowment would have earned had you funded in Year 1. Discussion ensued. It was concluded that dollars will need to be future adjusted and contingency plans will be needed. Daniel stated entity contributions will be worked on this month and review meetings will be scheduled with each entity. Once everyone has agreed, the contribution totals will be presented to the Task Force. Daniel reminded members they do have the option to obtain their own project permit if they prefer, but there is a cost savings for doing it together. With the jump start, we do want to get some improvements going early. The more we do and the better we do it early on allows us to keep costs reasonable, shows CDFW we are following through and allows us to build the endowment as we go.

5. UPDATE ON DEVELOPMENT OF ENVIRONMENTAL DOCUMENTS SUPPORTING WASH PLAN

Jeff stated the supplemental EIR/EIS group drafted document will be provided for review by March 17th. It will cover land exchange between BLM and District putting conservation in areas best for conservation and concentrates mining to a mining zone. John Kalish explained the SCRMP, South Coast Resource Management Plan, which lays

out management for all of BLM lands within Riverside, LA and San Bernardino counties. ACEC, areas of critical environment concern is special designation areas of critical environmental concern.

Jeff informed members there is a legislative act needed to do the land swap. A land withdrawal set by Congress in 1909 is impeding the land exchange and must be removed. A portion of the land we want to swap was designated by Congress solely for water conservation. We want to move this conservation area a quarter mile. Congress, upon approval, will have to do the land exchange for us contingent upon BLM's conditions. We are also going to request BLM lands that are considered "additionally managed" be permanently conserved for conservation/habit purposes. We have met with Congressmen Cook and Aguilar and staff who have been supportive. Karin Cleary-Rose responded to a question regarding opposing parties and stated the local Audubon and EHL, two entities that would have the most interest, do not show any signs of being unsupportive. Daniel reminded members the Wash Plan and its documents can keep moving forward independent of the land exchange up to a point. Many of the important early phase projects can begin before the land exchange must take place. Karin stated BLM will be noting in their analysis should the legislature decide not to do the exchange that everything that takes place prior to legislation is able to stand on its own and no irretrievable commitments have been made. Discussion ensued. Jan Leja asked if there are any State or Federal objections at this time: consensus was no. She asked what the expected time frame is to accomplish the legislative portion. Jeff stated the environmental documents should be ready by Fall and if the land exchange can occur, the analysis and HCP become much easier. Karin stated the land exchange would need to be done before the permit is issued and before documents are out for public review. Jan suggested having letters of support from City of Highland, City of Redlands, etc. for legislation ready to go to accomplish tasks simultaneously and help the timeline.

Geary Hund pointed out the HCP is more robust and the increased detail has been a response to comments from the environmental community. Jeff added it is very specific as to where the conservation is, what we are going to do and how we are going to do it. Heather Dyer suggested proactively reaching out to CBD and EHL to go through the conservation plan, management, etc. with them in detail. Karin suggested doing this with all potentially involved entities during the public scoping period. Jeff noted upcoming events:

- Working draft Wash Plan HCP expected March 30, 2015 will include the governance and financing structure that was discussed today.
- Supplemental EIR/EIS-March 17, 2015-a working draft for all members to comment on.
- Formally circulate EIR/EIS expected in June 2015
- Finalization of HCP package-August 2015. Fish & Wildlife will technically review prior to final package.
- Adoption of Environmental documentation expected in November 2015

Larry Mainez inquired about the Implementing Agreement (IA). Jeff stated the IA is not listed but must be ready to be circulated with entire HCP package. David Cosgrove is currently working on the provisions of the IA. CDFW provided an IA template to use.

6. CALIFORNIA HABITAT CONSERVATION PLANNING COALITION

Daniel stated Dan Silver from the Endangered Habitats League recommended the group consider formally participating in the California Habitat Conservation Planning Coalition, a group of people in various phases of HCP's who help with adding funding for these types of programs. No fee to join. Daniel requested permission for the District to participate.

It was moved by Doug Headrick and seconded by David Lovell to approve San Bernardino Valley Water Conservation District staff to participate in the California Habitat Conservation Planning Coalition on behalf of the Wash Plan. The motion carried unanimously.

7. NEXT MEETING

Next Meeting of the Task Force – TBD
Notice of Intent Public Meeting-March 18, 2015

8. ADJOURN MEETING

Meeting adjourned at 2:45 P.M.