



## **SAWA MEETING**

January 22, 2009

### **MINUTES**

Meeting Location:  
4500 Glenwood Drive  
Riverside, CA 92501  
9:00 A.M.

#### **I. CALL TO ORDER**

The meeting was called to order by Chairperson Zembal at 9:02 A.M.

#### **II. INTRODUCTIONS**

Attendees: Dick Zembal - OCWD; Bonnie Nasch - OCWD; Gayle Holyoak - SJBRCD; Jennifer Ares - IERCD; Diana Ruiz - RCRC; Vicki Long - EMARCD; Lee Reeder - SAWA; Jennette Corbitt - SAWA; Laurie Marscher - SAWA contract accountant; Hayley Lovan - USACE; Chris Parkes & Laurie Underwood - Adminastaff; Talula Barbee - OCWD/SAWA; David Mc Michael - OCWD/SAWA; Sue Hoffman - SAWA; Allyson Beckman - SAWA; Giovanni Arechavaleta - SAWA; Samantha Dempster - SAWA; Brett Mills - SAWA; Matt Talluto - MSHCP; Anna Milloy - CDFG; Michael Flores - CDFG; Paul Webb - RPW; Madgalena Rodriguez - CDFG; Adam Fischer - SARWQCB; Terry Reeser - SAWA; Shelli Lamb - RCRC; Kerwin Russell - RCRC;

Absent: Tim Romo - SAWA

#### **III. PUBLIC INPUT** – Oral communication from the public audience on any subject matter within SAWA's subject matter jurisdiction.

Shelli Lamb, the District Manager for RCRC stated they are currently in the process of filling out their form 700 (Fair Political Practices) and needs to know if there is a conflict of interest code for SAWA; and if so, she would need to see it. If SAWA is determined a public agency, anyone who makes a decision regarding business for the organization would need to complete a form 700. Chairperson Zembal stated that was something that could be addressed to legal counsel and he would let her know before the April 1st deadline.

#### **IV. REVIEW, AMEND AND APPROVAL OF MINUTES**

Approval of Minutes from December 18, 2008

Director Ruiz pointed out two corrections on pages 2 and 8. Director Long motioned to approve the December 18, 2008 minutes with the noted corrections. Director Ares seconded and the motion passed with no objections.

#### **V. MONTHLY FINANCIAL STATEMENTS**

- a. Approve Consent Calendar: October-November 2008
- b. Approve Consent Calendar: December 2008

c. Treasurer's Report - Diana Ruiz

Director Ruiz reported that she spoke to Kit at Merrill Lynch and SAWA lost 17% of our investment value; however, SAWA was not as bad as originally thought and out-performed the market at a 37% loss. SAWA's current asset allocation is 28% equity, 43% fixed income securities & 30% cash. SAWA needs to revisit our investment policy. Kit recommends we get together to discuss the investment policy and decide what kind of risk to take. Director Ruiz requests we find time in March to meet with her. For the end of the year there was a negative cash flow over \$883K, which included the losses and payment freezes.

Lee Reeder spoke to SAWPA and he believes the state is going to try to unfreeze the prop 50 funding and the ongoing money that we have on an open task order of \$225K is available for us to spend currently.

Chairperson Zembal – make sure we have not already done the removal process or at least picked out the site for the control. We have outstanding invoices paid to RPW of \$102.5K. SAWA has been invoiced \$99.5K from Nature's Image.

Hayley Lovan questioned whether SAWA has invoiced the USACE. Chairperson Zembal stated that we have invoiced Aspen, but we haven't been paid. SAWA still owes the Corps some reports that are currently being worked on and will be coming within the next couple of months.

Hayley Lovan informed the board that there may be additional mitigation funding coming from the Corps from a stimulus package. She is coordinating with contracting on how they can utilize SAWA more in the future – may involve several million dollars, possibly up to \$10M – maximum mitigation for the next year.

Director Ares motioned to approve the financial statements. Director Holyoak seconded and the motion passed with no objections.

**VI. PRESENTATIONS**

a. Administaff

Chris Parkes & Laurie Underwood gave a presentation on Administaff and the services offered to small to mid-sized businesses. The key points of interest revolve around employer-related liability management, benefits administration, business services, recruiting, training and development, performance management & employment administration.

The board agreed to have the representatives from Administaff meet with Lee and Jennette to see if this service was something that would be beneficial to SAWA and bring their recommendation to the board.

b. Jae Chung – USACE: New Regulations for Mitigations (see attached)

Jae Chung, Army Corps of Engineers gave a presentation on the new updates for the In-Lieu Fee program.

The difference between mitigation banks and In-Lieu Fee programs is really in the timing of when the work is done. Mitigation banks are conducted before the impacts, whereas the In-Lieu Fee programs are conducted after. This is a simple process that is broken down in four

phases over a timeline. Existing in-lieu fee programs will be phased out by July 8, 2010, unless grandfathered in for three years.

SAWA is doing what it takes to be in compliance with the new regulations; however, they will need to meet and get it all documented. Additionally, Jae needs the annual report to turn in for record keeping.

Goal of mitigation program was to have standardized objectives. They want to have the same type of standard, not equal but restore it where it makes sense, pressing needs in the watershed and move forward where it makes sense – selecting the sites. Protect a piece of land and the resources in perpetuity.

Do realize they want to restore lands without concern of who holds the deeds – language allows for flexibility, but want large, bulk of mitigation sites conducted through easements. If small, look at other opportunities other than easements.

With restoration, they like to see deeds.

If can't get access because landowner doesn't want to give approval, then it is a loss.

Emphasize long term management and site protection, for small parcels trying to remove arundo, permit conditions are efficient.

Presume we will not go on landowner property without approval.

Small project definition – applying to permits less than half an acre of impact. Larger projects would like to have restoration – pure restoration would want an easement.

Four phases – discussed steps to make sure the in-lieu fee program is in compliance with the new regulations.

1. Draft prospectus
2. Prospectus
3. Draft instrument
4. Final instrument

This process gives more flexibility of options to fund mitigation requirements.

## **VII. CORRESPONDENCE**

- a. New Legislation Affecting How Legislative Bodies Communicate (SB 1732)

Informational purposes only.

## **VIII. ACTION ITEMS**

- a. Labor Negotiation
  1. Project Manager Position

### **OPEN SESSION**

Director Long motioned to approve a 2% increase for the Project Manager position. Director Ares seconded and the motion passed with no objections.

b. Proposed Budget for 2009

Lee Reeder, SAWA Executive Director presented the proposed budget for 2009 to the board. The following changes/additions were incorporated into the budget:

Revenues:

4000 - Change to Mitigation / In-Lieu Fee Funds

4002 - Change to USACE

4005 - Carry over Prop 13 funding (525K)

4006 - Increase Donations for the Education Program

Add line items for Grants & Member Agency Reimbursements

Expenses:

6003 - Added line item for Safety Training

7012 - HH-Habitat on Hamner Project (Verify it is the Prop 13 funding)

Add line items for Legal Services & EMARCD Housing

Categories:

Add Conservation Easement (CE)

Add Restoration (R)

Director Long motioned to approve the proposed budget for 2009 with the noted changes. Director Holyoak seconded and the motion passed with no objections.

c. Analysis of SAWA policies for California Government Code and California Personnel Code Compliance

Director Ruiz presented the cost estimates for legal counsel to review the SAWA employee handbook & policies and recommended the board hire Geoffrey H. Hopper and Associates, Inc.

Director Long motioned to approve hiring Geoffrey H. Hopper and Associates, Inc. Director Ares seconded and the motion passed with no objections.

Chairperson Zembal requested to have Lee Reeder contact Geoffrey H. Hopper and Associates, Inc. & Varner and Brandt LLP regarding cost estimates for general legal advice and Brown Act reference.

d. Storage Shed for the Chino Office

Lee Reeder recommended the board go with Tuff Shed because it was the only shed that appeared to be sturdy enough for the Chino climate.

Director Long motioned to approve the cost for a 12x16 Pro Tall Ranch Shed. Director Holyoak seconded and the motion passed with no objections.

e. Carbon Canyon Post Fire Arundo Treatment

Moved forward with some mapping. The homeowners are requesting help. At this point the only guaranteed funding includes some funds from Caltrans that will cover the one time treatment of ten acres along the road, but there is another ten acres above that needs to be

treated. Claire Schlotterbeck from Hills for Everyone claims that the homeowners association will give SAWA \$5K for initial treatment.

Chairperson Zembal suggests there is no long-term guarantee funding, but there will be money to offset what we are doing right now. Does the board want to step into this and possibly take mitigation money in the future to fund it? The level of liability is approximately \$3,500 at this point. It is an opportunity to help homeowners and most likely, it would come back to SAWA to treat in the future so we might as well take care of it now while there is less work.

Director Long motioned to approve taking on the Carbon Canyon Post Fire Arundo treatment. Director Ares seconded and the motion passed with no objections.

## **IX. DISCUSSION ITEMS**

### **a. Status of Hall Easement**

Nothing new to report. The invoice came to OCWD and Chairperson Zembal forwarded it to Jennette Corbitt for payment from SAWA.

### **b. Status of Mockingbird Easement**

Currently we are trying to find out how this easement is valued. Because it is a liquidation from a bankruptcy that was from an environmental trust, we are comparing it with similar easements. In working with Greg Powers and legal counsel, we found that usually these easements are valued somewhere around \$60-80K an acre. There are not a lot of appraisers that will do these kind of easement values. The insurance itself is approximately \$500. Laurie suggested we need to find out what to value on the title insurance.

### **c. Technical Committee**

Director Ruiz would like to see the Technical Committee developed as per Kerwin Russell's previous recommendation. She believes this will help eliminate board time during the SAWA meetings and is a good resource tool for SAWA employees.

Director Long is concerned about reimbursement of time for members on the committee. Director Ruiz does not feel those that are members of a technical committee would be paid for their time, rather they are serving as a partner in a function. Shelli Lamb, District Manager from RCRC stated that her district is not worried about getting reimbursed for their time and is simply offering to share resources and expertise. Shelli feels it would be nice to have more of a connect with the SAWA employees since they are assisting with her district on several projects where they could benefit from plant palette and other specific shared resources.

Director Ares suggested the committees be defined more in detail. For instance, there might be a need for Sue to attend a biological monitoring committee and Tim attend a habitat restoration committee where he could benefit from Arlee's resources and expertise. Shelli suggested since the SAWA biologists do veg transect, it would be beneficial for them to know the proper plant palettes. Director Long feels it might make for extra busy work and suggested having a contact list of qualified people available for assistance. Shelli believes that is what is currently in effect and would like to see a more formalized meeting amongst them.

Chairperson Zembal suggested that Lee Reeder research how many SAWA committees currently exist and from there decipher the need for expansion depending on who wants to be on the committees and what needs to be accomplished.

**X. SAWA PROJECT REPORTS**

a. Diana Ruiz – Riverside-Corona RCD

Kerwin Russell has been working with Brett, Bonnie, and Talula on fish projects:

1. The Coldwater Canyon Survey
2. The Sucker Sensitivity Study. The US Fish and Wildlife Service funded a three-year research project to determine sucker sensitivity to water quality. Some fish have been relocated from the river to the onsite stream.

RCRCD is restoring 35 acres of its Temescal open space easement for the Ca gnatcatcher.

RCRCD is restoring 20 acres of wetland and riparian habitat at its Lee Lake conservation easement. There was no active trapping at Lee Lake last month.

RCRCD continued its monthly monitoring for amphibians at Temescal using SEP funds.

RCRCD completed its annual report to Ca Fish and Game, which included 27 projects.

Kerwin has been surveying old *Arundo* removal sites for regrowth, so that Tim and crew can retreat.

Diana Ruiz updated the back page of the SAWA newsletter and had it uploaded to the website. Its being reprinted for distribution at the SA Watershed conference and upcoming events. See Jennifer Ares for more information.

Diana submitted an article about SAWA to the Soil and Water Conservation Society's Calif-Nevada Chapter newsletter. One of Terry Reeser's photos was used and a second photo was discredited. It can be seen at <http://www.caswcs.org/newsletter/fall2008.pdf>

Kerwin passed out the first Weed Management Newsletter (see attached)

b. Vicki Long – Elsinore-Murrieta-Anza RCD

None

c. Jennifer Ares – Inland Empire RCD

James has been assisting with some mapping which he should have the Caltrans map finished today. IERCDC is completing their newsletter and she is thankful for the SAWA biologists for writing an article for them. Jennifer is assisting Lee with administrative items on Wednesdays in the Redlands office.

d. Gayle Holyoak – San Jacinto RCD

None

e. Bonnie Nash – OCWD

- The minnow traps were pulled for the holidays but will be re-deployed next week
- The sandbaggers continue removing arundo along the diversion channel
- Talula, Dave and Bonnie monitored the non-native tree removal at Burris Basin. Next week the landscapers will start with the native re-veg of that area
- Last week they did 3 raptor surveys on the Burris island before the veg was removed
- They assisted Sue with a recon of the river levees to set up the levee winter bird survey route
- Talula and Bonnie attended the annual tern meeting in Carlsbad
- Bonnie attended a 4 hour leadership training session at Fountain Valley
- Talula and Bonnie went out with Dan Bott to scout out and document possible sucker restoration or re-introduction sites
- They took the OCWD inflatable boat out to Burris Basin with a fish finder to get an idea of the density of the fish and depth of the basin
- Talula and Bonnie assisted Kerwin and Brett with the Coldwater Canyon fish survey
- Dave and Talula assisted Melody with Cactus Wren surveys
- Talula & Dave are assisting the other biologists with herps and raptor surveys
- Talula assisted the Sucker Conservation Team with mapping the vegetation in the river for Riverside and Orange counties
- Dave is continuing his motion camera work out in the basin
- Dave is working in the native plant nursery
- Dave is surveying the basin for raptor nests while the leaves are off of the trees
- Dave is continuing conducting Prado Burn Winter Bird Surveys
- Dave is assisting SAWA with landscaping the Chino office with natives

f. Tim Romo – SAWA (Lee Reeder presented report)

- PAR Project - removal efforts were halted the first week of this month. SAWA was notified by SAWPA, that the funds for prop 50 are now suspended. The herbicide applications continue until further notice to control re-growth of areas previously cut. Approximately 350 acres of this site have been worked in with nearly 330 acres of invasive species removed. The PAR project costs SAWA \$11,000 monthly as per the agreed contract between SAWA and RPW, the spray contractor.
- Carbon Canyon – The arundo re-growth in Carbon Canyon is currently 6 – 7 feet tall. The recent warm weather has promoted rapid re-growth. I have been talking with Caltrans to acquire an encroachment permit for their right of ways in Carbon Canyon. I also have a map parcel listing other landowners in the area and I will attempt to gain access and permission as well.
- SAWA Restoration – The SAWA crew has been spraying in San Tim Canyon for the majority of this month. While walking the canyon, they found several stands of arundo hidden very well in the habitat (approx: 800 canes). All were cut & sprayed. The SAWA crew has all they can handle this year with multiple sites they cover and new sites that will expire this year to contractors. Henry and Brett are contributing hours to the crew each week under Sue's appointment.
- Least Tern Island – The crew, Henry & Brett will be mowing weeds on the island, the 27<sup>th</sup>, 28<sup>th</sup> & 30<sup>th</sup> of this month.

g. Dolly Aguirre – SAWA (Samantha Demptser presented report)

Busy working on the docent program, training begins March 6th and continues every Friday until April 10th - cost is \$30. Open House Day in the Park is scheduled for February 12th.

h. Ken Kietzer - DPR

Absent

## **XI. SAWA / MSHCP BIOLOGIST REPORT**

a. Matt Talluto – MSHCP Biologist

MSHCP had to take a budget cut so they are doing their best to continue operating as best as possible. Matt is leaving at the end of April to begin his PhD program in Wyoming. He is busy getting things in place for his replacement, William Kronland.

They are starting surveys next week. Cameras are still up, but they are only doing skat surveys. The raptor surveys are about 2/3 done. They will be starting spring surveys for amphibians soon, as well as beginning the plant surveys as soon as the plants start showing up.

b. Sue Hoffman – SAWA Lead Biologist

1. The vireo report is near completion and we are planning the 2009 season. We are advertising for cowbird assistants and holding female birds caught at the San Jacinto winter traps to use as bait birds when we open traps in March.
2. We had the herp arrays open the week of Jan 5 and caught very few animals. Melody is the lead on the herp program.
3. We continue to do the winter bird surveys in San Timoteo, Mockingbird Canyon, Norco Burn, Featherly Park, and the Santa Ana River between Weir Canyon and Chapman Ave. We are also working up the Breeding Bird Survey data.
4. We continue to do the Raptor Surveys in Cajon, San Timoteo, San Jacinto, and Lake Perris. We are working on the year end 2008 Raptor Report. Allyson is the lead for the Raptor Surveys.
5. The 2008 small mammal trapping report is also being completed. Nicole and Talula are taking the lead on small mammals.
6. The 2008 CCP Tree Swallow Box Report is done and available at the door.
7. We attended the pres-season meeting for the Least Terns. We are working on the 2008 Least Tern Report. Nicole and Sue are taking the lead on the Least Terns.
8. We did survey sat Dos Lagos, the Chandler easement, Boulder Basin, and Cajalco Wetlands, for the RCRCD.
9. We also gave some support to the City of Chino Hills. A City Landscape Inspector emailed Terry Reeser when it wanted to trim a palm tree known to be an owl roost or nesting tree. Terry met with them and was present during the tree trimming.
10. We are working on new sensitive species accounts for woolly star, rubber boa, grasshopper sparrow, rufous-crowned sparrow, and San Diego pocket mouse. The biologists are also working to update the older species accounts.
11. We did focal species field work for the cactus wren, mountain plovers, burrowing owls, loggerhead shrikes, and the San Diego pocket mouse. We placed a camera at the extreme west end of the Green River Golf Course at Coal Canyon. This site is of interest to State Parks because it may be a wildlife corridor. The current work is experimenting with the best way to use the camera. Formalizing the project is delayed due to the State budget problems.

12. We are participating in the docent training for the SAWA Education Department... Jill and Terry are presenting a program on local birds and Melody is presenting a program on local herps. Dick is giving the introductory program at the first session.
13. We attended the MSCHP monthly meeting, Two biologists are currently attending The Wildlife Society meeting in Sacramento.
14. A 2 day training session on macroinvertebrates is scheduled for next Thursday and Friday. SAWA and RCD staffs are participating in this program presented by CDFG. SAWA intends to use the method to investigate water quality and bat activity at our bird study sites.
15. We are developing a new time sheet to streamline the categories that SAWA tracks in payroll. The biologists will still need to break hours down further but we will probably do this on another database.
16. We continue to work on the Prado exotic aquatics and help out on Tim's crew.

**XII. NEXT MEETING** - February 26<sup>th</sup> 2009

**XIII. ADJOURN** - The meeting was adjourned at 12:15 P.M.

**Notice: All open session agenda materials will be available for inspection by members of the public at the SAWA office located at 6075 Kimball Avenue, Bldg. D, Chino CA, 91708. Please contact Jennette Corbitt at (909) 606-1933 x101 for this information (Government Code Section 54957.5). In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Board meeting, please contact the Executive Assistant at (909) 606-1933 x101. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.**

Please post 72 hours before meeting