

**MINUTES**

**REGULAR MEETING**

**Watershed Conservation Authority (WCA)**

held on

**Thursday, March 9, 2023**

**at 1:30 p.m.**

at

100 N. Old San Gabriel Canyon Road

Main Conference Room

Azusa, CA 91702

**AGENDA**

**1. Call to Order**

Vice Chair Paul called the meeting to order at approximately 1:42pm.

**2. Roll Call**

**Board Members Present**

Vice Chair Victoria Paul

Mr. Vincent Chang

Mr. Dan Arrighi

Ms. Laura Muraida

**Board Members Absent**

Chair Herlinda Chico

**Staff Members Present**

Mark Stanley, Executive Officer

Elizabeth St. John, Deputy Attorney General

Jane Tsong, Project Manager

Johnathan Perisho, Project Manager

Natalia Doshi, Project Manager

Jeremy Munns, Project Manager

Nicole Law, Fiscal Services Manager

**3. Public Comment**

There was no public comment.

**4. Approval of Minutes**

One set of minutes from January 19, 2023 was approved.

**Board Member Arrighi motioned to approve. Board Member Chang seconded. Approved. Ayes: 4, Nays: 0, Abstentions: 0.**

**5. Chair's Report**

There was no Chair's Report.

### **Executive Officer's Report**

#### **6. Liaison and Activities Report**

Mark Stanley stated SB867 (Allen) and AB 1567 (Garcia D) are two bond bills that were introduced. Stanley noted these bills will probably be put in front of the public during the primaries. Stanley highlighted AB 833 (Rivas, L) State Parks and noted staff would continue to track the bill. Stanley stated AB 57 (Kalra) California Pocket Forest Initiative is a unique bill which is geared towards disadvantaged communities and staff would continue to track the bill. Stanley stated AB 433 (Jackson D) State and County Funded Grants: Advance Payments and AB 590 (Hart D) State-funded Assistance Grants and Contracts: Advance Payments could potentially help the WCA tremendously. Stanley noted it is early in the legislative cycle.

Natalia Doshi stated the River Ranger Program is currently in implementation. Doshi stated an agreement for evaluation services was signed with Ersoylu Consulting and a notice to proceed was sent on January 31st, 2023. The 1st cohort of the River Ambassadors graduated from their 6-month program on January 19th, 2023. Doshi noted River in Action continues with their community based environmental education K-5 workshops. Doshi stated in January they organized a Water Museum Field Trip to the Water Replenishment District's Albert Robles Learning Center. Forty community members, including youth and their families, were shuttled, and given a tour of the water treatment facility and learned about the wastewater treatment process, the water cycle, water conservation, groundwater, and environmental stewardship. Doshi added on February 27th, they are hosting a table outreach at the South Gate Farmers Market. Doshi stated that in March, they are having a STEAM and arts workshop for the community followed by an Earth Day Nature Walk in April. Nature for All held their third event on January 28th at Hollydale Regional Park which was an educational and recreational bike tour along the LA River in partnership with the local non-profit, Healthy Active Streets. Doshi stated there were 27 participants and over 40 points of contact made with community members visiting the park in their free time.

Natalia Doshi highlighted the Lower Los Angeles River Technical Assistance. Doshi stated the WCA is working to facilitate realization and assistance for Lower LA River projects and stakeholder engagement. The WCA has been coordinating with RMC staff, developing an inventory of potential projects, meeting and communicating with local city staff, and working to identify and support project leads.

Jane Tsong highlighted the Azusa Foothills Acquisitions and Interim Land Management Plan and noted there is a complicated situation with access as part of the access goes through private property. Tsong stated there were a series of eight Azusa Foothills Open Space stewardship workshops led by local conservation leaders which allowed WCA to test out and understand what resources are required by WCA to provide public access, and to receive open comment and ideas from the community on the parameters of any future access program. Tsong noted comments were being compiled.

Jane Tsong provided an update on the Mt Baldy Wilderness Preserve Fuel Modification project and noted a first pass at broom removal included all accessible isolated patches of broom, and all areas of broom on flat areas away from steep talus slopes, over a total of 2.8 acres. Dan Arrighi asked for clarification on the broom. Tsong stated the broom was initially introduced by forest services, but it is now invasive and a fire hazard.

Johnathan Perish highlighted Mid/Upper San Gabriel River Technical Assistance and Planning. Perisho stated the Southern California Coastal Water Research Project (SCCWRP) has completed installation of additional temperature sensors in the mid and upper San Gabriel River watershed to support a data model for ongoing temperature study. As approved by the WCA Governing Board in January the WCA has also awarded project work to Stillwater Sciences for supplemental biological study and to Balance Hydrologics for mapping and concept development for creeks, streams, and washes in the Mid/Upper San Gabriel Valley watershed.

Perisho stated that for River Wilderness Park, work continues to advance value engineering for construction funding secured and environmental compliance measures to break ground. A Request for Proposals has been released for biological surveys of Least Bell's Vireo, Southwestern Willow Flycatcher, and any other avian species observed during surveys addressed in an item on this board agenda. Additionally, a Request for Proposals is being prepared for lead compliance study and plan also addressed in an item on this board agenda.

Jeremy Munns provided an update on San Gabriel River Center (River Park House) and Gardens Project. Munns stated WCA staff and the Center's design team are working through the permitting phase of the project. Many permits are complete or close to final clearance, however, some have presented challenges. The access road from Valley Blvd will require certification to meet "All Weather Access" requirements. This involves additional survey, geotechnical, and engineering work, as well as additional coordination / approvals from other agencies. The team has been working to address these challenges, respond to plan check comments, and resubmit drawing packages.

Munns highlighted the San Gabriel River Confluence with Cattle Canyon Project. Munns stated the WCA has contracted with Martin Kammerer Consulting to complete the remaining design work and move the project into permitting. The Rivers and Mountains Conservancy recently awarded the WCA with an additional \$2 Million in funding for project implementation. Vice Chair Paul asked if there is camping at this location. Munns stated there is not, but the public can go across for river access and day camping.

## **7. Expenditure Report**

Nicole Law stated Exhibit A in the Board Packet is the FY 2022/2023 Budget with balances as January 31, 2023. Law stated the Authority deposited an annual JPA contribution from LA County Flood Control District in January 2023. The Authority deposited an annual JPA contribution and Property Management Contribution from Rivers and Mountain Conservancy in January 2023. The filming and permits fees line item is higher than projected due to a special use permit was issued to Future Contractors and Engineers, Inc. The permittee operates a staging area at the parking lot of Azusa River Wilderness Park between January 2023 and September 2023. Utilities reimbursements line item is lower than projected due to staff preparing last quarter utility invoices for the El Encanto tenants in March 2023. The Authority is awaiting reimbursement from several other grants; thus, revenue from Grant has been minimal. The revenue will be reflected when submitted costs expended under the grant have been approved for reimbursement and the reimbursement is received. The Funding Opportunities line item is lower than YTD budget projections as the Authority has only received invoices through October 2022. However, the authority will cover the professional services provided by Houston Magnani until mid of January 2023 and has terminated the services through the end of

the fiscal year. Benefits Plan Provider Admin Cost line item is higher than YTD budget projections due to the professional service fees for a 457(b)-retirement plan document compliance. Property management line item is higher than YTD budget projections due to tree trimming at the 455 Rall Ave and pine tree removal at El Encanto. The Authority anticipates expenses incurred through the end of the fiscal year to be within budgeted projections.

### Consent Calendar

#### 8. Fund Balance Report

**Board Member Arrighi motioned to approve. Board Member Chang seconded. Approved. Ayes: 4, Nays: 0, Abstentions: 0.**

#### 9. Consideration of a resolution to approve Executive Officer or Designee to negotiate and enter into a contract to provide a legal description for access easement to WCA's Walnut Creek Habitat and Open Space.

Jane Tsong noted the WCA has held this property for some time with the plan to develop a lot line adjustment. WCA and Buddhist Compassion Relief Tzu Chi Foundation each respectively own property on adjacent lots in San Dimas. WCA and Tzu Chi are seeking to complete a Lot Line Adjustment LLA in 2023 in order to conform lot lines to current and anticipated uses. The WCA board approved an application for the Lot Line Adjustment on September 15, 2022, (Item 18) and approved negotiating and entering into a contract for survey services to create the necessary legal descriptions for the lot line adjustment (Item 19)

Southland was contracted and completed the legal descriptions of the areas to be exchanged. After submitting the required documents to the County, WCA was informed by the County of the need to additionally document legal access to the WCA parcel in the form of a metes and bound description. An easement to a public street is required to ensure and formalize emergency vehicle access to the WCA property. Since no metes and bounds description currently exists for the WCA's access rights, a legal description must be drawn out before the lot line adjustment may be approved. This easement can also be recorded as part of the LLA exchange of areas, but the lot line adjustment cannot be approved without it.

Tsong stated Southland gave the proposal for \$800. The Southland Civil Engineering and Survey proposal of \$8,500 will be split between WCA and Tzu Chi in two separate not-to-exceed contracts of \$4,000 and \$4,500, in accordance with a prior agreement to split the costs of the lot line adjustment.

Tsong noted the report previously stated that RMC 22015 would pay for the lot line adjustment, but this may not be possible. Dan Arrighi asked if the description would eventually be recorded. Tsong stated yes staff would have to negotiate terms. Ernesto Rivera asked if the description is for the easement or lot line adjustment. Tsong stated the legal description for the parcel exchange is completed, but the County cannot approve the lot line without the easement. Rivera asked to clarify if there is no current source of funding. Tsong stated staff is currently discussing which source of funding would be best.

**Board Member Arrighi motioned to move item 9 to discuss. Board Member Chang seconded. Approved. Ayes: 4, Nays: 0, Abstentions: 0.**

### Regular Calendar

#### 10. Receive and file a report to transfer from the Azusa-RMC Joint Powers Authority to the Watershed

### **Conservation Authority in fee 201 acres in the City of Azusa.**

Mark Stanley stated In December 2016, the Azusa-RMC Joint Powers Authority (JPA) was formed pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Section 6500 et seq) of the Government Code relating to the joint exercise of powers to accept the conveyance of six real property within the foothills of Azusa. The member agencies include the City of Azusa and the San Gabriel and Lower Los Angeles and Mountains Conservancy (RMC). The Authority was created to acquire, develop, maintain, manage, and operate the “Rosedale” subdivision, a dedication of approximately 201 acres of open space land in the hillsides of north Azusa, and to retain title to said land as permanent open space. Stanley stated Rosedale Land Partners (RLP) contributed an initial \$50,000 to cover the operational costs of the JPA. Stanley noted that once the \$50,000 began to dry up, the JPA board received a report recommending the dissolution of the Azusa-RMC JPA, transferring subject property to the Watershed Conservation Authority (WCA) and the establishment of a Technical Advisory Committee. The Azusa-RMC JPA Board of Directors requested staff to explore three options: 1)City takes back the land 2)Create a new JPA to manage the land 3)Transfer land to the Watershed Conservation Authority and create a Technical Advisory Committee (TAC) composing of two (2) staff members of the City of Azusa, one (1) at-large community member selected by the Azusa City Council, two (2) staff members from the RMC. To ensure that the City Council is kept up to date on related matters and that proposals impacting the former property are thoroughly vetted, Azusa city staff recommends adding an additional member seat for the Azusa City Manager or designee to occupy on the TAC. Of the three options, option 3 was most favorable. The 201 acres owned by the Azusa-RMC JPA would be transferred for a fee to the WCA. The WCA would assume all liability, ongoing maintenance, and operations.

Stanley noted there is no fiscal impact to the WCA associated with the recommendation to receive and file the report. Should the WCA acquire the property in fee, the WCA would assume operations and maintenance of the property. The cost of services such as property insurance, directors’ insurance, attorney fees, and audit service, basic cost for all property WCA owns, will be absorbed as part of current property management requirements, including a marginal cost for property specific tasks, such as weed abatement. Stanley noted the location is where the Azusa “A” is located. Victoria Paul asked if access to the “A” would reopen. Stanley noted there are no plans to re-open access to the trail.

### **11. Consideration of a resolution to approve (1) grant application and (2) acceptance of funding from the Rivers and Mountains Conservancy for the Community Connection to Wildlands Project.**

Natalia Doshi stated the Budget Act of 2022 made appropriations for the support of state government for the 2022–23 fiscal year. AB179, Ting, bill amended the Budget Act of 2022 by adding, and repealing items of appropriation and making other changes. AB 179, CHAPTER 249, was approved by the Governor September 6, 2022. Filed with Secretary of State September 6, 2022. Doshi stated Scientific studies have shown quality time in nature is great for kids’ bodies, minds, and hearts, and California is well position to leverage the great outdoors to augment children’s health and well-being. As cited in Governor Gavin Newsom Outdoor Access for All initiative, nature is a public good that’s crucial for our children’s health and well-being. The bill includes, but not limited to, all the typical funding challenges that become barriers to implementing community programs. If facilities or fixed assets are required or in need of upgrades, the Community Connections to Wildlands (CC to W) includes funding for capital assets. The cost to implement, operate and sustain a program over a fixed period of time is included in the funding. Many community programs that require travel are burdened with seeking other sources of funding to cover cost, CC to W includes funding for transportation needs. The most challenging of resources, typically requiring seeking third-party sources is the supply of equipment and food. Included in CC to W allocation is funding for food and drinks. Such funds will cover the cost

of meals, snacks, and beverages.

Victoria Paul asked where participants would come from. Doshi stated there would be a competitive process through various non-profits. Ernesto Rivera asked if there would be an educational component. Doshi confirmed that there would be. Rivera asked when the program would start. Mark Stanley stated the WCA would need to submit an application to the RMC and programming would start mid to late September. Stanley noted this program is unique as it will provide overnight stays and is all-inclusive.

**Board Member Chang motioned to approve. Board Member Arrighi seconded. Approved. Ayes: 4, Nays: 0, Abstentions: 0.**

**12. Consideration of a resolution to approve Executive Officer or Designee to negotiate and enter into agreement for biological surveys for Least Bell's Vireo and Southwestern Willow Flycatcher at the Azusa River Wilderness Park for the Entry Improvements Project.**

Johnathan Perisho stated staff recommends the Watershed Conservation Authority approve Executive Officer or Designee to negotiate and enter into an agreement for biological surveys for Least Bell's Vireo, Southwestern Willow Flycatcher, and any other avian species observed during surveys for the Azusa River Wilderness Park Entry Improvements Project in an amount not to exceed \$50,000. Perisho stated the WCA has released a Request for Proposals (RFP) included as Exhibit A for biological surveys of special status species that may occur in the vicinity pursuant to approvals for park improvements. These species have not been observed in biological surveys to date. However, focused surveys must be completed in the nesting season through April to June ahead of potential project implementation. If any special status species are observed project updates and protocols would be implemented as appropriate. ARFP has been released February 14, 2023f with a due date for proposals to be received by Wednesday March 8, 2023, at 6pm. If approved a Notice of Intent to Award and negotiation would be anticipated by the end of March2023for appropriate protocols to be observed for surveys this year. If negotiation is unsuccessful there would be no award and a report back to the board on outcome

The proposed action would approve an award of agreement for consultant services in an amount not to exceed \$50,000 to be funded through a grant from the Rivers and Mountains Conservancy under the Non-Bond Priorities Grant Program

**Board Member Muraida motioned to approve. Board Member Arrighi seconded. Approved. Ayes: 4, Nays: 0, Abstentions: 0.**

**13. Consideration of a resolution to approve Executive Officer or Designee to negotiate and enter into agreement for aerially deposited lead assessment and lead compliance plan for the Azusa River Wilderness Park for the Entry Improvements Project.**

Johnathan Perisho stated the WCA has released a Request for Proposals (RFP) March 1, 2023that closes Wednesday, March 29, 2023, at 6:00 pm. See Exhibit A in the Board Packet for a full description in the RFP for ADL assessment and LCP for the portions of Azusa River Wilderness Park within the Caltrans right of way on State Route39. Lead is an inorganic metal found at varying concentrations in the natural environment. Tetraethyl lead was added to gasoline until the mid-1980s. Particulate emissions in leaded gasoline exhaust contained lead, which was deposited adjacent to roadways. Depositions are more likely along older roads, where there has been high traffic volume, and near roads. From over a century of vehicle use portions of the project within the Caltrans ROW are understood to potentially be impacted by aerially deposited lead (ADL). An assessment to identify

potential presence of ADL and if identified any appropriate measures will be necessary for implementation anticipated as early as Fall 2023. This action is urgent given anticipated time to secure approvals and complete work. If approved a Notice of Intent to Award and negotiation would be anticipated by April 2023. If negotiation is unsuccessful there would be no award and a report back to the board on outcome.

The proposed action would approve award of agreement for consultant services in an amount not to exceed \$55,000 to be funded through a grant from the Rivers and Mountains Conservancy under the Non-Bond Priorities Grant Program.

Dan Arrighi asked if staff would come back for funding if mitigation is required. Perisho stated construction costs include protocols for mitigation.

**Board Member Chang motioned to approve. Board Member Muraida seconded. Approved. Ayes: 4, Nays: 0, Abstentions: 0.**

14. **Closed session: Pursuant to Government Code Section 54956.9(d)(1) and (4), the Watershed Conservation Authority may hold a closed session on the following item: River Park Phase 1A Step 2.**

**Start: 2:34. End: 2:51.**

15. **Closed session: Pursuant to Government Code Section 54956.9(d)(1), the Watershed Conservation Authority may hold a closed session on the following item: Conference with Legal Counsel – Existing Litigation (Case No. WC-CM-488803).**

**Start: 2:34. End: 2:51.**

16. **Announcement of next meeting date – Thursday, May 18, 2023 @ 1:30 pm**

Mark Stanley noted staff plans to rotate meeting locations moving forward.

17. **Adjournment**

Vice Chair Paul adjourned the meeting to order at approximately 2:56pm.