

NORTH ETIWANDA PRESERVE DISTRICT BOARD MEETING
COUNTY SERVICE AREA 120 – North Etiwanda Preserve
Meeting Minutes
July 21, 2011
2:30 p.m.

In Attendance:

Board of Directors:

Dianna Lee
John Roberts
Robert Mckernan
Sam Spagnolo
Paul Williams

Non-Board Members:

Jennes McBride – U.S. Fish and Wildlife
James Curatolo – Cucamonga Valley Water District & LAFCO
Julia Bogany – Gabrielino/Tongva Tribe Band of Mission Indians
Mike Wakoski – U.S. Forest Service
Scott Howes – U.S. Forest Service
Sergeant Claudio Vela – Rancho Police Dept.
Mike Costello – Rancho Cucamonga Fire District
Rob Ball – Rancho Cucamonga Fire Protection District
Tim Millington – Special Districts
Ann Brierty – San Manuel Band of Mission Indians
Anthony Madrigal – San Manuel Band of Mission Indians
Ben Mackall – Rancho Fire Safe Council
Steven Farrell – Sierra Club
Joanna Gibson – CA Dept. of Fish & Game
Jesse Estrada – Cal Fire
Paul Kleinsmith – County Code Enforcement
Katie Heer – Inland Empire Resource Conservation District
Mandy Parks – Inland Empire Resource Conservation District
Tom Munn – NEP Steward
Dennis Cisneros – R.C. Fire Safe Council
Carol Douglas – Alta Loma Riding Club
Rob Hills – Cucamonga Valley Water District
Kathy Tieg - Cucamonga Valley Water District Board
Candyce Burnett – City of Rancho Cucamonga
Andrew Hartzell – Lytle Creek Ranch Development
Jan Dabney - Lytle Creek Ranch Development
Ron Pharris Lytle Development Company
Randy Scott – Planning Consultant Lytle Creek Ranch Development

Introduction:

The San Bernardino County North Etiwanda Preserve (Preserve) meeting was called to order on July 21, 2011 by Dianna Lee at 2:30 p.m. and introductions were made.

Review of Minutes from the October 21, 2010 Meeting:

The meeting minutes for April 21, 2011 were presented to the NEP Board by Mr. Millington. Board Member Sam Spagnolo made a motion that the minutes be approved. The motion was seconded by Mr. McKernan and the minutes were approved by the board without changes.

Public Comment:

Cal Fire Representative Ernie Estrada made the comment to Agenda Item #7 Wildfire Management in the Frontline Area to indicate the land within the Preserve was a State responsibility. He stated that the area was a mutual threat zone overlapped and bordered by other fire jurisdictions. Board Chair, Dianna Lee said that item #7 would allow further discussion when it comes up on the agenda.

Endowment Interest Report:

CSA 120 Manager Tim Millington distributed an interest earnings report. The interest earnings for the latest quarter were unavailable, but Mr. Millington covered and presented information on the endowments historical interest yields. For the previous quarter interest earnings fell below 1%. Budget was built based on yields of 2%. Mr. Millington stated that budget adjustments would be made to compensate for the lack of interest yields.

Board Chair, Dianna Lee asked how often adjustments were made to the budget. Mr. Millington stated that Special Districts can present budget adjustments to the County Board of Supervisors quarterly, but that in this case expenditures would be reduced without requesting a reduction in CSA 120's budget appropriation.

NEP Operations and Maintenance:

CSA 120 Manager, Tim Millington gave an update on the installation of Edison Access gates along Day Creek Boulevard to prevent vehicle intrusion by blocking off the Edison easement. Contractors had installed gate support poles and were out placing rock boulders near the gates to prevent vehicles from driving around them once installed.

Board Member, Paul Williams asked if Edison had paid for the work being done by the District. Mr. Millington indicated that gate project was an extension of the enhancement project meant to block off and protect the Preserve. He indicated that the project was to cost the District around \$17,000 to complete.

Board Member, Sam Spagnolo, asked who would have keys to the gates. Mr. Millington indicated that the ownership and control of the gate was to be transferred to Edison and that CSA 120 may not have a key to the gate. Edison was to allow Rancho Cucamonga Fire and other emergency service providers access by adding agency specific locks to the gate.

Mr. Millington spoke about replacement process for the faded interpretive panels under the product warranty. He had contacted Fossil Signs and sent pictures to the company regarding the damaged signs.

It was stated that the Preserve was getting a lot of use and Mr. Millington pointed out that a good amount of the use was related to people looking to visit the Etiwanda Falls area above the property of the Preserve.

Board Chair, Dianna Lee asked about school group use of the Preserve. Mr. Millington provided information on the school group education program being implemented under a Habitat conservation grant received through the State. Mr. Millington indicated that the grant and outdoor education program was being developed in partnership with the Inland Empire Resource Conservation District (IERCD). The IERCD was helping offset match requirements of the grant and currently working with the District on curriculum development.

Tim Millington introduced volunteer Tom Munn who pointed out that there are still issues with graffiti, ohv traffic, and sage picking that needed to be addressed. Mr. Munn was concerned that the Sheriff didn't have the ability to enforce within the Preserve due to a lack of gate key, improper vehicle when responding, and knowledge as to its location. Tom indicated that response times on incidents reported to the Sheriff were poor. Mr. Munn believed that a good amount of the ohv traffic in the Preserve was coming from a break in the berm along the LADWP easement east of the parking area.

Board Member, Bob McKernan pointed out that historically the Etiwanda Falls had been relatively unknown and that it had only recently become popular. Paul Williams confirmed that at one time the Etiwanda falls held much less interest than that of Cucamonga Canyon. Sam Spagnolo spoke to the problems experienced with Cucamonga Canyon and its popularity.

There was some discussion about how Rancho Cucamonga Fire responds to calls in canyon areas and the site specific training their staff receives. It was also mentioned that it would be helpful to include mile marker information on the trail map to help people direct emergency personnel to specific sites. Tom Munn mentioned the possible use of gps coordinates as a method for directing responders. Fire indicated that simple directions are better than gps coordinates when providing locations.

Tim Millington noted that he would request a person from the Fontana Station at the next NEP Board Meeting to discuss law enforcement responses to service calls in the Preserve.

County Code Enforcement and OHV Issues: Tim Millington introduced Paul Kleinsmith, OHV Enforcement Agent with the County's Land Use Services Code Enforcement Division. Agent Kleinsmith explained the administrative citation process and outlined his enforcement abilities relative to Preserve rules. He suggested that the Board of Directors consider adoption of ordinances that would coincide with established rules for the Preserve and make enforcement and issuance of administrative citations easier. As it stands rules relative to the Preserve are not found or covered within current established ordinances and laws for the County. Mr. Kleinsmith indicated that one of the only ordinances he is currently able to cite is 28.04.03 as it pertains to operation of an off highway vehicle in the Preserve.

It was noted by Agent Kleinsmith that he can cite based on the posted sign ordinance 28.01.01, but that those violations need to be witnessed specifically by him in order to be written. He indicated that he periodically patrols the Preserve and has issued one administrative citation for the operation of a vehicle in the Preserve as a result of sage picking.

Mr. McKernan asked Joanna Gibson of the Department of Fish and Game whether there was a Fish and Game code established that could be used for the removal of sage from the Preserve. Ms. Gibson was not sure that it could be enforced by others and would have to research and see

if there was a provision in the code relative to habitat disturbances. There was discussion by the Board and talk of how there is a Joshua Tree protection ordinance that was implemented by County LUS. Tim Millington encouraged the Board to look at establishment of ordinances and mentioned that without an ordinance in place even the Sheriff has difficulty with enforcement in the Preserve.

Board Member, Sam Spagnolo expressed concern over having Tom Munn or other volunteer approach violators in the field without training and law enforcement authority. Bob McKernan concurred and described how he would encounter people with guns when performing biological work up in the area. Mr. Millington stated that volunteers are only to express rules and look for volunteer compliance.

Mr. Spagnolo also brought up the issue of enforcement in areas outside the jurisdiction of the Preserve. Paul Kleinsmith stated that any County adopted ordinances could be uniformly enforced through an MOU and described how the County was currently working with the BLM on enforcement issues below the Deep Creek spillway.

Rancho Cucamonga Fire offered their assistance in patrolling the area and also offered suggestions on using mounted posse and other volunteer based organizations. There was some discussion about the possibility of using equestrians for patrol. Mr. Millington indicated that he would need to discuss equestrian patrols with Wildlife Agencies and indicated that the NEP was a small area and that the detriments may outweigh the benefits. Paul Williams spoke about the how natural factors play just as much a role in the introduction of invasive weed species. Bob McKernan pointed out that there are terms and conditions associated with the mitigation requirements and cautioned against opening it up to things not allowed in the mitigation conditions. Jenness McBride didn't know the actual details behind the exclusion of horses, but reaffirmed the potential issues associated with horses being allowed. Steve Farrell made a statement about Creeping Normalcy and the danger changing past decision can have ultimately on the area when changing to accommodate.

Board Chair, Dianna Lee suggested an orientation between agencies to better coordinate enforcement actions. Sam Spagnolo suggested the recruitment of additional volunteers. Tim Millington was to include Development of Ordinances at an upcoming meeting and possibly find samples of ordinances used in other Preservation areas.

Wildfire Management in the Frontline Area: Tim Millington indicated that with the recent adoption of the revised Management Plan there was a need to start discussion with the various stakeholders on the creation of a Fire Management Plan as called for in the Management Plan. He spoke about the importance of input from the various agencies responsible for Fire Protection and introduced Rob Ball of the Rancho Cucamonga Fire Protection District (RCFPD). Mr. Ball in turn spoke about RCFPD understanding of the process to develop a Fire Management Plan for the NEP and introduced Deputy Chief Mike Costello who explained how the RCFPD typically responds to reported Wildfires.

Chief Costello indicated that their goal is to suppress all fires on initial attack. He stated that the NEP is within the Fire Protection District and their primary responsibility is to initiate initial attack to support mutual aid partners Cal Fire and U.S. Forest Service. Chief Costello also itemized the equipment use in an initial attack.

Jesse Estrada of Cal Fire indicated that the Preserve was a State Responsibility Area (SRA) that was considered a mutual threat zone. He stated the Cal Fire mission is to keep fires within the SRA at ten acres or less 90 percent of the time. Mr. Estrada outlined a standard response to a fire and provided details on equipment commonly used during the initial attack.

Mike Wakoski of the U.S. Forest Service covered what was considered their standard response during an initial attack. He stated that the Forest Services goal is to suppress 98% of all fires on initial attack. Mr. Wakoski spoke on the need to have a Fire Management Plan that allows suppression of fires. He described incidents where fires that had originated in the Forest and burned outside its boundaries destroying homes and property along the urban interface. For this reason the Forest Service actually suppresses all fires. He mentioned the use of bulldozers, foam agents, and retardants as tools in the suppression of fires. He talked about established Areas of Avoidance where retardants and other suppression tactics are not used and how they can ultimately allow fires to spread. He noted that it would be difficult to orchestrate a NEP Fire Management Plan that was so restrictive and different from typical responses.

Mr. Millington posed a question regarding dozer use and dozer lines locations and whether it was feasible to have predetermined dozer lines. Mr. Wakoski indicated that they very rarely use mechanical equipment to suppress a fire in a small area such as the Preserve. He the dozer is one tool in many that are used. Mr. Wakoski was concerned about a Fire Management Plan that would eliminate potential tools used to fight a fire. Chief Costello indicated that the plan should be written to be environmentally sensitive.

Rob Hill of the Water District indicated that they had plans to improve roads which allow access to their facilities which could be of some help.

Mr. Wakoski summarized that the Fire Agencies would like to suppress fires in the Preserve and keep them as small as possible with the least amount of damage possible.

Steven Farrell wondered whether there was an applicable area or zone or resource study area in the Forest that could be used as a template. Mr. Wakoski offered the Wildwood Canyon Preserve as a possible comparable area with a Fire Management Plan. Mr. Wakoski reminded everyone that the Preserve was a relatively small area. There was some discussion about light hand tactics.

Mr. Millington was to gather various Fire Management Plans in print and use them in getting a draft plan started.

Chief Wakoski offered putting together a draft Fire Management Plan for review and discussion at a later meeting. The RCFPD would consult with CalFire in the development of the draft plan and bring it before the NEP Board at a future meeting. The plan is to take into consideration the need to suppress fires on initial attack while being environmental sensitive to the Preserve.

Jennes McBride of the U.S Fish and Wildlife Agency concurred that suppression of Fires is necessary and acknowledged that the Preserve and surrounding area in no longer a natural ecosystem without influence. Ms. McBride supported the direction to be taken in the

development of the Fire Management Plan as did Joanna Gibson of the California Department of Fish and Game.

A deadline for submittal of a draft plan was not discussed, but the item was to be placed on a future agenda.

Presentation on Conservation Strategy for the Lytle-Cajon Creek Area: Tim Millington introduced Randy Scott a consultant who worked on development of the Conservation Strategy for the Lytle Cajon Creek Area. Before the presentation Randy gave a brief summary about how CSA 120 has come to be involved, noting that Special Districts was approached as a provider of mitigation management service in close proximity to the Lytle/Cajon Creek area. Randy Scott provided information on the Conservation Strategy and distributed a hard copy of the power point presentation. The handout provided by proponents of the conservation Strategy is attached as a supplement to the meeting minutes. The handout outlines and details information covered in the presentation.

Paul Williams asked about whether the current District Board established for CSA 120 would participate in the management of the Lytle/Cajon area. Randy Scott said that the current Board would not be used. He made distinctions between the existing NEP Management Plan being used and the conservation strategy. He pointed out one difference being funding and another being that the Conservation Strategy implores a more proactive management methodology beyond access control and monitoring.

Bob McKernan asked Randy Scott if he viewed Special Districts as a habitat agency. Randy Scott viewed the extension of CSA 120 as an expansion of Open Space management responsibility. Randy described the multiple ownerships that may exist under the Lytle/Cajon Strategy and the relative large amount of land that would be included.

A question from the audience asked about the cost of implementation and how such a plan would be funded. Randy indicated that funding would be provided by those requiring mitigation and that funds would be obtained through the sale of mitigation credits in a mitigation bank.

Sam Spagnolo expressed concern over not having enough information and a complete understanding of the Conservation Strategy. Mr. Sagnolo asked what the Board was being asked to do. Mr. Millington clarified that the Board is to consider the merits of CSA 120's expansion and not is it being asked to make a decision regarding support for the Conservation Strategy. There was discussion about the difference between CSA's and establishment of Improvement zones.

James Curatolo asked about the potential effects on property values. Mr. Millington noted that CSA 120 doesn't have land use authority and therefore doesn't make planning decisions that could affect property values. Mr. Curatolo asked about potentially land locked properties as a result of mitigation having influence on a property value. Mr. Millington gave an example of potential increased value based on greater habitat mitigation value than development potential. Mr. Curatolo asked whether the applications for sphere and annexation would go before LAFCO. The answer was yes.

Steven Farrell asked the question as to the motivation behind the Conservation Strategy and what problems may be resolved with implementation. Randy Scott stated that benefits would be the removal of subjectivity, assigning fair and appropriate conservation value to mitigation, time savings in streamlining the mitigation process. There was discussion how and why the Conservation Strategy is better than a Multi Species Conservation Plan recognized by Wildlife Agencies. Randy mentioned how the conservation strategy was a proactive program that would implement a more realistic mitigation credit system. Randy Scott explained the benefits of having a single sustainable entity in CSA 120 by which mitigation and management would take place.

There was a question as to when the Conservation Strategy would officially go public. Randy Scott noted that it would more than likely go public around the time of LAFCO application submissions. Steven Farrell indicated his support for the expansion of CSA 120 and increased habitat conservation.

Sam Sagnolo asked whether everyone felt comfortable with the amount of information provided. Sam asked for a meeting dedicated to the Board discussing the Conservation Strategy.

Meeting was adjourned at 5:30 PM

Next Scheduled Meeting set for:

October 20, 2011, at 2:30 p.m.
2nd District Supervisor Field Office
8575 Haven Avenue, Suite 110
(Corner of Haven and Arrow Rte.)
Ranch Cucamonga, CA