

MINUTES

Temecula-Elsinore-Anza-Murrieta Resource Conservation District

Regular Board Meeting

Thursday, August 12, 2021 at 4:00 PM

Truax Building
41923 Second Street, Fourth Floor
Temecula, CA 92590

I. PRELIMINARY FUNCTIONS

Call to Order, 4:00 p.m., meeting recorded by Rose Corona

Flag Salute

Roll Call/Establish a Quorum

Directors Present: Rose Corona (President), Lisa Battiato (Vice President), Newt Parkes (Secretary/Treasurer), Teri Biancardi (Director), Randy Feeney (Director)

Directors Absent: None

Associate Directors Present: Rick Neugebauer

Associate Directors Absent: None

Office Manager: Deborah Getty – Present

Natural Resources Conservation District (NRCS): Robert Hewitt – Present

District Counsel: Melissa Cushman – Present

Guest Speakers: Steve Corona

Public Guests: Pacifica Hoffenburg – District Supervisor Chuck Washington's office.
Merl Johnson – Water System Management - Member of the public.

Approval of Agenda

President Corona called for a motion to approve the agenda complete with consent calendar as presented. Director Battiato moved and Director Parkes seconded. Director Biancardi requests to remove the minutes and the financials from the consent calendar. President Corona calls for a new motion to approve the remaining items. Director Biancardi so moves and Director Battiato seconded. **Motion passed unanimously 5-0.**

PUBLIC COMMENT

Merl Johnson introduces himself and notes due to confusion with email, he made a handout which was provided to the Board and guests to familiarize themselves with the information needed at some point to discuss the nitrate levels in the Anza Valley. Information included in the handout was how to access the Drinking Water Watch website and monthly information for all of the water companies. Additionally, outlined is a list of water system names and numbers to access the California Drinking Water Watch to see what nitrate levels are in real time as well as historically. Mr. Johnson notes he would like to address the Board

again at greater lengths but provided the handout so they may familiarize themselves with the problems in the area, what groundwater is and how groundwater quality can be affected. AD Nuegebauer asks if Mr. Johnson is requesting to come back to another meeting and do a speaker presentation and Mr. Johnson concurs. President Corona clarifies to the Board that due to potential spam, previous communication via email was not received when the office manager reached out to Mr. Johnson prior to preparing for the Board meeting.

II. CONSENT CALENDAR, CORRESPONDENCE & GENERAL INFORMATION

President Corona calls for a discussion regarding the minutes and financials being pulled earlier in the meeting. Director Biancardi requests that a direct quote of hers was misquoted. She would like to have the minutes updated to state “the Inland Empire Resource Conservation District conflict of interest code” in Item two (2), paragraph seven (7). Director Biancardi makes a motion to approve the July 8, 2021 minutes with the amendment and Director Parkes seconds. **Motion passed unanimously 5 – 0.**

President Corona opens the discussion regarding the June, 2021 Financials. Director Biancardi notes while reviewing the financials there has been a lot of money spent on legal fees. A summary was included in the packet and she would like to see the fees associated with that. She would like to know if there could be some kind of description of the legal question posed. Melissa Cushman responds that the information is attorney-client privilege, the Board can vote to waive the privilege and make the bills available to the public. You are allowed to see them as a Board member. You can make a request to go into the office to view them and read what they say but we usually don't disseminate them to the public unless the Board has voted to waive the attorney-client privilege. Director Biancardi states for the record that she has already asked to see the invoices and she had not received a response to that. President Corona clarifies that she may go into the office and it is not something she would be copied on. She requested to have them in the packet and they were included. Director Biancardi acknowledges them being in the packet with no detail. She states that she is doing her due diligence as a Director wanting to know what we've spent nearly \$4,000.00 on in two months. She requests which office and Melissa Cushman notes that she could go to County Counsels office or request to view a copy with the office manager. With further discussion on the Board possibly waiving the attorney client privilege no motion is made in that regard. Director Biancardi makes a motion to approve the June, 2021 Financials as they stand and Director Parkes seconds. **Motion passed unanimously 5 – 0.**

III. ACTION ITEMS/ DISCUSSION CALENDAR

Item 1: Reconsideration of Approval of Minutes of May 13, 2021.

President Corona reports that there was some confusion at the July meeting as it related to the minutes. President Corona makes a motion for the reconsideration of the approval of May 13th, 2021 minutes and Director Battiato seconds. **Motion passed unanimously 5-0.**

Discussion is opened to reconsider and Director Biancardi states the following:

“Great, thank you very much, I appreciate this. It's just that in reading through the Minutes of May, there was quite an extensive discussion around the norms document. In the Minutes it says, I noted some concerns, what followed from that was an extensive discussion about my concerns even to the extent where Melissa was quoted at length. My concerns were never actually identified, it seems to me that it's a little bit like a paragraph without a subject, and so I would like to include those concerns at this point”.

President Corona recommends putting the entire conversation from the transcript in the minutes. Director Biancardi responds with the following:

“You can if you want but I think for the purpose of gravity, I think we can condense it, but the concern surrounded the process by which a breach is explained, the fact that it was almost scary and punitive for a new director, the fact that there's a lot of inconsistencies with our policy manual, the bit about, I think,

there's inconsistency with the hierarchy, we're all supposed to be equal but this enormous document requires that we, directors, surrender to add items to the agenda.

It also was confusing about in terms of our ability to attend meetings. It sounded like that was banned. I was hoping that we could have some more clarifications of those things before they were approved. I do think that those items need to be included in the Minutes so that what follows makes sense.”

President Corona recommends inserting what is in the transcript and Director Biancardi agrees. Director Parkes makes a motion to update the May 13, 2021 minutes with the transcript from that particular meeting and reflects exactly what was said in that particular section. Director Battiato seconds. **Motion passed unanimously 5 – 0.**

Item 2: Report and Update on NRCS activity and ongoing projects. Bob Hewitt reports that NRCS has just finished up their 2021 funding for their crop sharing programs which consists of the regular e-group program and a CSP program. Two months ago, the federal government gave four states another amount of money to do a slightly different program than those two combined. They received \$22 million.

In the TEAM RCD area, approximately eight (8) contracts were completed. Of the eighteen (18) prospects for the 2022 year, approximately eight (8) are in the TEAM RCD area. Mr. Hewitt summarizes the different landowners and what was completed as part of their contract. He briefly discusses the Rancho Water CropSWAP program and how we can assist by placing the mulching program on our website to let people know how to contact him for 2022. Director Battiato reports we have a section on our website already and that she includes his contact information whenever we have a new CropSWAP client. Mr. Hewitt announces that he will be retiring the end of the year – after 47 years. The Board congratulates him and thanks him for his service.

Item 3: Nomination and approval of SAWA representative. President Corona opens the floor for nominations for a SAWA representative. Director Parkes nominates Associate Director Rick Neugebauer. With no further nominations, discussion is open. Director Biancardi states the following:

“Yes, I have a couple things that I'd like to say. First of all I really want to thank you Rose for putting this on the agenda, I know this was an issue I brought to the meeting last week but last month rather and I think this is really important exercise and helps with transparency all the way around. I know we were waiting on the outcome of that memo that we got yesterday from Melissa, thanks for that Melissa. I've read it. I don't know if you've all had the opportunity to read it. That I haven't been able to study it, I'm very busy today.

I think that what we should do and I'm not going to make a motion at this stage, but I think that we should probably table this because there's a lot of material in that memo that pertains to this particular issue, associate director serving as liaison on our behalf at SAWA. The first thing is I think there's a lot of ramifications for RCDs up and down the state.

If what's being said here is that any director on an RCD who wants to serve on another Board in the natural resources space shouldn't really do that because it could create a conflict of interest, I think that's going to raise a few feathers across the State and I think really that maybe the California CARCD might want to weigh in on that. Secondly, I think that you've done a good job of identifying that there is a risk associated with voting directors, serving on SAWA”.

Melissa Cushman states that the memo Director Biancardi is referencing has not gone out to everyone and it is attorney-client privilege. She states “References to conclusions and discussions of that are okay but the specifics of it, should probably be disseminated to everyone at some point before it's discussed and then attorney-client privilege may need to be waived depending on what people want to discuss. The conclusions are fine, but again it hasn't gone out to everyone yet. You had requested the information so I wanted to make sure to get it to you in sufficient time before this meeting to be able to read but I haven't

had a chance to send it to everyone yet. I will be sending it out but the conclusions of the memo are that an associate director doesn't have the same concerns about conflict of interest as a voting member does.”

Director Biancardi makes a sub-motion to table this item until next month so that everyone has had an opportunity to read the memo, digest the contents and discuss further. With no second, the sub-motion dies for a lack of a second.

President Corona as part of further discussion states the following: “I just want to say that I believe and it's been our experience as a board that Rick Neugebauer has stepped up as an individual and has volunteered and done an incredible job at this position. I don't think that we could have found somebody with more experience or more knowledge of the area and he has done extraordinary work in the last six years.

Nominating someone to this positions-- as long as I've been here and as long as the organization has been in existence, that it's done by majority vote. When the Board votes they vote because they vote individually as to what they think and who will represent us the best.” With no more discussion, President Corona calls for a vote.

- Rose Corona – Aye
- Randy Feeney – Aye
- Newt Parkes – Aye
- Teri Biancardi – Nay
- Lisa Battiato - Aye

Motion passed 4 - 1.

Director Biancardi states the following: “I would like the minutes to reflect that I don't feel that I have sufficient information at this stage to make a determination which is why I'm voting no at this point. I would also like to request that there be a report from the SAWA liaison at every single meeting. Since I've been serving here there has not been a report from SAWA and I think that's really important that you can both hear what's going on from SAWA and also get an opportunity to give direction to our liaison.”

IV. NEW BUSINESS

None

V. OLD BUSINESS

Item 1: Update on collaboration with Mission RCD on their Agri-ecology program.

President Corona reports as noted in the last meeting, they are still in the middle of their grant program. They will eventually want us to work together with them to advertise and promote the programs they are doing. No motion necessary.

Item 2: Update on Flood Control Projects.

President Corona reports that she, Director Parkes and AD Nuegebauer had a meeting with Riverside County Flood Control on August 9, 2021 to see if they could expand some of the business with them. They are very pleased with how TEAM has managed the money and how we have dealt with the Tamarisk invasives. Director Parkes adds that there seems to be a desire for there to be close cooperation between the organizations. He was impressed by the sense of cooperation and the feeling that things have gone really well particularly over the last several years and that gives them comfort that whatever we might undertake will get done well. AD Nuegebauer adds that he felt the same in regards to the great relationship built over the years and the knowledge of our solid team that goes out and does the restoration work for flood control on our behalf with our MOU. No motion necessary.

Item 3: Update on Homeless Task Force.

Director Parkes reports he met with the Temecula Homeless team this morning – Mike Wooten. He got the sense that that under Mike’s leadership they are getting a little more aggressive in terms of their outreach and how they deal with the homeless issues in Temecula. Mike reported that they claimed to have been able to take forty (40) homeless people off the streets and find places to live for these folks. For the last couple of months, we saw as reported in our monthly reports the transient activity in San Gertudis Channel and Temecula Creek. Relaying this information to Mr. Wooten, he indicated they had gone out and looked and were taking necessary steps to clean up. Director Parkes suggested that cleaning out some of the homeless areas might be helpful and that TEAM could potentially assist. Director Parkes will follow up to in the next six weeks after the Temecula team has their own meeting with Flood Control. In regards to Lake Elsinore there is some positive reporting. Approximately four (4) people that were residents of the Anchor have now been moved to permanent housing. AD Nuegebauer adds that SAWA is working with the ILF funds to do some cleaning that is around the lake, which will open up some of those homeless encampments back in the willows and the tamarisk. No motion necessary.

Item 4: Update and discussion on AEIP and CropSWAP reports.

Director Battiato reports that CropSWAP has slowed down significantly but Rose was kind enough to put an article together for the local real estate publication. The hope is to encourage those that are buying land who may have an affordability issue or the land is covered with dead avocado trees that they might be able to use CropSWAP to get reimbursed for rejuvenation of that agricultural land. The water audits are continuing to slow down which typically happens the end of summer. No motion necessary.

Item 5: Update and discussion regarding Anza/Aguanga area and potential partnership.

Director Biancardi reviewed a meeting she had with RCAC (Rural Communities Association Corporation) Merl Johnson and interested citizens in Anza including water distributors, a person from the Valley News and unidentified stakeholders to discuss potential projects in the area and was asking the Board for the extent of her authority as liaison to the area and what extent the Board would authorize her to do on behalf of this area. Following is the excerpt from the transcript:

TB: Yes, so I met with the RCAC, which is the Rural Communities Association Corporation. I'm not really sure what that-- what the acronym is for and Merl and another group of interested citizens in Anza so this is a collaborative group that's started. Basically, Merl and I were assigned by that team to work on coming up with a possible potential project list and then potentially, once that's approved by them, to try and arrange a meeting with Supervisor Washington to begin the conversation about issues in Anza and how perhaps a supervisor could lend support.

You probably saw the letter in the packet. I wrote to Rose because this was a potential meeting that I might be helping to facilitate. As you know, I don't really understand the Norm's documents so I was keen not to transgress. I informed her that there was this potential happening. She wrote me back saying that I needed to present today about what the RCAC is, whether or not you approve me working in this particular direction and if I have the authority to go ahead and arrange a meeting. I can tell you a little bit about the RCAC. They are a 501(c)(3) nonprofit organization that provides training, technical and financial resources, and advocacy so rural communities can achieve their goals and vision.

They work with low-income rural communities where unemployment rates are high. Housing is often substandard, and poverty is commonplace. Many of these communities also face daunting challenges to access affordable, safe drinking water and other vital infrastructure. Rural communities are often overlooked in the policy arena because they lack the resources, training or social network that larger communities have in place. There's water distributors in that group, other stakeholders, there's the Valley News person who's turning up, there's a clear water quality expert. I guess I'm asking permission, where are my guardrails here or what I'm authorized to do on behalf of Anza and Aguanga water issues?

RC: First of all, I'm trying to figure out-- we didn't know who RCAC was to begin with. This seems like a very large group, I looked them up, I think Rick, you looked at the financials for them didn't you?

RN: Have looked at their financials and what they do and where they're located. It's western United States, Hawaii, Alaska, they're very large organization...

TB: Well, the RCAC I think it's--

RC: Let him finish, please. Thank you.

RN: Looking at that and I'm trying to make a correlation other than very specificity to wells and water quality. Those are all good things. How does that group benefit us or how do we benefit them I think, is what we're looking to talk about. Other than the wells, I don't know that there's much more correlation. I mean, they have a great testing program. Have you guys reached out to them and their testing program to see if that's something that the Anza group would tie in with? Those are some of the questions that I would have.

RC: They have a lot of money. I don't know where we really fall into that until it gets to the point they even know what their goals are, what they're going to be wanting to do. I mean, granted, none of us have had a chance to read Merl's thing. Since you have so many different groups that are involved, I think they need to get together. We shouldn't be inserting one of our directors until there's a role for us to play. You're certainly welcome to give them-- I mean Supervisor Washington's information, his number, Michelle DeArmand, this nice lady here, I'm sure they can get together.

Once they decide what it is they're trying to achieve, I just don't see a place for us right now. We need you to report on what's going on with all of those people, but inserting TEAM RCD when they haven't really decided as a group, what they're trying to do, I just don't see that as advantageous right now.

TB: I think they have decided what they want to do as a group and what they're trying to do is help organize Anza so that they can advocate for themselves. It's specifically what the project that Merl is particularly interested in, is doing testing of the private wells there anonymously so that we can get a sense of how extensive the issue of contamination with these illegal cannabis growers are. My role would be simply, I'm local. I'm here on the ground, I'm with TEAM RCD, and I have connections with the supervisor's office, RCAC. There's two people on our call, one is in Northern California, one is in New Mexico, and so they're relying on local expertise. All I can do is help facilitate and maybe bring in a component of professionalization to the meeting with Supervisor Washington, should we even have one?

LB: I see what's going-- the well testing, it's similar to the CropSWAP business, so you see your role as a director, at TEAM, as you would be a facilitator to facilitate the well testing. Is that correct?

TB: Yes.

LB: I do have a concern about doing anonymous testing or something like that. I think that we need to be transparent. I'm not sure what you meant by anonymous testing, but I think that I wouldn't want our group to be involved in anything that could be perceived as sneaky. I guess, for lack of a better word.

TB: What's the word? I didn't hear you.

RN: Why was the word anonymous used? I gather, why wouldn't you go contact the landowner and say, "Here we have a process for testing your wells."

RC: Yes, but that's not us.

RN: I know that. I'm saying this (RCAC) group, they have a whole Department of doing this well testing. Why wouldn't it be done and create a schematic, a GIS map of where these wells are at, and what potential nitrates are in those? Unless that's something that Merl already has.

RC: RCAC does that." (end of transcript at this point)

Director Biancardi indicated other concerns of the community and homeowners and suggested the Mr. Johnson might be better to speak to those issues. AD Neugebauer and other board members weighed in with opinions. AD Neugebauer inquired if the Anza group had reached out to Environmental Health or the Department of Environmental Health since they have a well program of testing the water when its drilled and post drilling and that there was an entire program with the County. He also inquired if the Anza group had reached out to them via the Supervisors office. Director Biancardi stated that she was listening to what the locals were saying and what they were expressing as their needs in this area. Director Battiato noted that she saw similarities between the CropSwap program as far as public knowledge but asked if the information was kept by the property owners and did they have well numbers. Director Biancardi responded by saying it was kept in a data base but she was not sure how the entire program worked. Director Parkes asked if all the wells were legal and Director Biancardi noted that this program would be voluntary.

At this juncture, President Corona recognized Merl Johnson at which point he said that what he was hearing was that the Board was commingling two different programs. He noted that the pesticide use in the private wells was done by the State of California and the nitrate issues works with the County. When asked if the state program was affiliated with SB1, Mr. Johnson said he wasn't familiar with that program. He included some additional information for the board regarding testing, water technology and a myriad of problems in the Anza area. AD Neugebauer suggested that potentially the two parallel paths might be one path through Environmental Health at the County in regards to testing the wells. Merl Johnson said that "it would come down to that".

AD Neugebauer stated that there are a myriad of issues where there may be code enforcement issues surround illegal wells, illegal electrical hookups etc. It was his opinion that if TEAM RCD was going to be involved that there must be complete transparency and involvement with any level of well testing. The owners should have a permit number, that they had been tested and that a process needed to be looked at and put into place before representing the Board in any capacity with any group. There would need to be a written plan in place for the Board to make a decision on how that would work.

Director Biancardi responded that this was just a preliminary report and that she was gathering information on these issues with this group and that there was no plan in place yet. AD Neugebauer acknowledge Director Biancardi's effort's but his opinion was that there was more work to be done. Director Corona stated that her opinion was that if TEAM RCD Board Directors were going to be working with groups, that the Board decides in what capacity that would be as reflected in the correspondence that was included in the last packet and that the entire Board should be able to aware of those conversations. She also offered that the Board wasn't saying no completely but that again, the Board needed more information and noted that Director Biancardi is welcome to continue to bring that information from all different groups in the area.

Director Battiato stated that there was a huge amount of information the Board was listening to and spoke to the importance of gathering information from every group possible, have those groups isolate the issues and then identify them specifically as to how the goal meets with TEAM RCD's mission statement and "then what components go into that goal and how TEAM RCD can help with that goal".

Director Parkes stated that he would like to add that there was a tremendous amount of information that "we need to understand and be able to deal with in order to know how we might involve ourselves in some of the items that you're identifying. I think continuation of collecting the information is a good thing. I think trying to visualize how it might connect with what we could do in those situations would be really helpful, because that's something that could have a real good discussion on as the board decides how to proceed." No motion necessary.

Item 6: Update and discussion of the TEAM RCD website progress.

Director Battiato reports the site is up and running. Deborah Getty reports that the changes mentioned in last month's meeting had been made. She has received a couple of suggestions to better enhance the CropSWAP and water audit user experience it was recommended to place the farm bureau link on the site. She encourages all Board members to send over any recommendations. No motion necessary

VI. ORAL/WRITTEN REPORTS

DIRECTOR REPORTS

Director Biancardi reports that Amicus, not sure if it is a steelhead or rainbow trout has been discovered in the Santa Margarita River for the first time since 2009. They were discovered at Camp Pendleton and Sandia Creek. There is a fish blockage at Sandia Creek which should be removed and replaced with a bridge in two years' time which means that the fish can come all the way up to the upper watershed. The person who identified it was Robert Fisher. Camp Pendleton has been very good at removing invasive and it is a flowing river. She feels there may be ramifications for us as we go forward, particularly as there is a petition listed as an endangered species before the California Fish and Wildlife Service and they are reviewing it now. It will take months before we have results on that.

ASSOCIATE DIRECTOR REPORTS

None

VII. SPEAKERS AND PRESENTATIONS

Steve Corona introduces himself. He is currently on the Board of Eastern Municipal Water District Division 2 which takes care of the Temecula and Murrieta area. Prior to that, he served on the Board for Rancho California Water District for 16 years, former Farm Bureau President as well as previously on the Board of EMARCD.

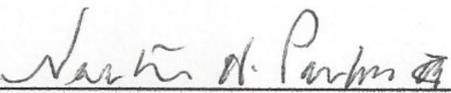
Mr. Corona gave an in depth discussion on:

- Rancho California Water District
- Eastern Municipal Water District
- State water system
- Colorado river system
- General discussion of why water prices are what they are.

VIII. FUTURE AGENDA ITEMS

IX. ADJOURNMENT

With no further business, President Corona motions to adjourn the meeting and Director Battiato seconded. **Motion passed unanimously 5-0.** Meeting adjourned at 5:42 p.m.



Secretary/Treasurer