



250.20

STATE OF CALIFORNIA
Edmund G. Brown, Jr., Governor

Item: E-1

MINUTES

5469 E. Olive Avenue
Fresno, California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

GOVERNING BOARD

Steve Brandau, Chairperson
Councilmember, City of Fresno

Andreas Borgeas, Vice-Chairperson
Fresno County Board of Supervisors

Brett Frazier
Madera County Board of Supervisors

Derek Robinson
Councilmember, City of Madera

Barbara Goodwin, *Director*
Fresno Metropolitan Flood Control District

Carl Janzen, *Director*
Madera Irrigation District

Jeffrey Single, *Sr. Policy Advisor*
Department of Fish and Wildlife

Kent Gresham, *Sector Superintendent*
Department of Parks & Recreation

John Donnelly, *Executive Director*
Wildlife Conservation Board

Patrick Kemp, *Assistant Secretary*
Natural Resources Agency

Michael McKown, *Designee*
State Lands Commission

Eraina Ortega, *Chief Deputy Director*
Department of Finance

Bryn Forhan
Paul Gibson
Vacant
Citizen Representatives

Melinda S. Marks
Executive Officer

The San Joaquin River Conservancy Governing Board
Wednesday, August 19, 2015
Meeting Location:
Fresno Metropolitan Flood Control District Board Room
5469 E. Olive Avenue, Fresno, CA 93727
and via phone conference:
California Natural Resources Agency
1416 Ninth Street, Ste. 1311
Sacramento, CA 95814
and
Department of Finance
State Capitol, Room 1145
Acorn Conference Room
Sacramento, CA 95814

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairperson Brandau called the meeting to order at 10:04 a.m. and led the pledge of allegiance.

A. ROLL CALL

Name	Present	Telecon-ference	Absent	Late
Mr. Steve Brandau, Chair	X			
Mr. Andreas Borgeas				10:05
Mr. Brett Frazier	X			
Mr. Derek Robinson	X			
Ms. Barbara Goodwin	X			
Mr. Carl Janzen	X			
Dr. Jeff Single	X			
Mr. Kent Gresham	X			
Mr. John Donnelly		X		
Mr. Patrick Kemp		X		
Mr. Michael McKown		X		
Ms. Eraina Ortega			X	
Ms. Bryn Forhan			X	
Mr. Paul Gibson	X			

Ms. Harris confirmed that a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General

Staff Present: Melinda Marks, Executive Officer
Joshua Morgan, Associate Governmental Program Analyst
Rebecca Harris, Staff Services Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board (via teleconference)

B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

None.

C. ADDITIONS TO THE AGENDA

No Board action is required if the Agenda remains as posted. With two-thirds vote in favor, items identified after preparation of the agenda for which there is a need to take immediate action may be added to the agenda for consideration. (Gov. Code § 54954.2(b)(2))

None.

D. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may now identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

None.

E. MINUTES

E-1 Approve Minutes of June 17, 2015

It was moved by Mr. Gibson and seconded by Mr. Robinson to approve the minutes of June 17, 2015, as presented. The voting members unanimously passed the motion. Mr. Frazier, Ms. Goodwin, Mr. Janzen, and Dr. Single abstained, as they were not present during the June meeting.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. Brett Frazier			X
Mr. Dereck Robinson	X		
Ms. Barbara Goodwin			X
Mr. Carl Janzen			X
Dr. Jeff Single			X
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Mr. Paul Gibson	X		

F. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

- F-1 Approve Board Representative for Ad Hoc Board Committee, Development of Operations and Maintenance Resources for San Joaquin River Parkway

Staff Recommendation: Approve Ms. Bryn Forhan to serve on the Board's Ad Hoc Committee for Development of Parkway Operations and Maintenance Resources, replacing former Board member, Ms. Carolyn Nolan.

Vice-Chairperson Borgeas pulled F-1 for discussion.

Mr. Borgeas reported that the Fresno County Transportation Authority (FCTA) board approved modification to Measure C transportation tax policies, which will allow funds from the measure to be used for trails operations and maintenance, provided other sources of funds were used to build the trails. He wondered if it is legally feasible to for the Conservancy to pay for the capital cost and for Measure C funds to pay for maintenance of a trail.

The Conservancy will follow up with FCTA to see if Conservancy-funded trail projects in Fresno County are eligible.

Ms. Goodwin noted that any trail proposal might need to be reviewed by the Citizens' Advisory Committee for Measure C to make sure the project is consistent.

- F-2 Report on County of Fresno Draft Friant Corridor Land Use Feasibility Study

Staff Recommendation: This report is for informational purposes. No Board action is recommended.

Chairperson Brandau pulled F-2 for discussion on request of a member of the public and opened it for public comment.

Mr. Radley Reep, a concerned citizen, commented that the Parkway Master Plan's goals and policies were not addressed in the draft land use feasibility study and that the Conservancy should provide the County with the Parkway Master Plan. He recommended that the Board direct the Executive Officer to make a presentation to Fresno County Board of Supervisors, to remind them about the importance of the Parkway, the public investment in the Parkway, and its role in the Valley.

On inquiry from Mr. Brandau, Ms. Marks stated that the report is for informational purposes, and no formal action is recommended. In approving the Consent Calendar, the Board is merely accepting the informational report. The Conservancy does not have decision-making responsibilities with regard to the plan.

Mr. Gibson noted that the citizen's request was for the Conservancy to provide more information to the County. The Board could ask Ms. Marks and Mr. Borgeas to get that done.

Ms. Marks reported that the last presentation by Conservancy to the Fresno and Madera County Boards of Supervisors was at their joint meeting in January 2015. The presentation included the Parkway Master Plan, Conservancy mission, progress, available funds and investments, etc. County staff and consultants did secure maps and other information from the Conservancy for the feasibility study.

On inquiry from Ms. Goodwin, Ms. Marks reported that staff has reviewed the complete study and the staff report is staff's summary review of the study. From Ms. Marks' point of view, there are no proposed inconsistencies with the Parkway Master Plan. Once the County staff receives public comments, they will take the report to the Planning Commission and Board of Supervisors. The report is a land use feasibility study; it is not a proposal to change land use at this time.

Mr. Borgeas noted that this study is groundwork for future land use decisions by the County. Once the Board of Supervisors accepts the study, they may examine potential land use changes. He requested that the study be brought to the Conservancy Board to determine any position that should be presented to the Board of Supervisors.

Mr. Frazier suggested that the Board and public could comment at the Conservancy Board meeting and those comments can be provided to County staff before the study goes to the Planning Commission.

Dr. Single noted that any potential land use changes will have another level of review pursuant to the California Environmental Quality Act (CEQA).

Mr. Borgeas noted that this study resulted from a 2-3 vote on the County Board. The County did not have funding, and required the study to be funded from private sources. There is some controversy over the intended future outcome of the study.

Chairperson Brandau suggested it may be the Conservancy Board's responsibility to review the study in more detail, allow people to comment, and include provide Board comments on the draft to the Board of Supervisors and Planning Commission.

Ms. Marks stated she would invite the County Staff to make a presentation on the study at the next Conservancy Board meeting.

Mr. Gibson made a motion, and Mr. Borgeas seconded, to approve the consent items as recommended and to place the County's Friant Corridor Land Use Feasibility Study on next month's agenda. The Board unanimously approved the motion on the following vote:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Dr. Jeff Single	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Mr. Paul Gibson	X		

G. DISCUSSION

G-1 Receive Report and Presentation from City of Fresno on Palm Bluffs River Access Feasibility Study

Staff Recommendation: This report is for informational purposes; no Board action is recommended. The analyses, conclusions, and alternatives of the City of Fresno's Palm Bluffs Feasibility Study will be incorporated into the Conservancy's ongoing River West Fresno, Eaton Trail Extension Project access alternatives analyses and Environmental Impact Report (EIR).

Chairperson Brandau introduced the item, stating that the City of Fresno is interested in providing access to the river from Palm and Nees area, and contracted with a consultant to study alternative access routes.

Mr. Scott Mozier, Director of the City of Fresno Public Works Department, stated that the department and Blair, Church and Flynn Consulting Engineers conducted a study, which determined if various routes were feasible based objectively on preliminary engineering, without regard to current ownerships or restrictions in public easements. They determined five possible access routes and parking area locations near Palm and Nees.

Mr. Karl Kienow, engineer at Blair, Church and Flynn, presented a summary of their report and possible alternatives. They looked for alternative routes that would, among other considerations: avoid excavating into underlying wastes; avoid the 100-year floodplain; and provide public and emergency vehicle access, parking, and a restroom. Their findings resulted in five possible access road and parking configurations. Figures were presented to illustrate each:

- Alternative one has two roads—one-way in and one-way out—through property affected by underlying landfill wastes; fill will be needed to elevate the road and parking area above the floodplain. The parking area would be on the construction/demolition (C&D) waste site. Fill and retaining walls will be necessary to avoid excavating into wastes.
- Alternative two is down the bluff on the City of Fresno Property behind the Fresno Metropolitan Flood Control District basin; the road would also continue on Flood Control District property, and the parking lot would be located on the C&D waste site. Fill and retaining walls will be necessary.
- Alternative three would be down Mr. Clifford Tutelian's and Mr. Stan Spano's public access easement to a floodplain parking area; it would impact C&D waste.
- Alternative four is the same as alternative three but the parking lot would be higher on the slope, above the floodplain. Fill will be required.
- Alternative five would have the parking lot on top of the bluff and have switchback, Americans with Disabilities Act-compliant pedestrian trail down the bluff.

The preliminary cost estimates for environmental review, design, and construction for each, range from \$2,100,000 to \$3,300,000. The estimated costs did not include land and right-of-way acquisition costs.

On inquiry from Chairperson Brandau, Mr. Kienow reported that the turn in Alternative 2 around the flood control basin would not be on a steep slope.

On inquiry from Mr. Gresham, Ms. Marks reported that the Conservancy would have to elevate a vault restroom above the floodplain; however, it might be possible to build a parking area without elevating it above-grade.

Chairperson Brandau noted that the parking lot is more easily expandable in some of the alternatives than others. Each alternative is going to have its own pros and cons.

Ms. Marks stated that the consultant working on the River West Fresno Environmental Impact Report will include analysis of all five alternatives. However, all of the alternatives are on private land, and the Conservancy can only acquire land from willing sellers and for no more than fair market value.

On inquiry from Mr. Borgeas, Ms. Marks reported that the Conservancy should wait until further in the environmental review to determine the risks and liabilities associated with all of the alternatives, before looking into land acquisitions.

Public Comment:

Ms. Kristine Walter, member of the San Joaquin River Access Coalition, thanked the City of Fresno for preparing this report and coming up with five potential suitable sites. She assured the Board that the Coalition supports any of the five alternatives.

Mr. Richard Sloan, from RiverTree Volunteers, asked the Board to consider including a hand-carried access for watercraft.

Mr. Clifford Tutelian, owner of Park Place and part of the private access road, stated that he appreciates the study's alternatives and he asked the Board to consider his concerns. He noted that there is interest in generating activities for the enjoyment of the general public. The strategic location of these access points is to accommodate the concerns of the neighbors and commercial development. These alternatives must analyze the security and safety of the proposed trails. He supports access off the Palm Ave. cul-del-sac and noted that the intersection is designed for high traffic use by the public.

Mr. Dirk Poeschel, who represents Russell Smith, one of the private land owners, stated that Mr. Smith has been working to develop a high-quality office complex on the Alternative five site for the last five to six years. A large portion of the property cannot be readily developed due to the debris and waste of the Kepco landfill. He expressed that Mr. Smith has concerns about security and visual reference from the street.

On inquiry from Mr. Borgeas, Mr. Poeschel reported that Mr. Smith would be willing to talk to Conservancy staff about Alternative five and about his concerns.

Board Comments:

On inquiry from Ms. Goodwin, Ms. Marks reported that she will schedule a meeting with the Fresno Metropolitan Flood Control District and inform them about the environmental review and the alternatives that are being considered.

Mr. Janzen stated that the City's work is a good start. One of the five alternatives should work, and this gives our consultants something to work with.

On inquiry from Mr. Borgeas, Ms. Marks reported that the draft Environmental Impact Report for River West should be completed in about six months; there is no possible way to shorten that time frame.

Ms. Goodwin confirmed with Mr. Crow, Deputy Attorney General, that as representative of the Flood Control District, she has no conflict of interest in accepting this report.

It was moved by Mr. Robinson and seconded by Mr. Janzen to approve staff's recommendation as presented in the staff report. The Board unanimously approved the motion on the following vote:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		

Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Dr. Jeff Single	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Mr. Paul Gibson	X		

G-2 Receive Report and Presentation from Department of Water Resources on Assessment of the Ledger Island Bridge, Approve Recommendation to Discontinue Routine Use of the Bridge, and Provide Direction to Staff

Staff Recommendation: It is recommended the Board receive the Department of Water Resources' (DWR) Ledger Island Bridge Assessment Report and approve staff's recommendation to discontinue routine use of the Ledger Island bridge. The Board may also provide direction to staff relating to future planning.

Mr. Dave Encinas, DWR, provided a brief introduction on how DWR was granted funds to evaluate the flow and flood-related damage to the Ledger Island bridge structure and abutments. The Ledger Island bridge was constructed by a mining company in the late 70s and was quitclaimed to the State of California in 2002. DWR was contracted to analyze alternative ways to convey high flows across or under the bridge's abutments to protect the presumed structural integrity of the bridge during moderately high flows. As it became evident the bridge structure was compromised, as well as the abutments, DWR focused its work on analysis of the ability of the damaged bridge to carry design loads.

Mr. Art Carlton, DWR structural engineer from Sacramento, stated that at the beginning of their investigation they were able to find some documentation on the construction of the bridge. They were able to locate the son of the original engineer, who provided DWR with the foundation report and the pile drive records. From the site visit of the bridge, DWR determined that everything above water is in good condition, but the most notable problem is the exposed steel load-bearing piles underneath the water. DWR determined that the leading center supporting pile has as little as two feet of embedment in the channel, and the other piles supporting the center pier were also exposed to a lesser degree. The bridge as designed and constructed had embedded the piles 15 feet; a series of flood events had seriously scoured the foundation. Corrosion of the exposed steel further compromises the structure. As discussed in detail in the staff report and DWR study, DWR recommends that routine use of the Ledger Island Bridge be discontinued until further evaluation of the bridge can be conducted or the bridge is retrofitted or replaced.

Public Comments:

On inquiry from Ms. Janet Gardner, from RiverTree Volunteers, Ms. Marks reported that the Conservancy can post signs directing boaters to portage around the bridge.

Ms. Sharon Weaver, Executive Director of the San Joaquin River Parkway and Conservation Trust, expressed concern about the safety issues involved with leaving the bridge as is. The Board should consider rehabilitating or demolishing and building a new bridge. She encourages the Board to use some of the bond funds to retrofit or construct a new bridge.

Board Comments:

On inquiry from Mr. Janzen, Ms. Marks reported that the Conservancy is required to maintain the bridge under a lease agreement with the State Land Commission; however, the Conservancy could instead remove the bridge if necessary.

Mr. Gibson suggested there could be emergency transportation funds available from either Fresno or Madera County to contribute to retrofitting or removing the bridge.

Mr. Frazier said he would look into emergency funds from the County of Madera.

Ms. Marks stated that claiming an emergency exemption under CEQA is not an option due to the passage of time since the occurrence of the flooding. The Conservancy will inform emergency response agencies about the bridge, and will follow up with the Division of Boating and Waterways to see if they have suggestions for directing people to portage around the bridge.

Mr. Robinson noted that DWR's estimates for a rehabilitated bridge and new bridge were nearly the same. In that case, a new bridge could be designed to best meet Parkway needs.

Mr. Gresham concurred with Mr. Robinson and noted that the Ledger Island bridge is very important in connecting the Parkway in Madera and Fresno counties.

On inquiry from Ms. Goodwin, Ms. Marks reported that the bridge replacement estimate includes the cost of demolishing the old bridge. The Conservancy will make this a priority and determine a plan of action for Board consideration.

Vice-Chairperson Borgeas left at 11:40 a.m.

Mr. Gibson made a motion, and Mr. Robinson seconded, to close the bridge to vehicle and pedestrian access, post appropriate signage to make people aware of the potential danger, and to clear a path for personal watercraft users to portage around the bridge. The Board unanimously approved the motion on the following vote:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Brett Frazier	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Dr. Jeff Single	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Mr. Paul Gibson	X		

G-3 Approve Release of Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program Proposal Solicitation Package

Staff Recommendation: It is recommended the Board authorize the release of the 2015 Proposal Solicitation Package (PSP) (Attachment 1) for the Conservancy's Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program. The Board may provide specific direction

regarding funding limits, matching fund requirements, scoring, and other considerations for the 2015 grant cycle.

Ms. Harris reminded those present that the Board had adopted the draft Guidelines and PSP at the June meeting. She explained that Conservancy will solicit grant proposals with the release of the PSP, and it will be made available on the Conservancy and State website. Three months will be provided between the release of the PSP and the deadline for submitting the application. All materials must be successfully submitted by the deadline (December 2) and late submittals will not be accepted. She noted that for this initial funding cycle, staff is not recommending funding limits for individual projects, matching fund requirements, or limiting proposals to specific types of programs. The scoring criteria will strongly weigh in favor of proposals that provide leveraged or matching contributions.

On inquiry from Mr. Janzen, Ms. Marks reported that, if the Conservancy does not award all funds appropriated this fiscal year, the money will remain available. We have three years to encumber the funds.

It was moved by Mr. Gibson and seconded by Mr. Frazier to approve staff's recommendation as presented in the staff report. The Board unanimously approved the motion on the following vote:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Brett Frazier	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Dr. Jeff Single	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Mr. Paul Gibson	X		

H. ADMINISTRATIVE AND COMMITTEE REPORTS

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

Ms. Weaver reported on the success of River Camp at Scout Island and in Firebaugh. She stated that Fresno Unified School District is going to send all of their third graders through the Parkway Trust's school field trip program. This coming year they also have all of Madera Unified sixth grade classes coming out to the river on field trips.

H-1b RiverTree Volunteers

Mr. Sloan reported on collaborating with High Sierra Trail Crew on the San Joaquin River Trail. He reported on collecting garbage and recyclables on the Conservancy's property. He announced that the Great Sierra River Clean Up is coming up soon.

H-2 Deputy Attorney General

Mr. Crow was to report on the questions being asked at the May Board Meeting about Voter-Approved Bond Act Propositions; however, with concurrence of the Board, that was carried over to the next month's Board meeting.

H-3 Executive Officer

Ms. Marks reported that the Jenco acquisition was approved by the Wildlife Conservation Board at their February meeting and is still under review by Department of General Services. She has been talking with State counterparts to determine the proper State processes for proceeding with the Bellezze Naturali proposal that was presented to the Board in the February Meeting. She noted that the River Vista's draft Mitigated Negative Declaration is close to being completed and will be put out for public comment and review. She has scheduled two days to work on the Parkway Master Plan Environmental Impact Report, to get it back on track. One nomination has been submitted to the Madera County Board of Supervisors to replace Ms. Carolyn Nolan on the Conservancy Board.

H-3a Committee Reports

None.

H-4 Board Members' Reports

Mr. Robinson provided a resolution that was approved by the Madera City Council. The resolution recognizes the value of the San Joaquin Valley as a travel and tourism destination. Several partners will be involved in promoting tourism in the Valley. The Executive Officer will be sure they have information about the Parkway.

I. EXECUTIVE SESSION

None.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

Public Workshop:

Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program Proposal Solicitation (2015 grant cycle)

September 16, 2015

1:30 p.m. to 3:00 p.m.

Fresno Metropolitan Flood Control District

5469 E. Olive, Fresno CA 93727

K. NEXT BOARD MEETING DATE

The next regularly scheduled Board meeting will be September 16, at 10:00 a.m. (Please note an earlier start time is observed March through October.)

L. ADJOURN

Chairperson Brandau adjourned the meeting at approximately 12:18 p.m.

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact Rebecca Harris at (559) 253-7324 or Rebecca.Harris@sjrc.ca.gov.

Respectfully submitted,



Melinda S. Marks, Executive Officer