

Minutes

The San Joaquin River Conservancy Governing Board
Wednesday, December 16, 2015

Meeting Location:

Fresno Metropolitan Flood Control District Board Room
5469 E. Olive Avenue, Fresno, CA 93727

and via phone conference:

Department of Finance
State Capitol, Room 1145
Acorn Conference Room
Sacramento, CA 95814

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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

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairperson Brandau called the meeting to order at 10:34 a.m. and led the pledge of allegiance.

A. ROLL CALL

A-1 Welcome and swear-in new Board member, Cynthia "Cyndy" Dolph, Madera County citizen representative

Ms. Marks reported that Ms. Dolph was not able to attend due to surgery for an injury.

A-2 Roll Call

Name	Present	Telecon-ference	Absent	Late
Mr. Steve Brandau, Chair	X			
Mr. Andreas Borgeas	X			
Mr. Brett Frazier			X	
Mr. Derek Robinson	X			
Ms. Barbara Goodwin				10:44
Mr. Carl Janzen	X			
Mr. John Baker	X			
Mr. Kent Gresham	X			
Mr. John Donnelly		X		
Mr. Patrick Kemp	X			
Mr. Michael McKown		X		
Ms. Karen Finn		X		
Ms. Bryn Forhan	X			
Mr. Paul Gibson	X			

Melinda S. Marks
Executive Officer

Ms. Harris confirmed that a quorum was present.

Legal Counsel Present: Mitchell Rishe, Deputy Attorney General

Staff Present: Melinda Marks, Executive Officer
Rebecca Harris, Staff Services Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board

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.

Mr. Borgeas asked the Board members to consider measures that could streamline the meetings and reduce the time required. There was a general discussion among Board members, with input from staff, regarding the meeting times, schedule, and agenda format for the 2016 board meetings.

C. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required 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 October 21, 2015

It was moved by Mr. Janzen and seconded by Mr. Gibson to approve the minutes of October 21, 2015, as presented. The voting members unanimously passed the motion. Mr. Gresham abstained, as he was not present during the October meeting.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. Derek Robinson	X		
Mr. Carl Janzen	X		
Mr. John Baker	X		
Mr. Kent Gresham			X
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		

Ms. Karen Finn	X		
Ms. Bryn Forhan	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 Conveying the Conservancy Board’s Comment Letter Regarding the County of Fresno Friant Corridor Land Use Feasibility Study, and Report on Fresno County Planning Commission Action

On inquiry from Mr. Borgeas, Ms. Marks reported that the Planning Commission, on a 6-1 vote, approved a recommendation for the Board of Supervisors to reject the Friant Corridor Land Use Feasibility Study. This was an informational item, and no action was taken.

G. DISCUSSION

- G-1 Consider Approval of the Proposed River Vista Public Access and Bridge Remnants Demolition Project

Receive Public Comments; Recommendation to Approve Resolution 15-07 Approving the Initial Study and Final Mitigated Negative Declaration and Adopting the Mitigation Monitoring and Reporting Program for the Proposed Project; and Subsequently Approve the Proposed Project (Funding to implement the project will be subject to a future Board action.)

Staff Recommendation: It is recommended the Board provide the opportunity for public testimony regarding potential environmental impacts of the proposed River Vista Public Access Project (proposed Project). After considering the proposed Initial Study, final Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Attachment 1) for the proposed Project, written comments and responses to comments (Attachment 2), and any testimony at today’s hearing, it is recommended the Board take the following actions:

1. It is recommended the Board approve the final Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program through adoption of the attached Resolution 15-07 (Attachment 3). It is further recommended the Board’s action amend the Mitigation Monitoring and Reporting Program to include any additional measures the Board feels are necessary to mitigate or alleviate any concerns raised through public testimony or Board discussion.
2. Following approval of the final Mitigated Negative Declaration and adoption of the Mitigation Monitoring and Reporting Program it is recommended the Board approve the proposed Project. (Funding to implement the project will be subject to a future Board action.)

Ms. Marks summarized the recommended action: first, approval of the Resolution 15-07 for the Initial Study and Final Mitigated Negative Declaration and adoption of the Mitigation Monitoring and Reporting Program, and then taking the action to approve the proposed project. She explained that the Conservancy Board authorized bond funds for the planning project. The County of Madera Planning Department provided the professional services for planning, preliminary design, CEQA analyses, and public participation. The proposed project will provide low-impact recreation improvements on a portion of the Conservancy’s 115-acre River Vista parcel located on the Madera County side of the San Joaquin River at the Road 206 bridge. The project will include an improved site entrance, small gravel parking area, shaded picnic structures, and ancillary features to support public river access. Additional project features include a trail extending the length of the project area along an existing gravel road for hiking and biking, and interpretive signage and

observation areas overlooking the river to enhance learning opportunities of the site's biological, cultural, and geologic resources and history. The project will also involve the removal of derelict bridge remnants within the San Joaquin River channel to improve visitor safety and facilitate safe recreational boating and other recreational uses of the river. The concrete bridge remnants will be crushed and stockpiled onsite to be used for future trail and access road gravel and disturbed areas will be replanted with appropriate native plants.

Ms. Marks explained that the draft Initial Study and Mitigated Negative Declaration were distributed in September 2015. The public comment period for the draft Mitigated Negative Declaration was from September 5, 2015, through October 6, 2015. The Notice of Availability and Intent to Adopt a Mitigated Negative Declaration was published in The Fresno Bee and The Madera Tribune on September 5, 2015. The Notice and the proposed Mitigated Negative Declaration were also posted on the Conservancy's web site. The Conservancy mailed notices to responsible and trustee agencies, and notices were emailed to interested parties. Copies of the draft Initial Study and Mitigated Negative Declaration were distributed by the State Clearinghouse to 16 agencies. During public review the Conservancy received comments from three responsible and trustee agencies, one comment from the public, and one comment from the County of Fresno. The comments and responses were included in the Board packet.

Ms. Marks stated that all potential impacts were mitigated to less than significant impact and none of the commenters indicated that an EIR was necessary for this project.

Ms. Marks stated that, upon project approval, the Conservancy intended to secure a partner or a grantee to demolish and crush the bridge remnants. For the long-term operations and maintenance of the property, the Conservancy will work toward contracting with the Department of Parks and Recreation, Millerton Lake State Recreation Area to provide the services, as funds allow. The Board would take action to approve funding for the project at a future meeting.

Ms. Marks stated that prior to the Board taking action on the Initial Study and final Mitigated Negative Declaration through approval of Resolution 15-07, the Board must consider the Initial Study, final Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and any written comments received during the public comment period. She noted that the Board shall provide an opportunity for public comment at the meeting as well.

Ms. Goodwin arrived at 10:44 a.m.

Public Comments:

Ms. Sharon Weaver, Executive Director of the San Joaquin River Parkway and Conservation Trust, expressed their support for this proposed project. She asked the Board to consider looking into other funding sources for the bridge demolition. Also, she asked if there was any consideration for doing a loop trail rather than an out-and-back trail.

Mr. Richard Sloan, from RiverTree Volunteers, expressed excitement about the proposed project and the removal of the bridge remnants. He supported the Parkway Trust's comment about the loop trail.

Board Comments:

Mr. Janzen mentioned that on page 20 of the study it refers to the field above River Vista as an almond orchard, but it is a pistachio orchard. He noted that there should be a map that shows the whole River Vista property not just the thin slice where the trail would be. He expressed support for the planned trail, as it would provide the river access anglers and other users desire.

On inquiry from Mr. Gibson about the location of the Conservancy's Wagner rental property for a park employee, Mr. Gresham reported that Road 206 separates the Wagner and River Vista properties. A State Parks Peace Officer is living in the house located on the Wagner property. Mr. Gresham stated that Millerton Lake State Recreation Area would be willing to operate and manage the River Vista property through a contract with the Conservancy.

Mr. Janzen wondered if the Conservancy's Proposition 1 grant funds could be used for demolition of the bridge.

Ms. Marks stated that the plan focused on the out-and-back trail instead of a loop trail in order to align the trail on the existing gravel road, which will be low-impact and have a minimal environmental footprint on the property. The alignment avoids cultural resources scattered across the upper portion of the property. She noted that between this property and the Madera canal there are pockets of privately owned property that were retained by the original owner. When and if residential development occurs, we can add components to this project to provide access to the neighborhood, and to minimize impacts of visitors on private properties. It may be possible that the bridge demolition could be eligible for Proposition 1 funding; however, it would be awhile before a Proposition 1 grant could be awarded. The key to feasibility and cost efficiency will be to keep the project on track and demolish the bridge before salmon populations are reestablished.

On inquiry from Ms. Forhan, Ms. Marks reported that a realistic target for bridge demolition was summer 2017.

A motion to approve Resolution 15-07 for the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as recommended was made by Mr. Janzen, seconded by Ms. Forhan, and unanimously passed by the Board.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. John Baker	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

A motion to approve the proposed project as recommended was made by Ms. Forhan, seconded by Mr. Gibson, and unanimously passed by the Board.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. John Baker	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

G-2 Presentation by River Partners on Progress and Planned Volunteer Activities at the Riverbottom Park Site/Schneider Property Habitat Restoration Project

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

Mr. Heyo Tjarks, Restoration Ecologist for River Partners, explained that River Partners, through Conservancy funding, has developed an extensive revegetation plan for the City of Fresno’s Riverbottom Park site and the Conservancy’s Schneider property. He noted that both of the properties would be planted with habitats that are appropriate to the area and hydrology. Willow riparian scrub will be planted in the lowest, wettest areas, Valley mixed riparian forest in the floodplain, and Valley oak woodland in the upland areas. The habitat will be designed to have multi-species benefits. River Partners plans to plant over 26,000 native trees, shrubs, and grasses between the two properties. All of the plants are carefully plotted and tagged so that volunteers can assist with planting.

Mr. Tjarks reported that public outreach has included a recent public workshop, and volunteers are being recruited.

Board Comments:

On inquiry from Mr. Brandau, Mr. Tjarks reported that River Partners has reached out to the landowners who live above the Riverbottom Park site.

On inquiry from Mr. Gibson, Ms. Marks reported that the public can access the area from the trail segment operated by the City of Fresno and located on the backside of Riverside Golf Course. She stated that the Schneider property is closed to the public until the Conservancy secures resources for operating and maintaining it.

Mr. Brandau noted that the City of Fresno plans to post signage at the Riverbottom Park site, which will let the public know what is allowed and what is not allowed.

Public Comment:

Mr. Richard Sloan, from RiverTree Volunteers, reported that over the last year homeless people have been accessing the properties. He noted that for the Great Sierra Cleanup, River Partners filled up a dumpster full of trash.

G-3 Report on Sycamore Island Public Access and Recreation Services for 2015 Season from San Joaquin River Parkway and Conservation Trust, Concessionaire

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

Ms. Sharon Weaver, San Joaquin River Parkway and Conservation Trust, noted that Sycamore Island opened for the 2015 season on February 1 and concluded the season on November 11. In 2015, the park served 9,441 visitors. The site was open Fridays, Saturdays, Sundays, and State holidays. School groups from Madera and Fresno unified school districts have been regularly scheduling field trips. The Trust collects a day-use fee of \$9 per vehicle and \$5 per boat trailer, and sells annual passes. These passes could be purchased on the Trust's website for the 2016 session.

Ms. Weaver reported that the revenue nearly met the costs of operating the site, for the first time.

On inquiry from Mr. Janzen, Ms. Weaver reported that the Trust is considering setting up a system for visitors to reserve the picnic shelters.

Ms. Marks noted that there was a significant increase in visitation even though the ponds were quite low due to the drought.

G-4 Receive Report on Fresno County Measure "C" Trails Funds, "Ongoing Maintenance" Amendment, and Applicability to Potential San Joaquin River Parkway Trail Projects Funded through Conservancy Bond Funds (carried over from the October 2015 meeting)

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

Ms. Marks reviewed the eligibility criteria for the Measure C trails maintenance funds as detailed in the staff report. The funds are only available within Fresno County, and the policy has a one year trial period that expires in February 2016. The funds are allocated to local agencies. The Conservancy could collaborate with the City of Fresno or the County of Fresno, by granting Conservancy funds to construct trails, and then the local agencies could use Measure C funds to operate and maintain the trails. The Measure C operation and maintenance funding is available for only the first 5 years for a new trail, and is not available to operate and maintain ancillary facilities such as parking/staging areas. The maximum is \$10,000 per mile per year for five years. She noted that there are two examples of the possible Parkway trail opportunities in the staff report.

Board Comments:

On inquiry from Mr. Borgeas, Ms. Marks reported that the Measure C funds are allocated to local agencies; the Conservancy is not an eligible recipient.

Ms. Goodwin noted that all these types of transportation funds go to specific public entities throughout the State.

Mr. Borgeas suggested the Conservancy could make a pitch to secure Measure C funds for operations and maintenance of Parkway trails.

Ms. Goodwin stated that if the Conservancy, City and County worked together on this, such a proposal would have more strength.

Mr. Janzen expressed discouragement over the reported costs to maintain a mile of trail for one year (more than \$10,000). He noted that the cost does not include the construction of the trail.

H. ADMINISTRATIVE AND COMMITTEE REPORTS

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

Ms. Weaver provided copies of the Parkway Trust's fall newsletter. She noted that a group of students developed and worked on the kiosk located at the River Center and invited the Board to come visit.

H-1b RiverTree Volunteers

Mr. Sloan reported on the recent activities of River Tree Volunteers. They collaborated with the Fresno Kayak Club and took 45 people down the river. He also mentioned that the Bald eagles are back on the river for the winter.

H-2 Deputy Attorney General

None.

H-3 Executive Officer

Ms. Marks reported that Joshua Morgan has taken another job—a promotion—with the Wildlife Conservation Board (WCB). She reported that many partner agencies and their staff members are very busy working on Conservancy projects. There has been a lot of work by WCB staff to secure approval of Ball Ranch project, which was approved by WCB in November and is being processed for final approval by the Department of General Services. The WCB and Department of Water Resources (DWR) also put in a large amount of work to secure approval of the Fish Hatchery Project augmentation. The Jenco property purchase has closed and the family very happy about that. She noted that she has been working with the State Lands Commission on the lease for the Gravel Pit 46e project, and all the permit application work by DWR for that project is ongoing.

Ms. Marks noted that the Conservancy received three Proposition 1 grant proposals. Conservancy staff and an evaluation panel will be reviewing those proposals in accordance with the criteria in the grant guidelines and will bring recommendations to the Board for their approval. She reported the Board has two new members, Cyndy Dolph, citizen representative for Madera County, and Julie Vance, who is the new regional manager for the Department of Fish and Wildlife.

H-4 Board Members' Reports

There was a general discussion among Board members and staff regarding Mr. Borgeas' report of a meeting with Mr. Russell Smith. Mr. Smith requested his property be removed from the River West Fresno, Eaton Trail Extension Environmental Impact Report study of access alternatives. After a brief discussion, the Board directed staff to continue with the review of all five alternatives, so that the analysis in the report would inform their deliberations.

I. EXECUTIVE SESSION

Public Comment:

Prior to convening in Executive Session, members of the public may address the Board on Executive Session agenda items.

I-1 **Government Code Section 54956.8**

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment: Authorize a Nominal Realignment of a Conservancy-Held Public Access Easement.

Property: Bellezze Naturali (road easement on Fresno County, APN 300-250-25)

Negotiating Parties: Brent McCaffrey, President, Bellezze Naturali, L.L.C.

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Michael Crow, Attorney General's Office

I-2 **Government Code Section 54956.8**

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment: Authorization to Appraise and Negotiate a Conservation Easement

Property: Fresno County Sportsmen's Club (Fresno County, APN 576-010-07)

Negotiating Parties: Sharon Weaver, San Joaquin River Parkway and Conservation Trust
Nick Maxwell, President, Fresno County Sportsmen's Club

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy

Mr. Rische reported out of Executive Session that with regard to item I-1, the Board authorized staff to take action for a nominal realignment of the Conservancy's easement. With regard to item I-2, the Board gave direction to staff.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

None.

K. NEXT BOARD MEETING DATE

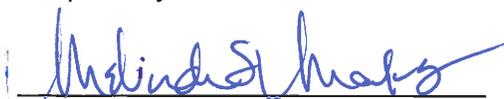
The next meeting of the Board will be held January 20, at 10:30 a.m. (Please note a later start time is observed November through February.)

L. ADJOURN

Chairperson Brandau adjourned the meeting at approximately 12:28 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