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

Minutes

The San Joaquin River Conservancy Governing Board
Wednesday, February 1, 2017

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

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GOVERNING BOARD

Andreas Borgeas, Chairperson
Fresno County Board of Supervisors

Brett Frazier, Vice-Chairperson
Madera County Board of Supervisors

Steve Brandau
Councilmember, City of Fresno

William Oliver
Councilmember, City of Madera

Barbara Goodwin, Director
Fresno Metropolitan Flood Control District

Carl Janzen, Director
Madera Irrigation District

Julie Vance, Regional Manager
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

Jennifer Lucchesi, Executive Officer
State Lands Commission

Karen Finn, Program Budget Manager
Department of Finance

Bryn Forhan
Citizen Representative

Melinda S. Marks
Executive Officer

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairperson Borgeas called the meeting to order at 10:32 a.m. and led the pledge of allegiance.

A. ROLL CALL

A-1 Oath of Office

Mr. Crow, legal counsel, administered the Oath of Office, swearing-in new and continuing Board members for the 2017-2020 term.

A-2 ROLL CALL

Name	Present	Telecon- ference	Absent	Late
Mr. Borgeas	X			
Mr. Frazier	X			
Mr. Brandau	X			
Mr. Oliver	X			
Ms. Goodwin	X			
Mr. Janzen	X			
Ms. Vance	X			
Mr. Gresham	X			
Mr. Donnelly		X		
Mr. Kemp	X			
Ms. Lucchesi		X		
Ms. Finn		X		
Ms. Forhan	X			

Ms. Wright confirmed that a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General

Staff present: Melinda Marks, Executive Officer
Rebecca Raus, Associate Governmental Program Analyst
Janah Wright, Staff Services Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board (via teleconference)

Mr. Borgeas convened the meeting in tribute to past Board member Dr. Duane Furman. Dr. Furman passed away on Saturday, November 12, 2016, at the age of 89.

Ms. Marks shared that Dr. Furman was a great leader and a pleasure to work with. Dr. Furman served on the Board twice, in 1997-2001 and 2005-2008. Dr. Furman was a positive influence in Madera and Fresno. He was a founder of the Fossil Discovery Center of Madera County. He was a Director Emeritus of the San Joaquin River Parkway and Conservation Trust and a strong advocate for the Conservancy and the Parkway. During and after his Board service, he wrote numerous news articles for the Madera Tribune to make sure the Parkway was shown to the community in a positive light.

Mr. Frazier added that when Dr. Furman shared his ideas, everyone would listen. He stated that Dr. Furman's legacy will surely continue.

Mr. Janzen mentioned that he too enjoyed the opportunity working with Dr. Furman and that he was a fine leader in education as well as for the Parkway and other causes.

Mr. Borgeas welcomed new Board members, William Oliver, Councilman, City of Madera, and Jennifer Lucchesi, Executive Officer, California State Lands Commission.

Mr. Oliver shared that he began his public service career working with U.S. Senator Barbara Boxer for four years. He is employed by the Fresno Economic Development Commission. Mr. Oliver expressed his excitement to have the opportunity to work with the Conservancy and fellow Board members.

Ms. Lucchesi shared that she has more than four years of experience as Executive Officer and seventeen years of experience with the California State Lands Commission. She stated that she is very happy to represent the Commission and work on projects and issues that involve the Conservancy.

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. Barry Bauer, a resident of Fresno and member of the Fresno County Recreation and Wildlife Commission, expressed that he was hoping to get an update on the progress of the Sycamore Island Gravel Pit Isolation and Floodplain Improvement Project.

Ms. Marks reported that all of the construction is complete and the equalization saddle is functioning as designed. Because of high river flows, the created floodplain is underwater; therefore, planting will be postponed until next season. Hydro seed will be placed on disturbed areas once the water goes down.

Mr. Frazier commented that he would like to re-engage in discussions with the McCaffrey company, to explore if there are elements of the previously proposed concept that could be reconsidered by the Board. The Board members identified the following ad hoc committee to meet with McCaffrey representatives (along with staff): Bryn Forhan, Steve Brandau, Brett Frazier, and Andreas Borgeas.

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))

There were 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)

There were none.

E. MINUTES

E-1 Approve Minutes of November 2, 2016

It was moved by Mr. Janzen and seconded by Mr. Frazier to approve the minutes of November 2, 2016, as presented. The members unanimously passed the motion as follows:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Borgeas, Chair	X		
Mr. Frazier	X		
Mr. Brandau	X		
Mr. Oliver	X		
Ms. Goodwin	X		
Mr. Janzen	X		
Ms. Vance	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Mr. Kemp	X		
Ms. Lucchesi	X		
Ms. Finn	X		
Ms. Forhan	X		

F. CONSENT CALENDAR

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

F-1 Reminder to File Statements of Economic Interest and Complete Biennial Ethics Training, Due April 1, 2016

F-2 Governor's Proposed Budget for the San Joaquin River Conservancy for Fiscal Year 2017-18

The reports were for information only; no action was taken by the Board.

G. DISCUSSION

G-1 Presentation by River Partners on Preliminary Conclusions and Habitat Enhancement Recommendations from the Ball Ranch and Willow Unit Habitat Restoration Planning Project, a Proposition 1 Grant

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

Heyo Tjarks, Restoration Ecologist, River Partners, gave a presentation on conceptual restoration planning throughout the project area, including the Conservancy's Ball Ranch and a portion of the Willow Unit of the San Joaquin River Ecological Reserve, under the jurisdiction of the California Department of Fish and Wildlife (DFW). The work was the result of a Proposition 1 Multi-Benefit Ecosystem and Watershed Protection and Restoration Grant awarded by the Conservancy and Wildlife Conservation Board.

Mr. Tjarks began the presentation with history and facts about the area covered by the restoration planning project. He reported that the planning area throughout Ball Ranch and the Willow Unit is 515 acres. In the early 1900's, Ball Ranch was used for farming, leaving a lot of the area clear of native vegetation. In other areas, before the dams were built the floodplain flooded from bluff to bluff each year, which formed an expansive riparian habitat. Once flooding was controlled by Friant Dam, there was irrigated farming, dairy, grazing and gravel mining. Only 6% of the past riparian forests remain in the Central Valley. The riparian habitat harbors over 225 wildlife species.

Mr. Tjarks reported that many of the ponds at the site have very steep slopes leaving minimal space and poor conditions for wetland and riparian vegetation to colonize. The majority of the planning area is covered with non-native grass and some invasive species. The small amount of native vegetation is fragmented and sparse or in narrow bands. The wildlife that remains depends on limited riparian and wetland habitats.

Mr. Tjarks reported that there are a few minor pockets of volunteer native plants; however, the majority of the site will never recolonize on its own due to the competition from non-native grasses, lack of spring floods for natural irrigation, grazing and fires. There are very few oak trees that are less than sixty years old.

Mr. Tjarks concluded with a recommendation for active habitat restoration to meet the conservation goals of the San Joaquin River Parkway Master Plan. At the site there is a large-scale opportunity to restore riparian forests, protect wildlife species, provide education, and protect natural resources.

Mr. Tjarks presented a conceptual restoration plan to restore four habitats: riparian, woodland, wetland, and native grassland. A fifth component could include floodplain enhancement for fisheries benefits at the location of the old worm farm. River Partners' final report on the grant-funded project will be submitted to the Conservancy and DFW soon.

In response to Mr. Gresham's inquiry, Mr. Tjarks confirmed that reducing the slope of the steep pond banks to improve habitat and protect public safety was one of the recommendations within the report.

Mr. Frazier asked about the source of water for restoration. Mr. Tjarks responded surface water pumped from the pond or river, utilizing the Conservancy's and DFW's riparian rights, would be used for three years of drip irrigation, then the plants would be weaned off irrigation.

Mr. Janzen noted that, temporary or not, all diversions from the river affect the amount of water available to meet all of the river water users' needs.

Mr. Brandau asked about the status of the restoration project near Schneider/Riverbottom Park. Mr. Tjarks responded that they have planted over 14,000 plants. He mentioned that within the first year they already have a 72% survivorship.

Mr. Oliver asked whether there are measures that can be taken to protect properties from fires. Mr. Tjarks responded that restored habitats reduce fire risks compared to non-native grasslands.

There were no comments from the public. No Board action was recommended or taken.

G-2 Approve Board Meeting Calendar for 2017

Staff Recommendation: It is recommended the Board approve the calendar for the regular meetings scheduled for March through December 2017.

Ms. Marks reported that, after polling all board members, the first Wednesday of the month continues to be the best day for availability of the most Board members. The proposed calendar for regular Board meetings is the first Wednesday each month, no meeting in July, and the December meeting, if held, would be on the second Wednesday. For individual meetings, various Board members reported that they would not be available; however, not so many that it would affect the ability to secure quorums.

The Board discussed the need for a longer meeting for March 1. The March 1 meeting will cover the applications for Proposition 1 grants and a Board informational workshop for the River West Fresno, Eaton Trail Extension Project Draft Environmental Impact Report (DEIR). After the DEIR is released, the public will have a sixty day period to submit written comments. June 7 is expected to be the 1st Board meeting to consider certification of the EIR; there may be two meetings in June to avoid carrying business over into July or August.

Mr. Janzen suggested that any items requiring Board votes take place at the beginning of the March 1 meeting to make sure there's a quorum for the action items.

Public Comment:

Mr. Bauer asked if the proposed schedule took into account the expiration of the two consulting contracts to complete the River West Trail Extension EIR and the Parkway Master Plan EIR. Staff responded that both contracts expire at the end of 2017 and must be completed by that time. Mr. Donnelly emphasized that the Board and staff must do everything they can to complete these projects due to contract and funding issues.

Mr. Borgeas raised the issue that the Board may need to discuss the River West Trail Extension DEIR in closed session if there is a threat of litigation. Mr. Crow indicated that close session discussion is allowed under the Brown Act in specific situations, including potential litigation; the legality of convening in closed session would be subject to legal review of any specific threat.

It was moved by Mr. Brandau and seconded by Ms. Forhan to approve the Board Meeting Calendar for 2017 as recommended in the staff report and as follows:

March 1st (starting at 10:00 a.m. and ending not later than 4:00 p.m.)
 April 5th
 May 3rd
 June 7th
 July – no meeting scheduled
 August 2nd
 September 6th
 October 4th
 November 1st
 December 13th

The Board members unanimously passed the motion as follows:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Borgeas, Chair	X		
Mr. Frazier	X		
Mr. Brandau	X		
Mr. Oliver	X		
Ms. Goodwin	X		
Mr. Janzen	X		
Ms. Vance	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Mr. Kemp	X		
Ms. Lucchesi	X		
Ms. Finn	X		
Ms. Forhan	X		

H. ADMINISTRATIVE AND COMMITTEE REPORTS

The following oral reports are for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

Ms. Sharon Weaver, Executive Director, shared a video of the 5k-10k run that was held at Sycamore Island on Sunday, January 29, 2017. She stated that the race sold out with 250 participants. She reported that the total visitors of Sycamore Island in 2016 were over 9,000. The Parkway Trust's goals, as concessionaire at the Conservancy's Sycamore Island, are to have at least 10,000 visitors in 2017 and to be able to operate within the amount of revenue generated by user fees without subsidy from other Parkway Trust sources.

H-1b RiverTree Volunteers

No report.

H-2 Deputy Attorney General

Mr. Crow reminded the Board that under the Brown Act an ad hoc committee can only meet once or twice to complete an assigned task. If additional meetings are required the committee becomes a standing committee and meetings and agendas must be publicly noticed. He also cautioned that the committee members should not discuss issues raised at the meetings with other board members who are not a part of the committee. The committee must report back at a public Board meeting.

Ms. Vance reminded the committee members that some of the land discussed in relation to the McCaffrey proposal is under DFW jurisdiction.

Mr. Crow concluded by announcing that Xavier Becerra has been confirmed by the Legislature to serve as the new Attorney General.

H-3 Executive Officer

Ms. Marks reported that the Governor has not yet appointed new Board members to serve as citizen representatives. Legal advice concludes that the past appointees for the County of Madera and County of Fresno do not meet the eligibility for the new term, and therefore the seats are now vacant. After the Board membership is settled she will recommend Resolutions of Appreciation for Board members leaving office. She commented on the long service and extensive knowledge of outgoing Board member Michael McKown, representing the State Lands Commission.

Ms. Marks anticipates that the Parkway Master Plan DEIR will be released for public review one month or so after the River West DEIR, and be presented for Board approval in August.

Ms. Marks expressed condolences to the family of Kevin Golden, twenty-three years old, who lost his life hiking in Yosemite. As an Eagle Scout, Kevin had performed a valuable service project for the Conservancy by making extensive repairs at Wildwood Native Park.

On inquiry from Mr. Janzen, Ms. Marks reported that the City of Fresno approved the Conservancy's plan to connect to the municipal drinking water system at the Bluff Pointe Golf Course. She must develop a scope of work and budget proposal for the Board to authorize funding for the final engineering plans and specifications and construction.

H-4 Board Members' Reports

Mr. Frazier reported that the County of Madera sent letters to all riverbottom landowners, and received one letter of interest for serving on the Board.

Mr. Borgeas emphasized the importance of public outreach for the River West Fresno, Eaton Trail Extension Draft EIR. Ms. Marks assured the Board that the Conservancy is making sure that the master mailing and emailing lists are complete and updated. The Board directed staff to add residents of both mobile home parks and attendees of the River West Madera Master Plan workshop.

I. EXECUTIVE SESSION

Public Comment:

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

None.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

Notices of Availability for public review of the River West Fresno, Eaton Trail Extension Draft Environmental Impact Report and associated public meetings will be emailed and/or mailed to all of those who have requested to be on the distribution list, attended public meetings for the project, are nearby landowners, or sent letters or emails expressing interest.

K. NEXT BOARD MEETING DATE

The next meeting of the Board will be held March 1, 2017, at 10:00 a.m. and continue until not later than 4:00 p.m. as necessary to conduct business identified on the agenda. (Please note, an earlier start time will be observed March through October.)

L. ADJOURN

Mr. Borgeas adjourned the meeting at approximately 12:00 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 Janah Wright at (559) 253-7324 or Janah.Wright@sjrc.ca.gov.

Respectfully submitted



Melinda S. Marks, Executive Officer