



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

Item: E-1

MINUTES

**The San Joaquin River Conservancy Governing Board
Wednesday, January 21, 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

5469 E. Olive Avenue
Fresno, California 93727
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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, *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

Michael McKown, *Designee*
State Lands Commission

Eraina Ortega, *Chief Deputy Director*
Department of Finance

Bryn Forhan
Paul Gibson
Carolyn Nolan
Citizen Representatives

CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

Chairperson Brandau noted that each new board member had been sworn in by taking the oath of office by the Attorney General, Mr. Michael Crow.

A. 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	X			
Mr. Brian Davis	X			
Dr. Jeff Single			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			
Ms. Carolyn Nolan	X			

Mr. Morgan confirmed that a quorum was present.

Melinda S. Marks
Executive Officer

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

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, from Herb Bauer Sporting Goods, inquired about updates on several projects.

Ms. Marks responded that the River West Fresno Environmental Impact Report (EIR) consultant had not yet received a notice to proceed on the contract amendment the board approved in September, 2014; the contract is intended to expire and all work completed by the end of this calendar year, unless there are further delays. The administrative draft EIR for the San Joaquin Parkway Master Plan is still in review; their contract does not expire until the end of 2016. The proposed Mitigated Negative Declaration on the berm breach repair will be sent out for public and agency comments the following week; the Bureau of Reclamation has indicated it intends to help fund the project. CalTrans has completed their EIR for the scour repairs and seismic upgrades on the old Highway 41 bridge; staff did not know when work would proceed.

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 September 17, 2014

It was moved by Ms. Forhan and seconded by Mr. Borgeas to approve the minutes of September 17, 2014, as presented. The motion was unanimously passed by the voting members. Mr. Frazier, Mr. Robinson, and Ms. Goodwin abstained, as they were not present during the September meeting.

Name	Yes	No	Abstain
Mr. Steve Brandau, Chair	X		
Mr. Andreas Borgeas	X		
Mr. Brett Frazier			X
Mr. Derek Robinson			X
Ms. Barbara Goodwin			X
Mr. Brian Davis	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

Ms. Goodwin commented on the thoroughness and clarity of the minutes.

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 Meeting Calendar for 2015

Staff Recommendation: It is recommended the Board approve the calendar for the regular meetings scheduled for February through December 2015.

Chairperson Brandau requested to move F-2 for discussion after F-1 was considered. Ms. Nolan moved and Ms. Forhan seconded a motion to approve the schedule recommended in the staff report for F-1. The motion passed unanimously as follows:

Name	Yes	No	Abstain
Mr. Steve Brandau, Chair	X		
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Brian Davis	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

F-2 Report on Approved City of Fresno General Plan: Parkway Public Access Policies

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

Chairperson Brandau summarized the City of Fresno's recently adopted General Plan Update and its effect on the San Joaquin River Conservancy with regard to the City's policy on Riverview Drive as a pedestrian and bicycle access only, and the Palm and Nees avenues location providing for vehicular access to the parkway.

Public Comments:

Mr. Dave Koehler, Executive Director of the San Joaquin River Parkway and Conservation Trust, informed the Board that the Parkway Trust's attorney provided a letter to Ms. Marks stating that the policy does not restrict public use of Riverview Drive.

There was no further discussion. This report required no action by the Board.

G. DISCUSSION

- G-1 Joint Public Information Hearing with California Department of Fish and Wildlife, Region 4, to Receive Public Comments on Donation of Land Under the Natural Heritage Preservation Tax Credit Act, Jenco Farms Property (Fresno County APN 576-010-11)
 - a. Hearing Opened
 - b. Staff Explanation of the Tax Credit Act
 - c. Description of Proposed Donation
 - d. Questions and Comments from the Public
 - e. Hearing Closed

Staff Recommendation: It is recommended the Board and California Department of Fish and Wildlife Region 4 provide an opportunity for members of the public to comment on Jenco Farms' proposed donation and participation in the Natural Heritage Preservation Tax Credit Program. The comments received at this hearing will be forwarded to the Wildlife Conservation Board for consideration at their meeting February 26, 2015.

- a. Public Informational Hearing Opened

The hearing was opened by Conservancy Board Chairperson Brandau and Mr. Gerald Hatler, Program Manager, California Department of Fish and Wildlife.

- b. Explanation of the Natural Heritage Preservation Tax Credit Act

Mr. Donnelly, Executive Director of the Wildlife Conservation Board and member of the Conservancy Board, described the legislative history, purposes, and benefits of the tax credit program. He noted that pursuant to amendments of the Act, the recipient agencies must reimburse the General Fund for the amount of the credit, and the landowner/donor has up to 15 years to use the credits. An application is required to demonstrate that the project meets the goals of the program, which include habitat conservation and restoration, open space, and public access.

The Board received the following information:

The Natural Heritage Preservation Tax Credit Program is intended to protect wildlife habitat, parks, open space, archaeological resources, agricultural land and water by providing state tax credits for donations of qualified land (fee title or conservation easement) and water rights. The program's objectives include fostering public/private partnerships; assisting in habitat stewardship; and demonstrating the State's

commitment resources protection by rewarding participating landowners. Donors receive state tax credits equal to 55% of donated value; the recipient agency reimburses the General Fund for the amount of the credit. The partnership among the Department of Fish and Wildlife, Wildlife Conservation Board, and Conservancy was described in the public notice and staff report.

Mr. Donnelly thanked the Board for supporting the program.

c. Description of Proposed Donation

Ms. Marks described the proposed acquisition and donation, and displayed a map of its location. The 23 ac. acquisition has a total fair market value \$926,400, less a \$100,000 donation, for a cash purchase of \$826,400, and landowner tax credit/Conservancy General Fund reimbursement obligation of \$55,000. The acquisition will:

- Meet mutual goals of California Department of Fish and Wildlife, the Conservancy, and the Tax Credit Act;
- Conserve San Joaquin River riparian and floodplain habitat;
- Contribute toward achieving the San Joaquin River Parkway Master Plan, a conservation plan authorized by statute;
- Leverage Conservancy funds;
- Foster Conservancy partnerships;
- Facilitate future habitat restoration, species benefits, and potential public access; and
- Master Plan buffers will reduce impacts on the neighboring home.

Ms. Marks noted that the Board has approved the land purchase, use of Conservancy funds for the acquisition, and General Fund reimbursement.

d. Questions and Comments from the Public

Mr. Koehler commented that the River Parkway Trust, a nonprofit organization, strongly supports this acquisition. He noted that the Trust was a strong advocate within a coalition that supported the legislation that created and sustained the Natural Heritage Preservation Tax Credit Program. He stated that the subject project is a great example of the benefits of the program, and cited the multiple benefits of the project as an individual acquisition of riparian and floodplain habitat and as a key linkage among other Parkway lands and the Lewis S. Eaton multiple use trail. He expressed his appreciation to the members of the Jensen family for selling land for the Parkway, for the donation, and for participating in the tax credit program. He provided the attached letter.

Mr. Richard Sloan, RiverTree Volunteers, a nonprofit organization, expressed support for the project, for all of the reasons noted by Mr. Koehler.

e. Hearing Closed

With no further comments from the public, Chairperson Brandau and Mr. Hatler closed the hearing. Ms. Marks noted that the comments would be forwarded to the Wildlife Conservation Board. The Wildlife Conservation Board will consider the acquisition, donation, and reimbursement of the General Fund at its February meeting, rescheduled to February 25, 2015.

G-2 Receive Year-End Reports on Property Management and Program Services Provided under Conservancy Contracts; Presentations by RiverTree Volunteers, Many Lightnings, and City of Fresno Life and Environmental Sciences Program

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

Ms. Marks provided background information regarding the program services agreements for Many Lightnings American Indian Legacy Center, RiverTree Volunteers, and City of Fresno Life and Environmental Sciences. All three contracts provide for supplemental recreational, educational, and stewardship programs on Conservancy lands, while also assisting with fundamental management of Conservancy properties.

Ms. Irma Yopez-Perez, Grant Writer, Mr. Manuel Hernandez, Community Coordinator, and Mr. Shaun Schaefer, Community Services Division Manager for the City of Fresno Parks, After-School, Recreation, and Community Services Department, reported on programs provided under the services contract to the Conservancy and other Life and Environmental Science (LES) programs provided to the community. This year their program was concentrated around the use of ponds because the water flows in the river were too high to do some river excursions. Education about water safety and the dangers around the river was provided at the beginning each activity and a life jacket was mandatory for every person who participated. The LES program taught kids team building skills by the use of communication, trusting each other to keep their canoes upright, and to support their team leader and crew. The kids that want to come back year after year become "River Ambassadors" to support conservation in the future. The LES program teamed up with RiverTree on several river clean-ups and in taking teachers and their classrooms to the river.

On inquiry from Mr. Hatler, Mr. Hernandez reported that over 500 students plus around 40 parents participated this past year. They have been working with community centers, community parks, non-profits, and churches; the program is open to everyone.

Ms. Nolan commented on her support for the concept of "River Ambassadors," these youths will support the Parkway when they become adults.

Mr. Frazier agreed, commenting that he experienced the river as a child, including a visit to the river with Ms. Nolan and her son.

Mr. Sloan provided River Tree's annual report for services provided in 2014. He noted that RiverTree has no paid staff or board members other than paid stipend students supported by the services agreement. The five college students are river guides, hike leaders, and safety personnel. There is no charge to the public for canoe trips and hikes. He noted that they target foster homes, group homes, and people who normally would not get a chance to get out on the river. RiverTree volunteers also routinely assist with repairing gates, replacing locks and signs, removing graffiti, and assisting other groups with access to the river. He noted that RiverTree filled six dumpsters full of trash and debris the past year, mostly from homeless camps along the river. RiverTree also removed 60 shopping carts from Conservancy property, extinguished nine campfires, and pulled 226 tires from the river this year.

Chairperson Brandau thanked Mr. Sloan for taking Supervisor Borgeas and himself out there, along with their Madera counterparts, to look over the homeless situation on the river.

Ms. Marks reported on Many Lightnings' services for 2014, since the director, Ms. Laura Wass was not able to attend. Many Lightnings coordinated and led many volunteer stewardship days at the Conservancy's Pathways of Our Ancestors, Native American cultural garden at Jensen River Ranch. Ms. Marks noted that Many Lightnings held six events during the season composed mostly of volunteers and one big educational tribal-oriented event on Earth Day. Many Lightnings only used \$800 of their \$3,000 budget for services.

Ms. Marks reported the applications for minor programs services in 2015 will be available after the Board approves their release at the February meeting.

H. ADMINISTRATIVE AND COMMITTEE REPORTS

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

Mr. Koehler provided a document titled "Urban River Parkways: An Essential Tool for Public Health" from the Center for Occupational and Environmental Health at UCLA to staff and the board. Mr. Koehler highlighted the public health benefits related to parkways and open space. Mr. Koehler noted that the Parkway Trust will be partnering with doctors to organize 11 walks, called Walks with Docs--it's an opportunity to have doctors be your health coach.

H-1b RiverTree Volunteers

Mr. Sloan reported that RiverTree has already conducted two activities on Conservancy properties for 2015. Mr. Sloan noted that RiverTree wants to sponsor a cross-country hike and race from Lost Lake Park to Fort Washington Beach.

Chairperson Brandau asked Mr. Sloan when the next clean-up days were scheduled.

Mr. Sloan responded that none have been scheduled yet, with the exception of the May National River Clean Up Week. RiverTree will accommodate any groups that want to schedule a service project.

H-2 Deputy Attorney General

Mr. Crow had nothing to report.

H-3 Executive Officer

H-3a Committee Reports

Ms. Marks introduced Ms. Rebecca Harris, who started in November and is serving in the Staff Services Analyst position. Rebecca has a Geography degree from Fresno State, with an emphasis in environmental planning.

Ms. Marks reported on the following: an overview on the Governor's proposed budget; the proposed mitigated negative declaration for the gravel pit and flood plain restoration project to be released next week; and the pending proposed mitigated negative declaration for River Vista.

Ms. Marks stated that she has scheduled a meeting with Technical Advisory Committee to discuss progress on the Parkway Master Plan EIR. The Ball Ranch acquisition approved by the board is waiting for the landowners to complete the transaction documents and requirements. On January 27 there will be a joint meeting of the Boards of Supervisors for Madera and Fresno Counties. The meeting will cover river corridor planning and ground water regulations. Ms. Marks will be attending a meeting with other Conservancies and the California Natural Resources Agency to discuss Proposition 1 grant guidelines and how to implement the water bond grant program.

H-4 Board Members' Reports

Vice-Chairperson Borgeas thanked the new board members for their involvement. He noted that the joint meeting of the county boards will be held on January 27 and one of the items he and Supervisor Perea will be speaking on is the Friant Corridor and river-related issues such as public safety in the river corridor.

I. EXECUTIVE SESSION

Public Comment:

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

There was no public comment. The Board convened in closed session at approximately 12:02 p.m.

I-1 **Government Code Section 54956.8**

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment; Authorize Negotiations for Conservancy to Secure an Access Easement.

Property: Bellezze Naturali (Madera County, APNs 049-670-005 & 006)

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

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

Mr. Crow reported out of Executive Session that with regard to item I-1, the Board provided staff with guidance regarding ongoing negotiations.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

In March 2015, Conservancy staff will hold public meetings to receive comments on draft guidelines for applications and awards of Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) Bond Funds. Please see www.sjrc.ca.gov, or contact Rebecca Harris, Staff Services Analyst, at (559) 253-7324 extension 2, or Rebecca.Harris@sjrc.ca.gov to receive a notice of the date, time and place of the meetings.

K. NEXT BOARD MEETING DATE

The next meeting of the Board will be held February 18, 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 12:25 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