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

Item: E-1

MINUTES

**San Joaquin River Conservancy Governing Board
Wednesday, March 18, 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
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, *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

Melinda S. Marks
Executive Officer

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice-Chairperson Andreas Borgeas called the meeting to order at 10:03 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	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				10:29
Ms. Karen Finn		X		
Ms. Bryn Forhan	X			
Mr. Paul Gibson	X			
Ms. Carolyn Nolan				10:05

Ms. Harris confirmed that a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General

Staff Present: Melinda Marks, Executive Officer
Rebecca Harris, Staff Services Analyst
Heidi West, Public Lands Management Specialist, 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. Bob Getz, a resident at Wildwood Mobile Home Park, thanked Richard Sloan from RiverTree Volunteers, for helping to clean up the island at Wildwood Native Park. Mr. Getz made some suggestions regarding the park, including: to provide more picnic tables, to have a host on the weekends to look over the property, to have Monday morning trash pick-ups, an on-call maintenance person, more marked trash cans, and additional brush removal.

Board Comments:

Vice-Chairperson Borgeas noted that at the last Fresno County Transportation Authority meeting the FCTA Board members approved a modification to Measure C, which will allow funds from the measure to be used toward trail maintenance.

Ms. Nolan arrived at 10:05 a.m.

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))

The following item was identified after preparation of the agenda and required prompt action of the Board:

G-3 Resolution 15-04 of Appreciation for Dave Koehler for Public Service

It was moved by Mr. Gibson, seconded by Ms. Forhan, and unanimously approved to add item G-3 to the agenda by the following vote:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas, Vice-Chair	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. Kent Gresham	X		
Ms. Karen Finn	X		

Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

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 February 18, 2015

Ms. Goodwin requested a correction to her comments in the February minutes on page seven. The sentence should read, "Government is less susceptible to economic downturn and may end up as the solo operator; such contingencies should be considered during planning."

A motion to approve the minutes as amended was made by Ms. Goodwin, seconded by Ms. Nolan. The Board approved the motion on the following vote:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas, Vice- Chair	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. Kent Gresham	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

F. CONSENT CALENDAR

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

F-1 Authorize Executive Officer to Execute Fire Prevention Agreements

- a. Fresno County Economic Opportunities Commission Local Conservation Corps
- b. California Conservation Corps

Staff Recommendation: It is recommended the Board authorize the following fire prevention agreements for fiscal year 2014/2015 (the action may be taken as one motion and vote or as separate motions and votes):

- a) Not to exceed \$5,000, with the Fresno County Economic Opportunities Commission Local Conservation Corps for weed abatement for fire prevention on the Spano property; and

- b) Not to exceed \$10,000, with the California Conservation Corps for weed abatement for fire prevention, and trail and property maintenance on various Conservancy properties.

F-2 Receive Report on Sycamore Island Fishing Derby, March 7, 2015

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

F-3 Report on Revive the San Joaquin’s License Agreement to Operate a Native Plant Nursery on the Liddell Property (Site of Former Fish Farming Lease)

Staff Recommendation: This report is provided for informational purposes. The Board may provide general direction to staff; however, no formal Board action is recommended.

It was moved by Ms. Forhan and seconded by Ms. Goodwin to approve the consent items as recommended. The motion passed unanimously as follows:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas, Vice- Chair	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. Kent Gresham	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

Mr. Janzen commented that he is glad to see a good use for the former fish farm.

G. DISCUSSION

G-1 Consider Approval of San Joaquin River Parkway Sycamore Island Pond Isolation Project (Pit 46e)

- G-1a. Receive Public Comments; Adopt Resolution 15-03 Approving the Initial Study and Final Mitigated Negative Declaration and Adopting the Mitigation Monitoring and Reporting Program for the Proposed Sycamore Island Pond Isolation Project (Berm Repair, Access Road, Gravel Pit 46e Isolation, and Habitat Improvement); and Subsequently Approve the Proposed Project

Staff Recommendation: It is recommended the Board provide the opportunity for public testimony regarding potential environmental impacts of the proposed Sycamore Island Pond Isolation Project (proposed Project); and, after considering the proposed Initial Study and final Mitigated Negative Declaration (staff report Attachment 1) and Mitigation Monitoring and Reporting Program (staff report Attachment 2) for the proposed Project, written comments and responses to comments (staff report Attachment 3), 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 15-03 (staff report Attachment 4). It is further recommended the Board's action amend the Mitigation Monitoring and Reporting Program to include any additional measures it feels are necessary to mitigate or alleviate any concerns raised through public testimony or Board discussion.

2. Following adoption of the final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program it is recommended the Board approve the proposed Project. (Funding for the proposed Project will be considered separately under item G-1b.)

Ms. Marks summarized the recommended approval of the Resolution 15-03 for the Initial Study and Final Mitigated Negative Declaration, adopting the Mitigation Monitoring and Reporting Program, and then taking the action to approve the proposed project. She explained that the project will provide for a recreational trail along the reconstructed berm as shown in the Conservancy's Parkway Master Plan and River West Madera Master Plan. Construction of the berm will allow for maintenance and emergency vehicles to gain access to the Parkway properties. The proposed project involves habitat restoration, public recreation, public safety, water quality, and flood protection. She added that the Conservancy is working on securing matching funds from the U.S. Bureau of Reclamation (USBR).

Ms. Marks noted that the Board has been involved in several steps of this project, including allocating funds to the Department of Water Resources to develop alternative designs. In December 2013, the Conservancy formally requested cost sharing with the USBR. In May 2014, the Board considered alternative designs and selected creating an equalization saddle on the berm between the two properties, with moderate floodplain improvements.

Mr. Dave Encinas, Department of Water Resources (DWR), summarized the project elements, which included repairing the breach in the berm, constructing the equalization saddle, strengthening the existing berm, and creating a gravel road on top of the saddle and berm. He noted that habitat benefits would be achieved by isolating the Pit 46e gravel pond from the river channel and creating floodplain habitat. Two onsite borrow areas would be excavated for fill material for the floodplain. A portion of the borrow site closest to the river would be restored as floodplain habitat. At the end of the project, DWR plans to plant and seed for site stabilization and to replace vegetation disturbed by construction.

Ms. Marks explained that the draft Initial Study and Mitigated Negative Declaration were distributed in January 2015. The public comment period for the draft Mitigated Negative Declaration was from January 27, 2015, through February 25, 2015. The Notice of Availability and Intent to Adopt a Mitigated Negative Declaration was published in The Fresno Bee and The Madera Tribune on January 27, 2015. The Notice and the proposed Mitigated Negative Declaration were also posted on the Conservancy's web site. She noted that the Conservancy mailed notices to 77 responsible and trustee agencies and interested parties; and another 310 were sent to interested parties in the form of an email. Copies of the draft Initial Study and Mitigated Negative Declaration were distributed by the State Clearinghouse to 15 agencies. During public review, the Conservancy received six comments from responsible and trustee agencies and eight comments from interested parties. 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 prior to the Board taking action on the Initial Study and final Mitigated Negative Declaration through approval of Resolution 15-03, 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.

Public Comment:

Mr. Louis Moosios, a landowner on the San Joaquin River and owner of San Joaquin River Guide Service, noted that the Sycamore Island pond isolation may negatively affect the river and his business. He also objects to isolating the pond on the Fresno side. He read his letter into the record and requested a written response to his comments.

Board Comments:

Vice-Chairperson Borgeas requested staff to stay in touch with interested individuals as this project is implemented.

Mr. Gibson thanked Mr. Moosios for his detailed letter and asked staff if they had provided the response in the staff report to Mr. Moosios.

Ms. Marks explained that the responses to comments, located in the board packet, were posted on the Conservancy's website a week and half before the board meeting. Unlike an Environmental Impact Report (EIR), where comments and responses are distributed in a Final EIR, for a Mitigated Negative Declaration they are not mailed out.

Mr. Janzen mentioned that the river will never be like it was before mining. He will support the proposed project on basis that San Joaquin River Restoration Program will step up to provide the funds for the equalization saddle.

On inquiry from Mr. Borgeas, Ms. Marks reported that it takes approximately a year or more to complete an EIR process. She noted that Charyce Hatler, a senior environmental specialist from DWR prepared the environmental documents and is available to answer any questions.

Ms. Hatler stated that if there is even one measure that cannot be mitigated to less than significant level and EIR would be required; however, with mitigation there was no evidence of a potentially significant impact.

Mr. McKown arrived at 10:29 a.m.

A motion to approve Resolution 15-03 for the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as recommended for G-1a.1. was made by Ms. Forhan, seconded by Mr. Robinson, and unanimously approved by the Board.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas, Vice- Chair	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. Kent Gresham	X		
Mr. Michael McKown	X		

Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

On inquiry from Mr. Gresham, Mr. Encinas reported that the temporary crossing will have about 4.5 feet clearance, which would allow canoers and kayakers though, but DWR would discourage access to the site during construction.

A motion to approve the proposed project as recommended for G-1a.2. was made by Ms. Forhan, seconded by Mr. Janzen, and unanimously approved by the Board.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas, Vice- Chair	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. Kent Gresham	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

G-1b. Authorize Conservancy Bond Funds and a Grant to the California Department of Water Resources to Construct the Sycamore Island Pond Isolation Project

Staff Recommendation: Subject to the prior approval of all actions recommended for agenda item G-1a (Resolution 15-03 consisting of approving the Initial Study, Final Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program, and approving the proposed Project), it is recommended the Board approve \$4,500,000 in bond funds and a grant agreement with the Department of Water Resources (DWR) to construct the Sycamore Island Pond Isolation Project, including the equalization saddle, access road, berm improvement, gravel pit isolation, and riparian and floodplain habitat enhancement at Gravel Pit 46e. Wildlife Conservation Board (WCB) authorization would be requested at their May 2015 meeting.

Ms. Heidi West, WCB, provided some brief information regarding the construction of the pond isolation project. She mentioned that, a portion of the land for the berm isolation is on State Sovereign Lands and the Conservancy will need to secure a lease from the State Lands Commission. She noted that WCB will administer a grant agreement with DWR, which would describe in detail DWR's responsibilities to manage the project such as finalizing the plans and specifications, providing project management, and oversee the bidding and construction processes.

Ms. West stated that the total amount that is being requested for the project is \$4.5 million. DWR is working on a funding agreement with the USBR to provide \$2.0 million toward the proposed project

costs. The net cost to the State would be a maximum of \$2.5 million. The Conservancy is requesting the full amount to make sure the project continues without a break, because time is of the essence in scheduling this project. She continued to summarize the project benefits, including improved management, enhanced recreation, natural resources benefits, and meeting objectives of Parkway and San Joaquin River Restoration Program plans. She also noted that this project was a high priority project as recommended by the Interagency Project Development Committee. There are several tasks that need to be completed before construction in the summer of 2016.

Ms. Marks added if the funding from USBR falls through, staff would return to the Board to consider whether elements should be eliminated.

On inquiry from Ms. Forhan, Ms. Marks reported that DWR is working on drafting a USBR funding agreement. DWR will receive funding directly from the USBR, relieving the Conservancy from having to administer federal funds.

Ms. Marks mentioned that the Conservancy recognizes the San Joaquin River Parkway and Conservation Trust sand and gravel deed in the borrow area and plans to come up with a mutually agreeable solution. She also noted that Dr. Single from CDFW sent a letter in support of the project.

Public Comment:

Ms. Sharon Weaver, San Joaquin River Parkway and Conservation Trust, expressed their support of full implementation of the San Joaquin River Restoration Program, including this important component. She inquired about the Conservancy's long-term responsibility to maintain the saddle and berm.

Ms. Marks noted that the project will reduce maintenance and repairs from damages caused by design flow standard flood releases. However, there will be flood events that exceed design flood standards at some point, and the Conservancy would need to apply for State or federal emergency funding.

Board Comments:

On inquiry from Mr. Gibson, Ms. Marks reported that bond funds cannot be used for maintenance and repair issues.

Ms. Goodwin noted that the situation reminds her of transportation and dealing with earthquakes that could affect the freeways. Usually, emergency funding needs to be secured for such damage, because funds for repairs from extreme events are not held in reserve.

Vice-Chairperson Borgeas noted that natural wear and tear needs must be met, and remarked that for projects in Fresno County, Measure C funding might be available for more routine trail maintenance.

A motion to authorize Conservancy bond funds and a grant to the California Department of Water Resources as recommended was made by Mr. Robinson, seconded by Ms. Goodwin, and unanimously approved by the Board.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas, Vice- Chair	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		

Mr. Kent Gresham	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

Ms. Marks thanked team who worked on the CEQA review and project proposal: Dave Encinas, Karen Dulik, Charyce Hatler, and Samy Naventhan of DWR; Rebecca Harris of the Conservancy; and Heidi West of WCB, among others.

G-2 Report on Feasibility of Connecting Bluff Pointe Golf Course Drinking Water to City of Fresno Municipal Water System, and Pending Transient Non-Community Drinking Water System Permit Application (carried over without prior discussion from the February 18, 2015, agenda)

Due to time constraints, Vice-Chairperson Borgeas, with Board consensus, carried over this item to the next month's Board meeting.

G-3 Resolution 15-04 of Appreciation for Dave Koehler for Extraordinary Service Benefiting the San Joaquin River Parkway

Ms. Marks summarized the resolution of appreciation for Mr. Koehler, who was leaving the San Joaquin River Parkway and Conservation Trust Executive Director position on April 1. He has served the River Parkway Trust for 25 years. She noted that over the course of Mr. Koehler's service Parkway agencies and partners have collectively achieved 4,360 acres for public protection and recreational use, created approximately 11 miles of public trails, and opened 1,000 acres at 10 parks and open-space areas.

Mr. Dave Koehler stated that it has been an incredible privilege and opportunity to work with the Conservancy.

Board members and staff expressed their appreciation for the service of Dave Koehler, and in particular noted the many years of public service, institutional knowledge, and his inspiration to those involved in the Parkway.

A motion to approve Resolution 15-04 for Mr. Koehler as recommended was made by Mr. Janzen, seconded by Ms. Nolan, and unanimously approved by the Board.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas, Vice- Chair	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Mr. Kent Gresham	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		
Ms. Carolyn Nolan	X		

H. ADMINISTRATIVE AND COMMITTEE REPORTS

Vice-Chairperson Borgeas proposed to postpone Items H-1 and H-2 to the next meeting, due to the desire to maintain a quorum until business was completed, provided there was no objection. There were no objections.

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

H-1b RiverTree Volunteers

H-2 Deputy Attorney General

H-3 Executive Officer

Ms. Marks reported that State approval of the River West EIR contract amendment continues to be delayed. The Conservancy might be required to start over with a new contract.

H-3a Committee Reports

None.

H-4 Board Members' Reports

I. EXECUTIVE SESSION

Public Comment:

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

Ms. Kristine Walter, member of the San Joaquin River Access Coalition, asked if the Conservancy received the letter from Wanger Jones Helsley on March 17, 2015, regarding whether item I-1 conformed with the Brown Act requirements for closed session discussion.

Ms. Marks reported that she responded by e-mail to Mr. Kinsey, attorney for the San Joaquin River Access Coalition, that the discussion was a legitimate real property negotiation between the Conservancy and the River Parkway Trust, and that River Parkway Trust representatives would not be present in closed session.

Mr. Crow indicated his concurrence with Ms. Marks.

The Board convened in closed session at approximately 11:25 a.m.

I-1 Government Code Section 54956.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Spano Remnants (San Joaquin River Parkway and Conservation Trust options)

Fresno County (APN 402-030-63s & 405-340-17s)

Negotiating Parties: Christopher A. Brown, Legal Counsel for San Joaquin River Parkway and Conservation Trust

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Michael L. Crow, Deputy Attorney General, Department of Justice

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

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

The following public meetings will be held by staff to receive comments on the draft Guidelines and Proposal Solicitation Package (PSP) for the Conservancy's Multi-Benefit Water Quality, Water Supply, and Watershed Protection and Restoration Grant Program (Water Quality, Supply, and Infrastructure Improvement Act of 2014, "Proposition 1" Bond Funds):

Tuesday, April 14, 9:00-10:30 a.m.	Government Center, Second Floor, Room 2005, 200 West Fourth Street, Madera 93637
Wednesday, April 15, 10:30-noon	Fresno Metropolitan Flood Control District Board Room, 5469 E. Olive, Fresno 93727
Thursday, April 16, 3:30-5:00 p.m.	Millerton Lake Courthouse, Millerton Lake State Recreation Area, 5290 Millerton Road, Friant 93626 (Parks fees will be waived)

Please see www.sjrc.ca.gov to review the draft Guidelines and PSP.

K. NEXT BOARD MEETING DATE

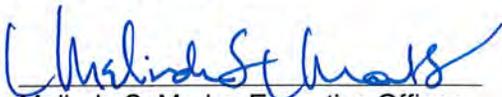
The regularly scheduled meeting of the Board for April 15, 2015, is hereby cancelled. The next meeting of the Board will be held May 20, at 10:00 a.m. (Please note an earlier start time is observed March through October.)

L. ADJOURN

Vice-Chairperson Borgeas adjourned the meeting at approximately 11:48 a.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