



**MINUTES
SAN JOAQUIN RIVER CONSERVANCY BOARD**

Wednesday, November 20, 2013

Meeting Location:

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

via phone conference:

Natural Resources Agency
1416 Ninth Street, Ste. 1311
Sacramento, CA 95814

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GOVERNING BOARD

Manuel Nevarez, Chairman
Madera County Board of Supervisors

Steve Brandau, Vice-Chair
Councilmember, City of Fresno

Andreas Borgeas, Supervisor
Fresno County Board of Supervisors

Donald E. Holley
Mayor Pro Tem, 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 and 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

Edmund G. Brown, Jr.
Governor

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

In absence of the chair and vice-chair, Ms. Forhan moved, Mr. Janzen seconded, and the members unanimously approved Mr. Holley to serve as a pro tem chairperson for the meeting.

Mr. Holley convened the meeting at 10:33 a.m. and Ms. Goodwin led the pledge of allegiance.

A. ROLL CALL

Name	Present	Telecon-ference	Absent	Late
Mr. Manuel Nevarez, Chair			X	
Mr. Steve Brandau, V. Chair			X	
Mr. Andreas Borgeas			X	
Mr. Donald E. Holley	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. Karen Finn		X		
Ms. Bryn Forhan	X			
Mr. Paul Gibson	X			
Ms. Carolyn Nolan			X	

Legal Counsel Present: Mitchell Rishe, Deputy Attorney General

Staff Present: Melinda Marks, Executive Officer
Joshua Morgan, 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.

None.

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 June 19, 2013

A motion to approve the minutes as presented was made by Mr. Janzen, seconded by Ms. Forhan, and unanimously passed by the voting members. Mr. Gibson abstained as he was not present at the August meeting.

Roll Call Vote

Name	Yes	No	Abstain
Mr. Donald E. Holley	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. 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 Report on Salmon Festival, Lost Lake Regional Park, November 9, 2013

Staff Recommendation:

This report is provided for informational purposes only. No Board action is recommended.

F-2 Authorize the Release of Applications for Minor Program Services Agreements for 2014

Staff Recommendation:

It is recommended the Board authorize the release of Minor Program Service Agreement applications for 2014, to secure stewardship, habitat enhancement, public recreation and education, and fundamental property management services on Conservancy lands.

A motion to approve and accept the items on the consent calendar as presented was made by Ms. Forhan, seconded by Ms. Goodwin, and unanimously passed.

Roll Call Vote

Name	Yes	No	Abstain
Mr. Donald E. Holley	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. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

G. DISCUSSION

G-1 Preliminary Report from Department of Water Resources on Access Road and Berm Improvement Design Alternatives (Gravel Pit 46e) and Direction to Staff Regarding the Alternative to be Analyzed Pursuant to the California Environmental Quality Act

Staff Recommendation:

It is recommended the Board consider the design alternatives presented by the California Department of Water Resources, and provide direction to staff as to which alternative to consider in the environmental analysis document.

Ms. Marks reported on the Conservancy's contract with the Department of Water Resources (DWR) to perform planning and preliminary design to improve a berm and access road at a breached gravel mine

pond between the Conservancy's Van Buren Unit and Sycamore Island. The project will restore emergency and management vehicle access and egress between the properties. Restoring the connection between the two properties would allow for the contiguous multi-use trail shown in the adopted River West Madera Master Plan; provide benefits to habitat, consistent with Conservancy's mission; and allow the Conservancy to operate both properties as a single unit. The Conservancy and DWR will coordinate with the San Joaquin River Restoration Program (SJRRP), which intends to isolate gravel ponds from the river and improve floodplains in the Parkway reach as possible. Collaboration with the SJRRP would ensure the greatest benefit for taxpayers, as the Conservancy and the SJRRP could share costs and generate efficiencies, while meeting multiple objectives.

Mr. Dave Encinas with DWR presented the design elements of the project, and provided cost estimates for the various alternatives: 1. an equalization saddle; 2A. an equalization saddle plus moderate floodplain improvements; and 2B. an equalization saddle with more extensive floodplain development. It was noted that the costs estimates were updated in the second, more recent report attached to the Board packet. Invasive species removal was no longer included in the recommended actions, since it is being accomplished by others through a SJRRP contract.

Ms. Marks restated staff's recommendation to direct staff and DWR to review alternative 2A; alternative 2B could be reviewed if the SJRRP promptly indicates a strong interest in partnering on a more robust project. After the proposed project has been reviewed in compliance with CEQA and approved by the Conservancy, bond funds for construction of the project or initial phases may be authorized by the Board. The Board could fund those elements most essential to the Parkway.

Public Comments:

Mr. Barry Bauer, Bluff Homeowners Association and Herb Bauer Sporting Goods, commented that the breached berms on the Fresno side of the river should also be considered when discussing any future berm repairs with the SJRRP.

Mr. Richard Sloan, RiverTree Volunteers, voiced support for the less expensive alternative.

Board Comments:

Mr. Donnelly inquired about the possibility of future breaches upstream or downstream from the repaired portion of the berm.

Mr. Encinas stated that the lower elevation of the equalization saddle would provide a stabilized break-over point to minimize damage to the rest of the berm, and the berm would be protected by reinforcement and by the proposed floodplain.

Mr. Janzen voiced support for connecting the two properties and proceeding with the environmental review, to include all of the alternatives presented. Further, he requested staff to develop a cost estimate for a culvert bridge instead of a saddle, in order to estimate the Conservancy's cost if it were just to meet Conservancy needs without regard for habitat enhancements and salmon reintroduction. That estimate could establish a baseline for the Conservancy's contribution toward a collaborative project with the SJRRP.

Dr. Single supported moving forward with the environmental review to include all of the design alternatives. A comprehensive environmental review would allow other agencies to contribute financially to a project larger in scope than what the Board may feel is appropriate for the Conservancy

to undertake on its own, considering its resources and mission. He noted that equalization saddles on the Merced River have been very effective in minimizing damage to berms during overtopping events.

Ms. Goodwin asked for clarification regarding the possible flood flows the equalization saddle would be designed to withstand.

Mr. Encinas responded the saddle was designed to isolate the pond from the river for flows to a maximum of 8,000 cubic feet per second, the upper limit of operational releases from Friant Dam; higher flows would spill through the equalization saddle. An estimated 40-year flood event would overtop the berm.

A motion was made by Mr. Janzen to direct DWR to perform the environmental review that would encompass all of the design alternatives presented, and to create a cost estimate to connect Sycamore Island and the Van Buren Unit using a culvert bridge. The motion was seconded by Ms. Forhan and unanimously approved.

Roll Call Vote

Name	Yes	No	Abstain
Mr. Donald E. Holley	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. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

G-2 Authorize Bond Funds to Secure a Permit for a Transient Non-Community Water System, Including the Required Feasibility Study of Connecting to the City of Fresno Water System, for Drinking Water at Islewood Golf Course

Staff Recommendation:

It is recommended the Board authorize \$20,000 in bond funds to complete all studies necessary to secure a transient non-community water system permit from the California Department of Public Health (CDPH). The Wildlife Conservation Board will be requested to approve the funds at its next meeting in February 2014.

Ms. Marks reported on the CDPH notice requiring the Conservancy to secure a permit for the domestic water well at Islewood Golf Course, a leased facility on the Conservancy's Liddell property. Ms. Marks stated that the permit application requires the applicant to determine the feasibility of connecting to the nearby City of Fresno municipal water system, a preferred option for efficiently providing safe drinking water at the site.

Board comments:

There was general discussion among the Board and staff regarding connecting to the municipal water system versus relying on the existing well. The well requires monitoring, has had at least one exceedence of bacteriological standards, and the water—which is likely influenced by river water quality—may require treatment in the future. Connecting to the City of Fresno system at Milburn Avenue for a small drinking water service line may be feasible, provided the City does not impose additional requirements. Golf course irrigation water will continue to be supplied by a separate well.

Mr. Gresham commented that Millerton Lake State Recreation Area pumps water from the San Joaquin River on the Madera County side and treats it prior to public distribution. It buys municipal water on the Fresno County side. Due to the expense of pumping, storing, and treating drinking water, he would opt for connecting to a municipal source if at all possible.

Public Comments:

Ms. Sharon Weaver, San Joaquin River Parkway and Conservation Trust, requested that a similar feasibility study be conducted for permitting a public water supply at Sycamore Island.

A motion to approve staff's recommendation was made by Mr. Donnelly, seconded by Mr. Kemp, and unanimously approved.

Roll Call Vote

Name	Yes	No	Abstain
Mr. Donald E. Holley	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. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

G-3 Appoint Board Members to Ad Hoc Committee: Strategic Direction for Developing Operations and Maintenance Resources for the San Joaquin River Parkway

Staff Recommendation:

It is recommended the Board approve a motion appointing three to five Board members to an ad hoc committee to determine strategic actions to take to develop operations and maintenance resources for the San Joaquin River Parkway.

The Board directed staff to carry Item G-3 over to the next board meeting so that the absent local agency Board members could participate in the discussion.

H. ADMINISTRATIVE AND COMMITTEE REPORTS

H-1 Deputy Attorney General

Mr. Rishe reported that the Vulcan lease amendment had been successfully executed and would remain in effect through 2015, plus a three-year reclamation period.

H-2 Executive Officer

Ms. Marks reported that, with the help of the Natural Resources Agency, the Conservancy's new website was up and running. She reported that the culvert bridge at Sycamore Island was complete, and final inspections would take place in the near future.

H-2a Committee Reports

Meeting Notes of the Volunteer Stewardship Coordination Committee meeting, October 22, 2013, were included in the Board packet.

H-3 Board Members' Reports

None.

Ms. Marks asked Chairman Holley to allow time for routine reports from partnering organizations. Chairman Holley provided the opportunity.

RiverTree Volunteers

Mr. Sloan reported on cleanups, tree planting/tree cage removal projects, and work with Many Lightnings on the Native American Garden at Jensen River Ranch. He voiced concern about hobby gold panning at River Vista.

San Joaquin River Parkway and Conservation Trust

Ms. Weaver provided an update on the habitat restoration project with Ducks Unlimited on a portion of Spano River Ranch. The Trust enlisted the California Conservation Corps, Fresno Local Conservation Corps, and community volunteers to install erosion controls, seed the site, and plant acorns.

I. EXECUTIVE SESSION

Public comments:

None.

I-1 Government Code Section 54956.8
Consultation with real property negotiators concerning lease negotiations

Lease: Islewood Golf Course
APN 502-020-46P (Fresno County)

Negotiating Parties: Mr. Don and Mrs. Sarah Jones, lessees

Agency Negotiators: Melinda S. Marks, Executive Officer
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.

Property: Ball Family Trust, Cemex plant site
Fresno County (APNs 300-007-56 through 60)

Negotiating Parties: David Wasemiller, Real Estate Agent for Ball Family Trust

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Scott McFarlin, Wildlife Conservation Board

- I-3 Government Code Section 54956.8
Consultation with real property negotiators concerning terms of negotiations to acquire property, including price and terms of payment.

Property: Jenco Farms
Fresno County (APN 576-010-11)

Negotiating Parties: Rodger and Doug Jensen, Jenco Farms

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Scott McFarlin, Wildlife Conservation Board

- I-4 Government Code Section 54956.8
Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Riverbend Ranch
Madera County ("Parcel A": APNs 049-660-002, 003, 005, 006, 007, & 011; and "Parcel B": APNs 049-660-004, 008, 009, 010, & 013)

Negotiating Parties: Legal Counsel for Bank of New York
Carl Somers, Trust for Public Land

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Scott McFarlin, Wildlife Conservation Board

- I-5 Government Code Section 54956.8
Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Moosios
Madera County (APNs 048-212-009 & 049-091-007)

Negotiating Parties: Dale Arthur, Real Estate Agent for Moosios family
Erik Vink, Trust for Public Land
Dave Koehler, San Joaquin River Parkway and Conservation Trust

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Scott McFarlin, Wildlife Conservation Board

Mr. Rishe reported out of Executive Session that with regard to item I-1, the Board provided staff with direction regarding negotiating with the lessee. With regard to items I-2 through I-5, staff provided updates to the Board.

J. NOTICE OF BOARD AND ADVISORY COMMITTEE MEETINGS

None.

K. NEXT BOARD MEETING DATE

The next meeting of the Board will be held December 18, 2013, at 10:30 a.m. (This meeting was subsequently cancelled.)

L. ADJOURN

Chairman Holley adjourned the meeting at approximately 12:30 p.m.

Respectfully submitted by:



Melinda S. Marks
Executive Officer