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GOVERNING BOARD

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Councilmember, City of Fresno

Steve Brandau, Vice-Chairperson
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Fresno County Board of Supervisors

Brett Frazier, Supervisor
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Julie Vance, Regional Manager
Department of Fish and Wildlife

Kent Gresham, Sector Superintendent
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Natural Resources Agency

Jennifer Lucchesi, Executive Officer
State Lands Commission

Matt Almy, Program Budget Manager
Department of Finance

Bryn Forhan
Paul Gibson
Vacant
Citizen Representatives

John M. Shelton
Executive Officer

250.20

STATE OF CALIFORNIA
Gavin Newsom, Governor

MINUTES

WEDNESDAY, JUNE 6, 2020
SAN JOAQUIN RIVER CONSERVANCY

Board Meeting Location:

Consistent with Governor Newsom's Executive Order N-29-20, the public and Board members participated in a meeting via Zoom and teleconference. Public comment was accepted per the agenda.

MEETING AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mr. Karbassi called the meeting to order at 10:02 a.m. and led the pledge of allegiance.

A. ROLL CALL

| Name | Present | Telecon- ference | Absent | Late |
|-----------------------|---------|---------------------|--------|-------|
| Mr. Mike Karbassi | X | | | |
| Mr. Steve Brandau | | | | 10:18 |
| Mr. Brett Frazier | X | | | |
| Mr. Santos Garcia | | | | 10:09 |
| Ms. Kacey Auston | | | X | |
| Mr. Carl Janzen | X | | | |
| Ms. Julie Vance | X | | | |
| Mr. Kent Gresham | X | | | |
| Mr. John Donnelly | X | | | |
| Mr. Bryan Cash | X | | | |
| Ms. Jennifer Lucchesi | X | | | |
| Ms. Sally Lukenbill | X | | | |
| Ms. Bryn Forhan | X | | | |
| Mr. Paul Gibson | x | | | |

Ms. Gavina confirmed a quorum was present.

Legal Counsel Present: David Pai, Deputy Attorney General
Deborah Halberstadt, Deputy
Attorney General

Staff Present: John Shelton, Executive Officer
Rebecca Raus, Associate
Governmental Program Analyst

Vanessa Gavina, Staff Services Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board (WCB)

B. 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 no additions to the Agenda.

C. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

There were no potential conflicts of interest.

D. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

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 not on the agenda and 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.

Ms. Jessica Vaughn, San Joaquin River Socials, introduced herself and inquired when the Liddell area would be officially opened.

Mr. Karbassi suggested that she contact Mr. Shelton for more information.

E. CONSENT CALENDAR

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

E-1 ACTION ITEM: Approve Minutes of June 3, 2020

Mr. Gibson moved to approve the Consent Calendar; the motion was seconded by Mr. Frazier. The motion passed as follows:

Roll Call Vote:

| Name | YES | NO | ABSTAIN |
|---------------|-----|----|---------|
| Mr. Karbassi | X | | |
| Mr. Frazier | X | | |
| Mr. Garcia | X | | |
| Ms. Auston | X | | |
| Mr. Janzen | X | | |
| Ms. Vance | X | | |
| Mr. Gresham | X | | |
| Mr. Donnelly | X | | |
| Mr. Cash | X | | |
| Ms. Lucchesi | X | | |
| Ms. Lukenbill | X | | |
| Ms. Forhan | X | | |
| Mr. Gibson | X | | |

F. REGULAR SESSION ITEMS**F-1 ACTION ITEM:** Create Ad Hoc Board Committee to Develop Recommendations Regarding Land Acquisitions:

Staff Recommendation: It is recommended the Board Identify at least three, and no more than five, Board members to serve on an ad hoc committee to advise and recommend acquisition projects and discuss opportunities and provide a priority on moving acquisitions forward to the full Board.

Mr. Shelton stated that the Conservancy would like to create an hoc committee to develop recommendations regarding land acquisitions. The Conservancy's statutory goal is to develop a Parkway with an encompassing 5,900 acres. The Conservancy currently owns approximately 1,200 acres in Madera County and 1,400 acres in Fresno County. We have had several land owners contact us about potential, but it can be difficult to perform the appraisal and have landowners want to sell it at the state appraised price, which is the requirement. With the current economy, it has afforded us the opportunity to have several discussions, prioritize acquisition projects, and consider utilizing the bond funds we have available for these projects. The general idea is to have the ad hoc committee meet as needed, review and recommend the acquisitions to the full board at the Board meeting. Upon inquiry from Mr. Gibson, Mr. Shelton reported that it has also been the Conservancy's understanding to spend bond money when we have the chance to do so. The Governor's Office and the legislature maintain that bonds are not expensive, as the borrowing rate for bonds are relatively good right now, and it is a good way to help stimulate the economy.

Mr. Cash concurred and added that as state agencies, we always want to make sure that we are investing the State's money on the best investments possible, so it is not a push to just make investments for investment's sake, but to actually move investments along that the Conservancy and the Board feel are important. This should be done as soon as

possible to help with stimulating the economy, and also, in providing new opportunities for access along the river.

Mr. Frazier stated that a while back something similar was mentioned between former Chairperson Andreas Borgeas, Councilmember Brandau, and himself. They were looking at priority acquisitions and which ones made sense for overall access. He believes the current ad hoc committee would be very well served to also prioritize and examine which ones are most important, in terms of implementing any Conservancy projects.

Mr. Janzen, Mr. Frazier, Mr. Donnelly, and Ms. Vance offered to serve in the ad hoc committee.

Ms. Sharon Weaver, Executive Director of the San Joaquin River Parkway and Conservation Trust (Parkway Trust), offered to serve as a member of the public in the ad hoc committee. She queried that her understanding was that this came as a response to a grant proposal that the Parkway Trust was putting forward to the Conservancy. The Parkway Trust have an option agreement with a landowner along the river on a very desirable parcel, adjacent to other Conservancy properties. She mentioned she has been in communication with John Shelton and WCB staff member, Daniel Vasquez, about this project for several months. She thought they were all in agreement that the Parkway Trust was going to be coming forward with the grant proposal, but she received an email asking if they were still going forward with their request. Ms. Weaver sent an executive summary of the request. It was realized that the Parkway Trust was requesting a grant to hold the title to the property. She presumed that because the Conservancy has not done a grant like this recently and wasn't sure on the process, that was why the ad hoc committee was formed. She asked if the committee could meet sooner rather than later on this and take the project into consideration as part of the land acquisition and prioritization because they have an option agreement that has an expiration date.

Mr. Karbassi questioned if members of the public could serve on the committee.

Mr. Shelton replied he was not certain, as the previous ad hoc committee regarding acquisitions was done before his time. However, the meetings would be open to the public, so the discussion could be had by all.

Ms. Forhan moved to approve the action item; the motion was seconded by Mr. Janzen. The motion passed as follows:

Roll Call Vote:

| Name | YES | NO | ABSTAIN |
|---------------|-----|----|---------|
| Mr. Karbassi | X | | |
| Mr. Brandau | | | X |
| Mr. Frazier | X | | |
| Mr. Garcia | X | | |
| Ms. Auston | X | | |
| Mr. Janzen | X | | |
| Ms. Vance | X | | |
| Mr. Gresham | X | | |
| Mr. Donnelly | X | | |
| Mr. Cash | X | | |
| Ms. Lucchesi | X | | |
| Ms. Lukenbill | X | | |
| Ms. Forhan | X | | |
| Mr. Gibson | X | | |

G. ADMINISTRATIVE AND COMMITTEE REPORTS

Information Items. No action of the Board is recommended.

G-1 Organizations' Reports: If time allows, the following oral reports will be provided for informational purposes only and may be accompanied by written reports in the Board packet.

G-1a. San Joaquin River Parkway and Conservation Trust

Ms. Weaver stated that Sycamore Island has been reopened to the public. They reopened in early May. Also, the River Center grounds are open again to the public on a daily basis. They are proceeding with their Summer River Camp program in a modified way that is consistent with current state and CDC (Center for Disease Control) guidelines for childcare facilities. There will be smaller group sizes, and they will not be bussing kids or using the Scout Island facility this year. However, they will still be able to get kids out to the river and enjoying some outdoor activities. The Parkway Trust will also be modifying the public's access to the restrooms at the River Center during the week when the River Camp is running, so trail users will have access in the early morning and in the late afternoon. Restrooms that are in the Welcome Center will be dedicated to River Camp use, and they will be disinfected regularly to minimize the spread of COVID-19. Ms. Weaver mentioned that staff are in training this week practicing social distancing and regular disinfection. That is something that will be reinforced continuously with staff and with kids. She mentioned they are excited to be able to continue and offer to the public this year.

G-1b. River Tree Volunteers.
Nothing to report**G-1c. San Joaquin River Socials**

Ms. Jessica Vaughn, founder of the group, invited everyone to join the group on Facebook. She mentioned that it would be great to stay connected and share information. She sets up volunteer events, but it has been difficult with COVID-19, and she hopes to continue that soon.

Gary Bowser, member of the Central California Off Road Cyclists (CCORC), introduced his organization and stated they are a local chapter for mountain biking and gravel grinding in Fresno. The group is excited about the possibilities of working together with the Conservancy, Parkway Trust, and other organizations to help push trail access, whether it be for biking or hiking along the river.

G-2 Deputy Attorney General Report

Ms. Deborah Halberstadt, indicated that she has no updates from the Attorney General's Office.

G-3 Executive Officer Report

Mr. Shelton mentioned he would like to discuss a project complex. This is regarding our Liddell property, which consists of Bluff Pointe Golf Course and the old fish farm. There is a pond and an access road on some areas that can make for a nice, unimproved hiking trail. It is somewhat disjointed from River Bottom Park which belongs to the City of Fresno. In the past, the Conservancy had a grant with the City to improve that area with a parking lot and multipurpose trail (paved bike trail, hiking trail and equestrian), but unfortunately, it was during the time that the State had issues with our bonds, a little over ten years ago. Because of this and some issues such as getting access to the railroad right-of-way, we gave up on it. The Conservancy believes, in the future, we can join that trail. The railroad trestle goes through this area on the Riverbottom Park. On the downstream side of Riverbottom Park, there is an existing trail on the Riverside trailhead. That goes behind the Riverside Golf Course and connects down to almost the train trestle. The concept for this is at some point to be able to get this trail to connect from Riverside Golf Course to the Milburn Overlook (which is between the Liddell and Milburn Unit on top of the bluff). He believes the only big issue is that there is some of the connecting land that does not belong to either the City or Conservancy, although there is a fishermen trail through there that is pretty rough. He spoke to a member of the Central California Off Road Cyclists (CCORC), and they both agree that with some hand tool work, it has potential to be a decent hiking trail, and possibly, a mountain bike trail. It doesn't appear it will be big enough to put a paved trail through there. In doing any of that work, we need to make sure we work very closely with adjoining neighbors because this property, although some of it may be State Land's Commission manage land, fee-title land, or at least their public-trust-access area, it is not the Conservancy's nor public land. In order to make this connection, the Conservancy would be working with the neighbors, but there is a great potential.

Down the line, the hope is to join this whole area down to Camp Pashayan through the existing Riverside trail. Currently, it continues behind some of the development in that area. There is a new development that is in the planning process. It goes

between the Riverside trail and the Fresno County Horse Park. The hope is that the developer can help with the trail. However, if the development does not go through, the Conservancy can possibly purchase some property to get a trail in this area. There have been discussions with Paul Marshall, owner of the Fresno County Horse Park, about doing some work through their area. We would have agreements with the both the underlying landowner, Pacific Gas and Electric, and the lease, the Fresno County Horse Park, to be able to tie into Camp Pashayan. This is all possible, but somewhat complex.

Mr. Shelton spoke about the San Joaquin River Socials group. A meeting was held right before the start of the COVID-19 shelter-in-place mandate. There were several representatives of the Fresno Police Department and Chairperson Karbassi present at the meeting. He mentioned that the group is off to a very good start, and although there haven't been any meetings recently with the shelter-in-place, he hopes that meetings continue once the pandemic clears.

CCORC, and some other volunteer groups, helped remove fish screens and bird netting over at the Liddell Fish Farm. It was used previously to keep the fish pond safe. There are also a few places between the Riverbottom and Liddell where neighbors have built pathways down to the river. There might be some potential of working with some of the neighbors, or at least to have some champions.

There was a diagram presented, showing plans for a parking lot and trail at Riverbottom that was currently in the planning process by the City of Fresno. The Conservancy needs to meet with the City to see if they would still be interested in reapplying for a grant in the future to finish this trail.

He also shared updates on Madera's River West. There are plans already in place and a CEQA document to build a multipurpose trail and a parking lot. There would not be much development, other than a place for a trailhead and the ability to get a multipurpose trail that is paved. CCORC has already been working on maintaining some of these unimproved trails, which can be used for hiking, biking, and horse-riding. There is also a maintenance road that goes through. Part of CCORC's agreement is to help teach trail ethics to off-road cyclists using the trails.

Mr. Shelton also refreshed everyone on some topics mentioned at the last meeting. There is a log deck on Ball Ranch on a gravel maintenance road. The Sierra RCD has been storing old, beetle killed pine trees to help clear forest areas for fuel reduction. They are being stored on Ball Ranch in the hopes to use them for restoration. We have already put some to use at our Wildwood Native Park to delineate the parking area, since the existing fence the area in that is starting to fall apart. Over time, these logs will decompose and add soil nutrients while increasing micro-topography in flat areas. To put them to use throughout the Parkway, we would develop a plan to make sure we are compliant with permitting and CEQA. Mr. Shelton mentioned that the potential for wildland fire is less than other areas because there is not any structures nor large stands of woody vegetation.

Lastly, Carly Tex, who is the Executive Director of the Advocates for Indigenous California Language Survival volunteered to help rebuild a tule-hut at the Madera Fossil Discovery Center with her family. They have been collecting tules at Ball Ranch to be able to recreate these historic tule-huts and showcase building techniques. Conservancy staff went out to observe and help with efforts.

G-4 Board Members' Reports and Comments

Mr. Gibson inquired if we cross Van Buren, aren't we actually viewing Sycamore Island ponds in Figure 10 of the Executive Officer's Report.

Mr. Shelton replied that he believes it is all Sycamore Island. In the area where we turn into Sycamore Island, there is a gate that keeps vehicles out, but hikers, bikers, and horse riders can get through. Sycamore Island and Van Buren are contiguous.

Upon inquiry from Mr. Gibson, Mr. Shelton reported that Sycamore Island is open on Friday, Saturday, Sunday, and state holidays, which is the same as the Conservancy's Wildwood Native Park.

H. CLOSED SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

Ms. Sharon Weaver asked if there is anything that can be provided regarding the settlement agreement, or what the timeline is for approving it.

Mr. Pai answered that there is nothing to report. There are aspects of it which we can discuss and will be evident in the July meeting during open session.

Mr. Tom Bohigian, a Fresno resident, asserted that Conservancy's purpose is to protect, restore, and provide the public the opportunity to see their river. He implored that as the Board is discussing this litigation, it is important that whatever decision is made, it does not further destroy or stress the river bottom or bluff. He alleged that Alternative 5b would destroy a city park with many mature Sycamore trees, and there are other projects that bond funds can be allocated to. He supports access at Riverview Drive and Perrin Avenue, but does not support Alternative 5b.

Ms. Marci and Mr. Jim Perez, who manage Bluff Pointe Golf Course & Learning Center, spoke on an item H-2 that will be discussed in closed session. They received a second notice of violation for non-compliance from the Department of Fish and Wildlife (DFW). They detailed the many steps they have made in order to get in compliance. They stated that they have been good stewards of the property for many years, but they need guidance on the required amendment. They hope to have the Board's support in this matter.

H-1 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Subdivision (a) of Government Code Section 54956.9.

San Joaquin River Access Corporation v. San Joaquin River Conservancy and specified Board members, Superior Court of California, County of Fresno Case #19CECG01138

H-2 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:

One potential case

REPORT OUT OF CLOSED SESSION

Mr. Pai reported with respect to item H-1; the Board voted on a conditional settlement of the San Joaquin River Access Corporation v. San Joaquin River Conservancy and specified Board members, Superior Court of California, County of Fresno Case #19CECG01138. Those conditions are contingent upon items to be discussed an open session at a subsequent meeting, and we anticipate those items to be on the agenda at the next meeting.

Mr. Frazier moved to approve the action item as described above in the Report Out of Closed Session; the motion was seconded by Ms. Forhan. Ms. Gavina read the following roll call vote.

Roll Call Vote:

| Name | YES | NO | ABSTAIN |
|----------------------|------------|-----------|----------------|
| Mr. Karbassi | X | | |
| Mr. Brandau | X | | |
| Mr. Frazier | X | | |
| Mr. Garcia | | X | |
| Ms. Auston | X | | |
| Mr. Janzen | X | | |
| Ms. Vance | X | | |
| Mr. Gresham | X | | |
| Mr. Donnelly | X | | |
| Mr. Cash | X | | |
| Ms. Lucchesi | X | | |
| Ms. Lukenbill | | | X |
| Ms. Forhan | X | | |
| Mr. Gibson | X | | |

Ms. Halberstadt reported with regard to item H-2, the Board decided that Board leadership would meet with staff and with Mr. and Mrs. Perez to discuss the situation.

I. NOTICE OF ADVISORY AND BOARD COMMITTEE MEETINGS, OTHER PUBLIC MEETINGS RELATED TO CONSERVANCY MATTERS

None.

J. NEXT BOARD MEETING DATE

The next Board meeting is scheduled for 10:00 a.m. Wednesday, July 2, 2020, location to be determined.

K. ADJOURN

Board meeting notices, agendas, staff reports, 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 the Conservancy at (559) 253-7324.

Mr. Karbassi adjourned the meeting at 12:29 p.m.

Respectfully Submitted,

DocuSigned by:

John M. Shelton

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John M. Shelton

Executive Officer- San Joaquin River Conservancy