

December 4 & 5, 2013
Jackson Civic Center
33 Broadway
Jackson, CA 95642-2301



I. Call to Order

Board Chair BJ Kirwan called the meeting to order at 9:00 AM.

II. Roll Call

Present: BJ Kirwan, Tom Wheeler, Kevin Cann, Este Stifel, Bob Kirkwood, Todd Ferrara, Byng Hunt, Pam Giacomini, Barnie Gyant, Ron Briggs, Sherrie Thrall, and Bob Johnston

Absent: John Brissenden and Don Neubacher.

III. Approval of September 12, 2013 Meeting Minutes (ACTION)

Boardmember Giacomini requested that the words "area of" be added to paragraph three on page four of the notes to read "Boardmember Giacomini said there would be a large pushback from the northern part of the State if there were no assurances given on the protection of area of origin water rights."

Action: Boardmember Wheeler moved and Boardmember Hunt seconded a motion to approve the September 12, 2013 meeting minutes with Boardmember Giacomini's edits incorporated. The motion passed unanimously.

IV. Public Comments

There were no comments from the public.

V. Board Chair's Report

Board Chair Kirwan thanked Vice Chair Wheeler for doing a great job as acting chair during the past two meetings, and thanked everyone involved in the previous day's tour to the Kennedy Mine and the Mokelumne River.

VI. Election of Vice Chair for 2014

Chair Kirwan recognized Vice Chair Wheeler for his last meeting with the Sierra Nevada Conservancy (SNC). Wheeler nominated Boardmember Hunt to take his place as the Vice Chair for 2014. Wheeler also suggested that the Board consider rotating the Chair position in addition to the Vice Chair position among Boardmembers. After discussion among Boardmembers, Kirwan said that the action wasn't agendaized, but Boardmembers could request a specific agenda item to discuss rotating the Chair at an upcoming meeting.

Action: Boardmember Wheeler moved and Boardmember Briggs seconded a motion to approve the nomination of Boardmember Hunt as the Vice Chair for 2014. The motion passed unanimously.

VII. Executive Officer's Report (INFORMATIONAL)

The SNC's Executive Officer, Jim Branham, updated the Board on a number of SNC initiatives and activities.

a. Administrative Update

Branham announced that SNC's Administrative Chief, Theresa Parsley, would be retiring at the end of the year and that Amy Lussier would be taking her place.

Parsley reported that the Fiscal Integrity and State Manager's Accountability Act (FISMA) report is being completed for the December 31, 2013 deadline.

Parsley announced that Mandy Vance was hired as the new Conservancy Program Analyst position in the Mariposa office, and that Amy Lussier would be taking over as the new Administrative Chief at the end of December.

Parsley reported that staff was able to address the Butte Creek Meadow Restoration Project water rights legal questions and have executed an agreement for the project in the amount of \$295,000. Parsley noted that all agreements for the projects approved in the Ranches and Ag Lands grant round last March have been executed.

Parsley reported that the Mariposa office moved from the fairgrounds in Mariposa to the new, larger office in town on October 17, 2013, and that the new office has a conference room that can be used by local community groups.

Boardmember Cann commented that having the new SNC office in town is great and that it will be nice having staff so close to the County Government Center.

Boardmember Kirkwood asked Parsley what SNC would be gaining by implementing the new computer system mentioned in the staff report. Parsley replied that SNC was implementing system changes in response to State mandates and for emergency preparedness.

b. Policy and Outreach Update

Branham reported that he had testified at two legislative hearings occurring during the same week as the Board meeting. The Assembly Natural Resources Committee hosted an informational hearing on forests, fire and fuels reduction that was attended by Assemblyman Chesbro, Assemblyman Dahle, and a number of legislative staff. At that hearing, Assemblyman Chesbro indicated an interest in helping with small-scale biomass moving forward. The Assembly Water, Parks, and Wildlife Committee held a hearing in Redding to talk about the

water bond. The hearing was hosted by Assemblyman Dahle attended by Assembly Members Rendon, Yamada, and Gray. Branham said that SNC would be following up with Assemblyman Rendon to discuss watershed issues.

Branham reported that discussions with Natural Resources Agency, Secretary Laird are continuing around Cap and Trade auction revenue and SNC's proposal to use such funds for support of small-scale biomass infrastructure.

Branham introduced Regional Policy and Programs Manager, Angela Avery. Avery reported that several news outlets published information on SNC's Fire Threat System Indicators Report, the 2012-13 Annual Report, and the December Board Meeting. Those articles can be found in the SNC in the news section of the web site.

Avery noted that Brandon Sanders would be transitioning from the Mt. Whitney Team in to the Legislative Affairs role for the Regional Policy and Programs Team and that Brittany Covich would be taking on more Outreach and Communications activities for the team.

Avery reported that SNC continues to work to get legislators out in to the Region. Mandy Vance helped organize a tour of the Rim Fire in mid-November. In mid-December SNC will be co-hosting an Abandoned Mine Lands (AML) tour with the Sierra Fund and staff from the Assembly Natural Resources Committee for legislators and their staff, and an AML informational hearing will follow in Sacramento in January. Avery also said that staff would be working with the Truckee Donner Land Trust and other partners to possibly organize a snowmobile tour to Kidd Lake over the winter.

Avery reported that SNC and other partners provided comments on the California Water Action Plan (CWAP) recently released by the California Natural Resources Agency (CNRA), Cal EPA, and the Department of Agriculture to address urgent water needs and provide direction for sustainable water management.

Boardmember Ferrara reported that comments on the CWAP from SNC and others were well received by the CNRA. He noted that a final draft of the plan should be available at the end of December.

Avery reported that staff continue to develop messaging materials for outreach purposes and will be working to schedule a series of meetings with legislators that Boardmembers are welcome to participate in. In addition, staff will be working with The Nature Conservancy to develop a series of print maps and an interactive map that will connect a broader audience to the upper watersheds and the source of their water.

c. Abandoned Mine Lands Initiative Update

SNC's Julie Griffith-Flatter updated the Board on the status of the Abandoned Mine Lands (AML) Initiative.

Griffith-Flatter reported that there are several AML projects in the pool of applications for the 2013-14 grant round. Griffith-Flatter noted that SNC had previously awarded Proposition 84 funding to three projects, two of which are still active. One of the previously awarded projects, the Combie Reservoir project, was awarded funding in October from the Department of Water Resources Integrated Regional Water Management (IRWM).

Griffith-Flatter announced that SNC has been working with the CNRA, the Department of Conservation, other State agencies and partners to develop a uniform due diligence process for identifying AML problems on lands that may be acquired using State funds through a grant program. An AML awareness checklist was developed to identify potential AML problems in advance of awarding funds. Staff will continue to work with the CNRA to incorporate the checklist in to a uniform process and Agency policy.

Griffith-Flatter reported that Assembly Members Dahle and Gordon hosted a legislative tour in June that addressed AML issues, and that staff are currently working with The Sierra Fund to organize another tour in December that will focus on AML issues. Griffith-Flatter noted that new research and data, such as the recent report from Dr. Singer on mercury contamination transport from the Sierra Nevada to the valley, has assisted in heightening the awareness of the problem and interest in the impacts of the Gold Rush.

Griffith-Flatter said staff has been participating in the California Abandoned Mine Lands Agency Group (CAMLAG) to align agency efforts to improve AML impact remediation efforts. Staff will continue to explore ways to support new and ongoing efforts to address AML issues.

Boardmember Kirkwood said it is good to hear that staff are as active in this issue as they are. Branham noted that Griffith-Flatter has done a good job of steering the AML initiative.

d. Joint Activities with Delta Conservancy

SNC Assistant Executive Officer Joan Keegan reported that SNC has had conversations with the Sacramento – San Joaquin Delta Conservancy about holding a joint Board meeting in Sacramento in March. The first day would include a workshop with both Boards that would explore the interconnections between the Delta and the Sierra Nevada Region, and may include a joint resolution that both Boards could sign recognizing those interdependencies and calling for policymakers to do the same.

Keegan said that so much of the conversation in Sacramento around water focuses on the Delta, but that addressing Sierra issues is critical – in order to address State water issues, we must start above the Delta. Keegan also thanked the Delta Conservancy for their help in getting the word out about the interconnectedness between the two regions by offering to schedule meetings with key legislators in January.

Boardmember Johnston asked if the bond for the Delta tunnels would be connected to the water bond funding that SNC may be included in. Keegan replied it is her understanding that the tunnels would be separate, but that there may be mitigation funding related to them in the bond that SNC would be in. Boardmember Kirkwood noted that the water users are supposed to fund the tunnels and Boardmember Ferrara said that the processes would be separate.

Branham said staff would welcome the assistance of a Board committee in putting that Board agenda together. Boardmembers Briggs and Giacomini volunteered to assist.

e. Mokelumne Avoided Cost Analysis

SNC Sustainability Specialist Kim Carr updated the Board on the progress of the Mokelumne Avoided Cost Analysis. Carr said that the analysis was completed for the Mokelumne River Watershed and that partners include East Bay Municipal Utility District (EBMUD), The Nature Conservancy (TNC), SNC, and local community groups. Carr reported that the cost avoidance analysis focuses on water as a service provided by the Sierra to the rest of the state and that the analysis is nearing the end of Phase I.

Carr noted that this phase modeled fire risks, looked at what the difference in sediment loading and water quality impacts would be between treated and untreated forests, and explored what the cost would be to treat a low level of critical acreage to protect water and other interests (communities, property, etc.). Carr reported that the modeling shows that when a fire occurs in existing conditions (no treatment) a significant amount of sediment results. Carr reported that the modeling also showed that the fire severity decreased significantly if treatment had been done, and as a result sedimentation is lowered.

Carr reported that the next step for the analysis will be to assign cost to the loss of reservoir capacity due to sedimentation, as well as the loss of infrastructure due to fire. Carr said that future phases may include implementation, expanding to other watersheds, looking at how to appropriately pay for investment in the upper watershed, and possible volunteer programs.

Boardmember Kirkwood asked if the report was available online. Carr noted that some chapters are still being completed but that the full report should be available by the end of the year.

Boardmember Johnston noted that the treatments modeled are all uphill from the watershed, not along the water. Carr said that in the study area, the group decided the best place to put the treatments was adjacent to the water bodies to protect them from sedimentation.

Boardmember Giacomini asked if the Amador Calaveras Consensus Group have been engaged in the analysis. Carr said that there is a good cross representation from the group.

Boardmember Gyant noted that taxpayers are already paying \$172 million for the Rim Fire and that we need to talk to people about paying for protection up front. Gyant also said as we talk about the impacts of treating the landscape we need to talk about it in its entirety, including direct and indirect impacts such as lost habitat, recreation, local tourism income, and storage capacity in the reservoirs.

Kirkwood suggested that we talk about spending \$10 million now versus \$100 million later, (as an example of responsible investment of public funds).

Boardmember Wheeler noted that this report could be used for the whole Region, and that logging income should be included as income and jobs generated by treatment.

Boardmember Stifel asked if staff would be looking at the Rim Fire as a case study, and reviewing impacts in the areas where treatments had been done and not done. Carr said that the group would be tracking what happened with the Rim Fire.

Johnston noted that the report can be transported across the Sierra and that it was done on a very small budget. Carr said that more than 40 staff members have committed time to this study and that over a million dollars of in-kind funding has been contributed by SNC, the US Forest Service (USFS), and other partners.

Boardmember Cann mentioned that Yosemite National Park has information on various types of treatments that were touched by the Rim Fire, and that the Park will be doing quite a bit of their own analysis that can feed in to the avoided cost analysis.

Boardmember Briggs said that he toured a number of Forest Service roads that have been closed in the Eldorado National Forest and learned about many of the issues land managers face when maintaining those roads. Briggs suggested that

the SNC should work on thinning the forest on a level that puts people to work, protects wildlife and habitat, and puts funding towards reopening and maintaining those roads. Branham said that SNC's Sierra Nevada Forest and Communities Initiative focuses on those very issues.

Branham acknowledged SNC Staff Carr and Nic Enstice, USFS partners, The Nature Conservancy, Supervisor Chris Wright from Calaveras County, and Katherine Evatt of the Foothill Conservancy for their involvement in the project.

Branham asked Gyant and Susan Skalski, Forest Supervisor on the Stanislaus National Forest, to give the Board an update on the Rim Fire. Skalski reported that an estimated \$127 million was spent on suppression, and an additional \$10 million was spent on Burned Area Emergency Response activities focused on landscape stabilization immediately following the fire. Skalski said that a dollar amount hasn't yet been assigned for the restoration and planning work that still needs to occur. Skalski noted that the community has been encouraging the Forest Service to use every tool possible to shorten the process and begin restoration. Skalski said that if all goes as planned, environmental documents should be completed in time for contractors to begin work before the rainy season next year.

Kirkwood asked whether operators at Don Pedro Reservoir have been participating in the restoration discussions and whether they will be contributing financially. Skalski said that Modesto Irrigation District (MID) and Turlock Irrigation District (TID) have been involved but are not contributing financially yet.

Wheeler asked if the environmental community had been engaged and Skalski replied that they have been working together. Branham mentioned that SNC's Mandy Vance has been working very hard with the USFS to bring researchers and the environmental community together to discuss the Rim Fire restoration.

Gyant noted that the Forest Service's approach to restoration of the Rim Fire is going to be done very collaboratively.

Skalski recognized Branham and SNC Staff for their efforts in convening groups around Rim Fire issues.

f. Bureau of Land Management Presentation

Boardmember Stifel gave the Board an overview of the lands that are managed by the Bureau of Land Management (BLM). Stifel said that BLM manages land for energy development, grazing, recreation, and timber while also protecting natural, cultural, and historical resources nationwide. In the Sierra, BLM is made up of three districts, six field offices, and roughly 1 million acres. Programs managed in the Sierra field offices include two geothermal projects, wild horse and burro grazing, rafting, kayaking, Off Highway Vehicles recreation, wind

energy, solar energy, mountain biking, wild and scenic areas, horseback riding, and mining.

Stifel highlighted a number of projects underway in various field offices, and noted that celebrations are being planned for next year to celebrate the 50th anniversary of the Wilderness Act.

Kirkwood asked if BLM has issues with illegal marijuana grow sites like the Forest Service does. Stifel said that all six field offices in the Sierra are engaged in dealing with illegal grow sites.

Boardmember Hunt asked whether BLM was responsible for managing monuments and Stifel replied that typically the underlying land manager was responsible for managing the monument after official designation, but that they can be managed by multiple agencies.

Boardmember Briggs commented that his supervisorial district is proud to be the new home for BLM Mother Lode Field office and that the good work being done in the county puts a real face on government that the community doesn't normally get to see.

VIII. Deputy Attorney General's Report (INFORMATIONAL)

Deputy Attorney General Christine Sproul gave an update on proposed bills in the Legislature regarding the California Environmental Quality Act (CEQA), and noted that efforts continue to be made to streamline CEQA.

IX. 2014 Board Meeting Schedule (ACTION)

Branham suggested moving the March meeting in Sacramento from March 5 and 6 to March 12 and 13 to accommodate a joint meeting with the Sacramento – San Joaquin Delta Conservancy. Branham also suggested moving the June meeting from June 4 and 5 to June 11 and 12 due to Boardmember conflicts.

Action: Boardmember Wheeler moved and Boardmember Kirkwood seconded a motion to approve the 2014 Board Meeting Schedule with edits to the March and June dates. The motion passed unanimously.

X. 2013-14 Healthy Forests/Abandoned Mine Lands Grant Awards (ACTION)

The Board considered authorization of a grant award for the 2013-14 Healthy Forests/Abandoned Mine Lands (AML) Grant Program.

Mt. Lassen Area Manager Bob Kingman gave an overview of the Raintree Forest Health Project. Kingman said that SNC funding would specifically be used to complete biomass removal, understory burning, aspen restoration, stream habitat

restoration work, road decommissioning, noxious weed eradication, and project monitoring in conjunction with local high schools.

Kirkwood asked that staff encourage applicants to be very clear about how SNC funded portions of a project fit within the larger project.

Gyant asked if the high schools involved with this project would be linked with the California Forestry Challenge. Kingman said that they would. Briggs and Gyant both commented on what a great job the Forestry Challenge does to give students real world experience.

Boardmember Cann recognized the Resources Conservation District for putting together an exceptional application.

Action: Boardmember Hunt moved and Boardmember Wheeler seconded a motion to adopt (a) California Environmental Quality Act statement of findings as a responsible agency, based on review of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program adopted by the Eldorado County Resource Conservation District; (b) authorize a grant award for the Raintree Forest Health Project in the amount recommended by staff; (c) authorize staff to enter into the necessary grant agreements for this project; and (d) authorize staff to file a Notice of Determination for SNC Project 783 with the State Clearinghouse.

XI. Allocation of Up to \$1 million for Restoration and Rehabilitation Efforts Related to the Rim Fire (ACTION)

Branham gave an overview of the recommendation to allocate \$1 million for Rim Fire Restoration and to work closely with partners such as the Forest Service and the Yosemite Stanislaus Solutions (YSS) collaborative group to identify projects to be funded. He indicated that the funds are available due to a grant awarded a number of years ago that ultimately did not come for fruition and that staff recommends using these funds for Rim Fire restoration rather than the existing 2013-14 grant program.

Boardmember Giacomini asked if staff would work with the ranching community to restore fences and other ranching infrastructure. Branham responded that staff would be working closely with locals, including county supervisors to identify needs and projects that meet the requirements of Proposition 84.

Boardmember Johnston suggested editing Attachment A in the 1st paragraph to say "... shall be consistent with all of the following provisions..."

Boardmember Wheeler said he felt that Boardmembers should be consulted for projects over \$50k. Branham said that the Board Chair and Vice Chair would be consulted on projects being recommended for an award.

Boardmember Kirkwood asked if funding could be made conditional on a match from the two irrigation districts affected by the fire. Branham said that staff will have conversations with many impacted groups, including the irrigation districts, but that it would be impractical to make this a condition.

Boardmember Ferrara clarified the funding would be *up to* \$1 million, and commended SNC for acting on this effort so quickly.

Briggs said that staff has done a great job identifying this need and opportunity.

Giacomini asked that staff check the document titles to make sure they are consistent.

Stifle recognized SNC for looking for angles to fund needed work that isn't funded by other agencies.

Public Comment:

Jerry Jensen, YSS member and Registered Professional Forester, said that these funds will be extremely valuable and can leverage other funds.

Sherri Brennan, a grazing permittee in the Rim Fire area and a Tuolumne County Supervisor, said that the \$250 thousand lost in Transient Occupancy Tax (TOT) to the county only represents the months of July and August and that there are continued losses that aren't represented in that number. Brennan said that even though TID and MID are participating in discussions; SNC's funding shouldn't be tied to their involvement. Brennan asked that SNC consider projects that provide seed money for transportation to remove small-scale biomass. Brennan added that Tuolumne County is working on a map that will indicate the relationship between private foothill lands and Forest Service grazing allotments. Brennan commented on the need for investment to replace ranching infrastructure on both Forest Service and private lands.

John Sturtevant, YSS participant and Sierra Club representative, said that YSS needed a lot of funding for projects before the fire and that the need is even greater now. Sturtevant thanked SNC for the funding and said that everyone in YSS is on the same page and ready to go to work.

Susan Skalski, Stanislaus National Forest Supervisor, suggested using funds for work the Forest Service doesn't get funding for such as fencing for sensitive areas, volunteer coordinators, seeding or hand-planting of sensitive areas, tree planting, refurbishing recreation sites, cleaning culverts, trail repair, and road rehabilitation.

Boardmember Kirwan said that she was impressed by the agency, public, and environmental collaboration as evidenced by the public comments.

Action: Boardmember Wheeler moved and Boardmember Giacomini seconded a motion to authorize expenditure of up to \$1 Million of Proposition 84 funds, consistent with the criteria identified in the “Rim Fire Restoration Grant Guidance” document with Boardmember edits. The motion passed unanimously.

XII. Agricultural Lands and Ranches System Indicators Report (ACTION)

Keegan noted that the Agricultural Lands and Ranches System Indicators Report is the final report to be completed for the Region and that next steps involve distributing the information and establishing a plan to keep all of the System Indicators Reports up to date.

Mt. Whitney Area Representative, Liz van Wagtendonk, summarized the key points of the Agricultural and Ranch Lands System Indicators Report. Van Wagtendonk noted that while this report focuses on private lands, private lands are closely connected with grazing allotments on public lands.

Boardmember Ferrara asked if climate was a factor in determining what types of working landscapes were available. Van Wagtendonk said that climate and topography were huge drivers in identifying working landscape types in the report. Boardmember Cann commented that soil plays a role in the type of working landscapes that can be supported by certain areas as well.

Cann asked where the information on the net cash income came from. Van Wagtendonk said that it came from the U.S. Department of Agriculture’s Census of Agriculture, and that the data is reported on a county by county basis. Boardmember Briggs noted that responses to the Census are voluntary.

Briggs asked what the average government payment reflects. Van Wagtendonk said that the average government payment reflects the federal programs through the farm bill that are provided back to the operators and do not reflect any funding that might be coming from a state or local source.

Boardmember Giacomini asked if it would have been better to use the 2010 or 2011 Agricultural Commissioner’s reports instead of the 2007 census. Van Wagtendonk said that not all counties have up to date commissioner’s reports and the decision was made to utilize the data that was available for all 22 counties of the Region. Van Wagtendonk said that where there were commissioner’s reports available, the data was very similar. Giacomini noted that the numbers used in the report are probably behind. Van Wagtendonk said that data from the 2012 census is currently being compiled and that the data will be compared with this baseline report.

Boardmember Kirkwood noted that the grazing allotments on public lands are very closely tied to the financial health of the operations on private lands, and asked if a

section should be added to the report that would address the significance of that connection. Van Wagtendonk highlighted additional data that she was aware of that addressed the connection, and noted that she would add that information to the report.

Giacomini noted that Larry Forero, Shasta County UC Cooperative Extension, and David Lyle, Lassen County UC Cooperative Extension, would be good resources for the report.

Gyant noted that Forest Service has 702 allotments in CA, 500 of which are active, that several different permits exist for each allotment, and that he had a Forest Service contact that would be a good resource for that aspect of the report.

Boardmember Johnston asked why Department of Water Resources (DWR) field data wasn't used for the report. Van Wagtendonk said that DWR field data wasn't used because there wasn't data for all of the Sierra Nevada Region and the decision was made to focus on data sets available for the entire Region. Johnston commented that the census data only receives about a 50-60 percent participation rate, the rest of the data is modeled. Van Wagtendonk noted that staff has the ability to analyze this data in house for future reports. Keegan also noted that additional data could be included in later reports over time.

Action: Boardmember Kirkwood moved and Boardmember Wheeler seconded a motion to approve the Agricultural Lands and Ranches System Indicators Report with Boardmember edits and the addition of grazing allotment information. The motion passed unanimously.

XIII. Boardmembers' Comments

Kirwan acknowledged Boardmember Cann's last meeting.

Cann commented on his positive involvement with SNC and said that he looks forward to continue working with SNC in the capacity of county supervisor.

Wheeler thanked the Board for being dedicated and making the Sierra a better place to live and work.

Giacomini reported that she spoke on a water panel at the California State Association of Counties where she made the forest/water connection and it created a lot of discussion. Cann said that he was at the same meeting and agreed that the forest/watershed connection was well-made.

Gyant thanked SNC for making difference in the Forest Service's ability to manage the National Forest lands in the Sierra through SNC's partnerships and relationships.

XIV. Public Comments

There were no comments from the public.

XV. Adjournment

Board Chair Kirwan adjourned the meeting at 12:52 PM.