

**WELCOME**

**TO THE FIFTH**

**SIERRA NEVADA  
CONSERVANCY  
Board Meeting**

**Thursday,  
February 23, 2006  
10:00 am**

**RESOURCES BUILDING  
1416 NINTH STREET  
1ST FLOOR AUDITORIUM  
SACRAMENTO, CA 95814**

# **NOTICE OF PUBLIC MEETING**

## **SIERRA NEVADA CONSERVANCY**

### **Board Meeting**

**February 23, 2006**

**Thursday, 10:00 a.m.**

### **BOARD AGENDA**

- I. Call to Order**
- II. Chairman's Report**
- III. Oath of office for North Central, South Central and South Subregional Representatives**
- IV. Roll Call**
- V. Approval of December 2, 2005 Meeting Minutes**
- VI. Executive Officer's Report**
  - A. Staffing and Administrative Update**
  - B. SNC Data Inventory Project Update**
  - C. Budget Update**
  - D. Discussion on Conservancy Logo Project**
- VII. Deputy Attorney General's Report**
- VIII. Adoption of Conflict of Interest Regulations**

Consideration and possible adoption of the proposed conflict of interest regulations for the Sierra Nevada Conservancy.
- IX. Update on Resources Agency's Sierra Cascade Grant Program**
- IX. Strategic Planning Process**

Consideration and possible authorization for the Executive Officer, in consultation with the Board sub committee, to enter into contracts and interagency agreements for consulting and technical services necessary for development of the Conservancy's strategic plan.

**XI. Conservancy Headquarters Office Search**

Consideration and possible authorization for the Executive Officer to take the necessary actions to establish a Conservancy headquarters office pursuant to board direction on specific location.

**XII. Review of 2006 Meeting Schedule and Format**

**XIII. Board Members' Comments**

**XIV. Public Comments**

**XV. Adjournment**

Staff reports on individual agenda items are now available on the SNC website at [www.sierranevada.ca.gov](http://www.sierranevada.ca.gov). For more information, write to:

Sierra Nevada Conservancy,  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

or call Eileen Pope at (916) 653-6403.

**Closed Session: Following or at any time during the meeting, the Conservancy may recess or adjourn to closed session to consider pending or potential litigation; property negotiations; or personnel-related matters. Authority: Government Code Section 11126(a), (c)(7), or (e).**

## **NOTICE OF PUBLIC MEETING**

**SIERRA NEVADA CONSERVANCY**

**Board Meeting**

**February 23, 2006**

**Thursday, 10:00 a.m.**

### **NOTES:**

**In accordance with Title II of the Americans with Disabilities Act of 1990, reasonable accommodations are available. Requests for reasonable accommodations should be made at least five working days in advance of the meeting date. To request reasonable accommodations, including documents in alternative formats, please call (916) 653-6403.**

# **WELCOME**

**TO THE NEW BOARD MEMBERS**

**OF THE  
SIERRA NEVADA  
CONSERVANCY**

- **LOUIS BOITANO - SOUTH CENTRAL SIERRA**
- **ALLEN ISHIDA – SOUTH SIERRA**
- **KIM YAMAGUCHI – NORTH CENTRAL SIERRA**

Term January 1, 2006 to December 31, 2007

**Thursday,  
February 23, 2006  
10:00 am**



**Louis D. Boitano**  
District 4 Supervisor

*John C. Begovich Building*  
500 Argonaut Lane  
Jackson, California 95642  
(209) 223-6470  
(209) 257-0619 (FAX)

*L. Boitano*

January 18, 2006

Mr. Mike Chrisman, Chair  
Sierra Nevada Conservancy  
State Resources Agency  
1416 9<sup>th</sup> Street, Suite 1331  
Sacramento, California 95814

Mr. Jim Branham, Executive Officer  
Sierra Nevada Conservancy  
State Resources Agency  
1416 9<sup>th</sup> Street, Room 1311  
Sacramento, California 95814

Dear Sirs,

Please allow this to serve as my letter of interest in serving as a representative on the South Central Subregion of the Sierra Nevada Conservancy Board on behalf of Amador County. As I recall, when our group of supervisors gathered approximately one year ago, we agreed that Amador County would begin the cycle of representation to the Board and the others will all rotate subsequently after my term expires. I look forward to confirmation from the Conservancy in the near future regarding this matter.

If you have any questions, please do not hesitate to contact me at (209) 223-6470.

Sincerely,

*Louis D. Boitano*

Louis D. Boitano  
Supervisor, District IV

LDB/ma

c: Mr. Brent Harrington, President and CEO/Regional Council of Rural Counties  
Mr. Patrick Blacklock, County Administrative Officer  
file

JB

**COUNTY OF TULARE**  
**BOARD OF SUPERVISORS**

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**J. STEVEN WORTHLEY**  
Board Chairman

January 27, 2006

Jim Branham  
Executive Officer  
Sierra Nevada Conservancy  
1416 9th Street, Room 1311  
Sacramento, CA 95814

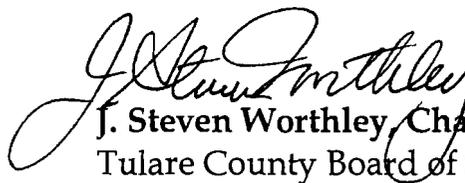
Dear Mr. Branham:

Please be advised that Supervisor Allen Ishida has been designated as Tulare County's representative concerning Sierra Nevada Conservancy issues.

To that end, and in accordance with the previously agreed rotation, Supervisor Ishida now assumes the South Sierra Subregion's appointment to the Governing Board of the Sierra Nevada Conservancy. He succeeds Supervisor Bob Waterston of Fresno County.

If you have questions or need more information, please contact me.

Sincerely,

  
J. Steven Worthley, Chairman  
Tulare County Board of Supervisors

cc: Supervisor Allen Ishida

JA



# Kim K. Yamaguchi

Supervisor, Fifth District

747 Elliott Road

Paradise, Ca 95969

Phone: (530) 872-6304 Fax: (530) 872-6339

E-Mail: KYamaguchi@ButteCounty.net

January 25, 2006

Jim Branham, Executive Director  
Sierra Nevada Conservancy  
1416 Ninth Street #1311  
Sacramento, CA 95814

It is my pleasure to inform the Sierra Nevada Conservancy that I have been elected to represent the North Central Sub-Region for the next two years. In addition, Rose Comstock of Plumas County will be the Alternate for the sub-region.

Sincerely,

Kim K. Yamaguchi  
North Central Sub-Region Representative

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**SIERRA NEVADA CONSERVANCY PUBLIC MEETING MINUTES**  
**FRIDAY, DECEMBER 2, 2005**

**LOCATION: Resources Auditorium**  
**1416 Ninth Street, First Floor**  
**Sacramento, CA 95814**

**12/2/05 BOARD MINUTES**

- I. **Call to Order** – Chairman Mike Chrisman called the meeting to order at 10:10 a.m.
- II. **Roll Call** – all members present, except Carol Whiteside, Brian Dahle, Lee Stetson and Bob Waterston. Fred Klass attending from the Department of Finance, Bramel Handley attending for the U.S. Forest Service.
- III. **Approval of the minutes of the September 29, 2005 meeting minutes** – attorney John Gussman indicated that the minutes should reflect the swearing in of new Board member Brissenden. **Fred Klass moved and Kim Yamaguchi seconded approval of minutes as amended. Motion passed without objection.**
- IV. **Chairman's report**
  - A. Chairman Chrisman announced that, after the interviews of candidates during closed session, the Board unanimously selected Jim Branham as the first Executive Officer of the Sierra Nevada Conservancy.
  - B. Chairman Chrisman announced the expiring terms of Stetson, Yamaguchi and Waterston (which expire 12/31/2005). The sub regions will need to officially notify the Conservancy as to who will serve the new terms beginning January 1, 2006 prior to the February 2006 meeting.
  - C. Kim inquired about the 2006 meeting schedule. Jim Branham suggested the last Thursday in February, but indicated that a schedule would be proposed later.
- V. **Deputy Attorney General's Report**
  - A. Deputy Attorney General Christine Sproul indicated she had nothing to report, but would probably adopt the conflict of interest regulations at the next meeting.

## VI. Staff Report

- A. Executive Officer introduction and report: Jim Branham introduced himself and indicated his appreciation for the opportunity to shape the foundation of the Conservancy. He has been traveling in the region and is impressed with the number of people who have energy, enthusiasm and good ideas. He indicated he wants to work cooperatively with our Federal partners, our sister state agencies. He thanked Eileen Pope, Chrisman and staff, including Crawford Tuttle, Dave Willis and Penny Harding. He also thanked Ray Lacey and John Gussman, from the Tahoe Conservancy, who were instrumental in organizing and running the outreach meetings throughout the region. He particularly wanted to acknowledge the remarkable contributions of Dennis Machida to the Tahoe Conservancy, and indicated that Dennis was his model.
- B. Staffing Plan – Jim Branham indicated that Eileen Pope was the new Administrative Chief, coming to SNC from a career in state service including the Department of Finance, the Treasurer’s Office, and the Tahoe Conservancy. SNC is fortunate to have her experience, enthusiasm and energy. No additional staff is anticipated until they have chosen the location of the permanent offices.
- C. Agreements and Contracts – Attorney John Gussman gave a quick update on several interagency agreements and contracts:
  1. 2 interagency contracts (one prepared, one about to be signed)
    - a. Tahoe Conservancy and Sierra Nevada Conservancy for travel expense reimbursement
    - b. Tahoe Conservancy and Sierra Nevada Conservancy for technical consultation (primarily services of John Gussman and Ray Lacey), not to exceed \$50,000, terminable on short notice if the agreement does not serve the needs of either conservancy
  2. Strategic Planning Process proposal envisions a contract with one or more consultants, to prepare the initial discussion documents and draft of a strategic plan (more on this later in the meeting).
  3. Staffing Consultation – we are in preliminary discussions with CPS regarding personnel services and consulting with public agencies. CPS will be helpful in analyzing staffing patterns in other, like agencies.
- D. Sierra Nevada Conservancy logo – Jim Branham indicated that the Conservancy should consider sponsoring a contest involving the educational community to develop a logo for SNC. The SNC Board would maintain final editorial control, but this is another way to involve the community, particularly young people, which embodies our broad mission of outreach. He would bring the specifics of the contest to the

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next Board meeting and would like to implement this contest during the current school year. Discussion ensued regarding selection of submissions from among the top five, motivation for winners (perhaps partner with folks to provide a benefit, i.e., a computer for their school), the potential for an interesting array of submissions from such a contest and the trademark issue. Christine Sproul indicated that we could be prepared to deal with this up front.

- E. Proposed Meeting Schedule – Jim Branham proposed the meetings to be held quarterly, on the last Thursday of the month, except for November. He indicated that it would be important for the Board meetings and/or workshops throughout the region, so that all regions had the opportunity to be involved in the Conservancy's deliberative and decision-making processes. Discussion ensued regarding exceptions to this schedule (i.e., August being difficult, due to vacations, etc., and suggesting the 4th Thursday in September as an alternate) and the potential conflicts with other organizations. February 23, May 25, July 27, September 28 and December 7 were selected as meeting dates for 2006.

- VII. **Consideration and possible adoption of a general delegation of authority to the Executive Officer.** John Gussman indicated that the Board packet included this lengthy resolution and he would not go through it in detail. In brief, the enabling legislation empowered the Board to employ an Executive Officer and the primary power is with the Board. The purpose of this resolution is to delegate to the Executive Office and, through him, the rest of the staff, all those functions, responsibilities and duties to carry out the mission of the conservancy. It is not possible, nor is it necessary for the Board to carry out and implement all aspects of the day to day affairs - the specifically enumerated functions and powers listed in the resolution. If adopted, the resolution leaves with the Board all policy decisions of the conservancy (rulemaking, policy decisions, etc.). The Executive Officer will be delegated authority (up to \$ 50,000) for personnel, budgetary, fiscal and contractual for purposes of administration and personnel, in order to carry out the various ministerial acts to implement the Board's prior authorization. Discussion ensued regarding the Board shaping regulations that only the Board can adopt, right to amend delegation, uniqueness to this Board, \$ 50,000 threshold (limiting staff from spending on non-approved items), other conservancy's models (this recommendation draws on Coastal, Tahoe and other conservancies), acquisition grants that need action on short notice, and particular discussions regarding Items 13, 14 and 18. **Moved by Kim Yamaguchi, seconded by Bob Kirkwood to adopt the delegation authority with the deletion if item #13, with addition of language to Item #14 for the**

**Executive Officer to hold public hearings, with the last part of Item #17c also included in Item #18. Passed unanimously.**

- VIII. Discussion and possible action on a proposed 2006 strategic program planning process and timeline. Jim Branham indicated the 2-page process for developing the strategic plan (in the packet), with a target date of July 2006 for an approved plan, which would include an annual review of the plan. Chairman Chrisman indicated the preliminary draft would be presented at the Spring meeting, workshops would be held for a goal of adoption in July. Jim indicated that the framework would be set at the February meeting, then the consultant would be hired, then the public hearing process beginning after February (including outreach through the web for public input), concluding at the May meeting. Discussion ensued regarding legal requirements of developing a strategic plan, other conservancy's plans, and city's general plans as a guideline, how this process fits with hiring staff, etc. **Bob Kirkwood moved to adopt the strategic planning process, BJ Kirwan seconded, passed unanimously.** BJ Kirwan and John Brissenden were appointed to serve as a subcommittee to assist staff with the strategic planning process.
- IX. **Discussion and possible action on proposed process and timeline for selection of Conservancy headquarters office.** Jim Branham indicated the importance of locating the office soon, as this will affect his ability to hire staff. He also indicated the importance of being headquartered in the region that the Conservancy serves. Patrick Foster of DGS indicated that they are going forward with an inventory in the project area for potential interim and permanent offices. At the same time, the Conservancy, through media and local governments is going through the process of looking for a home. Discussion ensued regarding criteria, leasing or building own offices, transportation to ultimate site, headquarters and satellite offices, etc. **Fred Klass moved to proceed with office space search, Bob Kirkwood seconded and it was passed unanimously.** Brian Dahle and Linda Arcularius were appointed to serve on the subcommittee to assist on this matter.
- X. **Final report on the 2005 sub-regional outreach sessions.** Ray Lacey thanked Secretary Chrisman, the hosting supervisors, the Sierra Business council, the RCRC, and the staff of the Tahoe Conservancy for their vital roles in carrying out these sub-regional outreach sessions, indicating there is a complete report of all the findings in the Board packets and on the web site. The recurring themes are: (1) the consistent message of working with local jurisdictions and their existing plans (counties, special districts, cities, etc.); (2) working in smaller communities to build capacity, applying for grants, providing technical and staff assistance with the grant application process itself; (3) recognition of the resources issues (i.e., sustainable forest practices means different things to different

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stakeholders); (4) looking at things regionally, including watershed approaches, natural environmental cohesiveness, bridging artificial boundaries; (5) developing community with economic programs and tourism, recognizing the richness of local uniqueness. I would recommend that (1) we strengthen the local dialogue – with these meetings being the beginning of that dialogue, not the end; (2) implement accessible workshops during the strategic planning process; and, (3) headquarter and satellite offices in the region. Bob Kirkwood added that other organizations should be recognized, including the Sierra Fund, Sierra Cascade Land Trust, Sierra Nevada Alliance for Public Lands.

XI. **Board member comments**

- A. Kim Yamaguchi – thank the staff, who is competent, caring and motivated. He expressed his desire to return to represent the North Central region, but indicated in any case he has confidence in the Board and the staff.
- B. John Brissenden – Information for a new bond and SNC is in line for 1% (NGO \$6 billion), expressing interest in all Board members influencing the legislature and the administration.
- C. Linda Arcularius – thanks to those who may not be at the next meeting. Asked that packets be e-mailed to alternates, as well as sitting Board members. She also suggested a random drawing to determine the rotation of board meetings.
- D. Kim Yamaguchi – indicated that all county supervisors who have been identified as Conservancy liaisons received meeting materials.
- E. Jim Branham – intention to coordinate Sierra Nevada Cascade Grants with Resources Agency.

XII. **Public Comments** – none

XIII. **Administrative Matters** – lottery on rotation of meetings: (1) Central region; (2) South region; (3) East region; (4) North central region; (5) North region; (6) South central region. This is the order of the locations where the next six meetings will be held

XIV. **Adjournment.** Chairman Chrisman adjourned the meeting at 1:00 p.m.

# **SIERRA NEVADA CONSERVANCY**

**Agenda Item V-B  
Resolution No. 12-05-1  
Delegation of Authority  
(4 Pages)**

**Thursday,  
February 23, 2006  
10:00 am**

Sierra Nevada Conservancy  
Resolution No. 12-05-1  
(adopted December 2, 2005)

Delegation of Authority to the Executive Officer  
of the Sierra Nevada Conservancy

“The Sierra Nevada Conservancy hereby delegates to the Executive Officer the authority to administer the regular and day-to-day affairs and responsibilities of the Conservancy, including the functions and powers specified below, as necessary or appropriate for the sound management of the agency. The authority delegated herein shall be carried out in a manner consistent with applicable laws and regulations, State procedures, and Conservancy policies.

“The Executive Officer may delegate to other staff any part of his or her functions, powers, or authority, but the Executive Officer shall at all times be responsible for assuring that the affairs of the Conservancy are fully and faithfully discharged.

“The foregoing delegation to the Executive Officer includes the authority:

1. To appoint other Conservancy staff; to assign duties and functions to staff; to establish procedures governing staff operations; and to administer all Conservancy personnel matters.
2. To administer and oversee the Conservancy’s budgetary and fiscal affairs, subject to the right of the Conservancy board to review and approve the proposed annual budget.
3. To execute contracts and other instruments or documents on the Conservancy’s behalf, as necessary in order to carry out the resolutions of the Conservancy board or any other authority delegated herein.
4. To administer and manage all real and personal property within the Conservancy’s ownership or control; and to enter into agreements for the management of property owned or controlled by the Conservancy, including construction or maintenance of Conservancy facilities, *provided that*, prior to the

execution of such agreements, the Conservancy shall have authorized the expenditure of funds for the purpose.

5. To enter into contracts for technical or other services, as needed for the purpose of program and project development by the Conservancy or by eligible grantees, in amounts not to exceed \$50,000 per contract, including extensions and amendments (or such other amount as may hereafter be authorized by the Conservancy).
6. To lease and sub-let office space, to purchase or lease equipment, and to procure other materials, supplies, and technical services, as necessary or appropriate to meet the ongoing needs of administration.
7. To apply for funds for the support of the Conservancy's programs and projects; to negotiate and enter into agreements to accept funds, to make representations in support of such applications or agreements, to assign or accept the assignment of grant funds and applications, and to meet agreed conditions; *provided*, that (a) all expenditures not previously authorized by the Conservancy, or within the Executive Officer's delegated authority, shall remain subject to Conservancy authorization; and (b) any agreement which, at the time it is executed, requires further Conservancy authorization before it can be implemented, shall be rescindable in the Conservancy's sole discretion and without liability to the Conservancy.
8. To prepare and issue public notices of Conservancy board meeting, and meeting agendas.
9. To place on the Conservancy's consent calendar (if any) matters which the Executive Officer believes to be non-controversial, subject to the right of any Conservancy board member to remove any item from the consent calendar, and subject to such other direction as the Conservancy may provide from time to time.
10. To reimburse members of the Conservancy board and members of advisory boards or committees established by the Conservancy, for their actual and necessary expenses, including travel expenses, incurred in attending board or committee meetings or in carrying out the other duties of their office; and to arrange for compensation to be paid, in the statutory amount, to

- c. to settle small claims court actions on the Conservancy's behalf, *provided*, that the Conservancy shall be notified of any such settlement no later than the following Conservancy board meeting.

18. With respect to monetary or nonmonetary claims arising outside of litigation: to grant, deny, settle, or compromise such claims if they are brought against the Conservancy; and to pursue, settle, or compromise such claims if they are brought on the Conservancy's behalf; subject to such dollar limits as the Conservancy may, by resolution, require for specific categories of claims; **and provided, that the Conservancy shall be notified of any such settlement no later than the following Conservancy board meeting.**

19. To designate a member of the staff to serve as Acting Executive Officer, or one or more members of the staff to perform specified functions of the Executive Officer, in the event that the Executive Officer is absent or becomes unable to perform his or her regular duties. In the event of the death or incapacity of the Executive Officer, any such designation shall survive, unless it expires by its own terms, or is rescinded or modified by the Conservancy board."

I hereby certify that the foregoing is a true and correct copy of the resolution duly adopted by the Sierra Nevada Conservancy at a meeting of the Conservancy held on the 2<sup>nd</sup> day of December, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand this 2<sup>nd</sup> day of December, 2005.

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Mike Chrisman, Chairman

members of the Conservancy who are entitled to compensation for attending meetings of the board.

11. To make determinations regarding the applicability of exemptions from the requirements of the California Environmental Quality Act (CEQA); and to prepare, circulate and file all documents which are necessary to comply with CEQA, *provided*, that the Conservancy reserves the authority to review, certify and adopt necessary findings in connection with environmental impact reports and negative declarations.
12. To provide and make available technical information, expertise, and other non-financial assistance to public agencies, nonprofit organizations, and tribal organizations to support program and project development and implementation.
13. [DELETED]
14. To prepare, certify, and file documents pertaining to the adoption, amendment or repeal of regulations, **and to conduct public hearings to receive comments on proposed rulemaking**, as necessary to support the rulemaking activities and actions of the Conservancy.
15. To oversee the management of the Conservancy's records, and to respond to requests for inspection or copies of Conservancy records under the California Public Records Act.
16. To represent the adopted positions of the Conservancy, or, in the absence of such adopted positions, the views of the Conservancy staff, in communications with the Legislature, other public entities, and the public.
17. . In coordination with the Office of the Attorney General, or other duly approved counsel:
  - a. to defend against any legal actions brought against the Conservancy;
  - b. as necessary in order to protect Conservancy property or other interests against damage or loss, and with prior notification to the Conservancy, to file and prosecute legal actions on the Conservancy's behalf; and

# **SIERRA NEVADA CONSERVANCY**

**Agenda Item VIII  
Adoption of Conflict of Interest  
Regulations  
(8 Pages)**

**Thursday,  
February 23, 2006  
10:00 am**

## SIERRA NEVADA CONSERVANCY

### NOTICE OF PROPOSED RULEMAKING ACTION TO ADOPT THE CONFLICT OF INTEREST CODE

The Sierra Nevada Conservancy ("Conservancy") was created by the Sierra Nevada Conservancy Act, Public Resources Code section 33300 et seq. Pursuant to Government Code section 87300, the Conservancy must prepare and adopt a conflict of interest code. The Conservancy hereby gives notice that it intends to adopt a conflict of interest code as described herein.

Description of the Code. The proposed code implements the requirements of sections 87300 through 87302 of the Government Code. The code will designate Conservancy Board Members and employees who must disclose certain investments, income sources, interests in real property and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests. At its September 29, 2005 meeting, the Conservancy authorized its staff to submit the proposed conflict of interest code to the Office of Administrative Law along with any other materials which the Office of Administrative Law requires to be submitted.

Filing Comments-Location and Date. Any interested person may submit written comments on the proposed code by submitting them in writing no later than **February 20, 2006**, by contacting the contact person set forth below. At this time, no public hearing has been scheduled on the proposed code. However, any interested person or his or her representative may request, no later than fifteen (15) days prior to the close of the written comment period, a public hearing.

Availability of Copies of the Code. Copies of the proposed code, the written explanation of the reasons for the proposed code, and all of the information upon which it is based may be obtained from the Conservancy by contacting the contact person listed below. Any inquiries concerning the proposed code shall likewise be directed to the Conservancy, care of the contact person listed below.

The Conservancy has determined that its proposal:

- (1) Imposes no mandate on local agencies or school districts.
- (2) Imposes no costs or savings to any state agency.
- (3) Imposes no costs to any local agency or school district in which reimbursement is required under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
- (4) Will not result in any nondiscretionary costs or saving to local agencies.

- (5) Will not result in any costs or savings in federal funding to the state.
- (6) Will not have any potential cost impact on private persons, businesses or small businesses.

In making this proposal, the Conservancy must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

Contact Person: All inquiries concerning this proposal and any communications required by this notice should be directed to the Conservancy, care of:

Jim Branham, Executive Officer  
Sierra Nevada Conservancy  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814  
(916) 653-5672  
[www.sierranevada.ca.gov](http://www.sierranevada.ca.gov)

INITIAL STATEMENT OF REASONS FOR THE PROPOSED ADOPTION OF A CONFLICT  
OF INTEREST CODE FOR THE SIERRA NEVADA CONSERVANCY

The Sierra Nevada Conservancy Act (Public Resources Code, section 33300 et seq.) provides for the creation of the Sierra Nevada Conservancy ("Conservancy"). The Conservancy is charged to carry out projects and activities, including awarding grants to public agencies and nonprofit organizations, in the Sierra Nevada region to further the purposes enumerated in the Sierra Nevada Conservancy Act, including the following: to protect, conserve and restore the region's physical, cultural, archaeological, historical, and living resources; to provide increased opportunities for tourism and recreation; to aid in the preservation of working landscapes, to reduce the risk of natural disasters, such as wildfires; and to protect and improve water and air quality.

PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR  
CIRCUMSTANCE THAT THE PROPOSED REGULATION IS INTENDED TO ADDRESS

The regulations proposed by the Conservancy would establish a conflict of interest code for Conservancy board members and staff and consultants of the Conservancy in order to comply with the requirement of the Political Reform Act. (Govt. Code, section 81000 et seq., in particular section 87300.)

SPECIFIC PURPOSE AND NECESSITY OF THE PROPOSED REGULATION

For board members and staff of the Conservancy, the proposed regulations would make specific the disclosure requirements to be met in filing statements of economic interests, and the requirements for disqualification from making or participating in Conservancy decisions. Government Code section 87302(a) requires each agency's Conflict of Interest Code to contain a specific enumeration of the positions within the agency which involve the making, or participation in the making, of decisions which may foreseeably have a material effect on any financial interest, and for each such enumerated position, the specific types of investments, business positions, interests in real property and sources of income which are reportable. The proposed Conflict of Interest Code also contains an Appendix designating officials and employees and establishing disclosure categories.

Government Code section 87302 sets forth the required provisions of a Conflict of Interest Code. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs., sections 18730) which contains the terms of a standard conflict of interest code, and which can be incorporated by reference in an agency's code. The Conservancy proposes to incorporate by reference the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission.

The proposed Code designates the following positions because they involve the making or participation in the making of decisions which may foreseeably have a material effect on a financial interest. Following each position is the disclosure category which reflects the types of financial interests that are reportable because they could foreseeably be materially affected by a

decision that the employee in that designated position may make or may participate in making.

#### Appendix

<i>Designated Employees</i>	<i>Disclosure Categories</i>
Board Members and Alternates	A, B
Executive Officer	A, B
Staff Members	
Staff Counsel	A, B
Staff Services Manager (Director of Administration)	A, B
Program Manager	A, B
Program Analysts	A
Information Systems Analysts	B
Executive Secretary	B
Office Technician	B
Management Services Technician	B
Consultants and Contractors paid by the Conservancy	C

The disclosure categories are as follows:

Category A. All interests in real property in and not more than two miles outside the boundaries of the Sierra Nevada region, as well as business positions in and income from sources which are entities doing business within the region (including gifts, loans and travel payments), and investments in business entities which have a real property interest or do business in the region.

Category B. All investments, business positions and sources of income, including gifts, loans and travel payments, if the source or entity is of the type to do business with the Conservancy or to contract with the Conservancy to provide goods, services, equipment, materials or facilities.

Category C. Provide disclosures as required by category A and Category B.

The proposed Conflict of Interest Code also specifies the filing and handling of the statements of economic interest. Designated employees shall file their statements with the

Conservancy, which will make the statements available for public inspection and reproduction. (Govt. Code, section 81008.) Upon receipt of the statements for the Conservancy Board Members and their Alternates, and the Executive Officer, the Conservancy shall make and retain a copy and shall forward the originals to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the Conservancy.

TECHNICAL, THEORETICAL, OR EMPIRICAL STUDIES, REPORTS, OR SIMILAR DOCUMENTS

The Conservancy did not rely on technical, theoretical, or empirical studies, reports, or similar documents in proposing this regulation.

The proposed regulation does not mandate the use of specific technologies or equipment.

ALTERNATIVES TO THE REGULATION/SMALL BUSINESS IMPACT

The Conservancy did not identify any alternatives that would lessen any adverse impact on small business. The Conservancy has determined that the proposed amendments will not have a significant adverse economic impact on business.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

The proposed regulation does not unnecessarily duplicate or conflict with federal regulations.

NOTE: Authority cited: Sections 33300 and 33325(b), Public Resources Code;  
Sections 87300 and 87304 Government Code  
Reference: Section 87300 et seq., Government Code

PROPOSED CONFLICT OF INTEREST CODE FOR THE  
SIERRA NEVADA CONSERVANCY

Title 14 California Code of Regulations

Division \_\_\_\_\_

Article \_\_\_\_\_

Section. \_\_\_\_\_ Conflict of Interest Code of the Sierra Nevada Conservancy

(a) The terms of Title 2, California Administrative Code, Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby adopted and incorporated by this reference, and together with the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the Sierra Nevada Conservancy.

(b) Designated employees shall file their statements with the Sierra Nevada Conservancy which will make the statements available for public inspection and reproduction. Upon receipt of the statements for Board Members, Alternates and the Executive Officer, the agency shall make and retain a copy and forward the original to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the agency.

Appendix

*Designated Employees*

*Disclosure Categories*

Board Members and Alternates

A, B

Executive Officer

A, B

Staff Members

Staff Counsel

A, B

Staff Services Manager (Director of Administration)	A, B
Program Manager	A, B
Program Analysts	A
Information Systems Analysts	B
Executive Secretary	B
Office Technician	B
Management Services Technician	B
Consultants and Contractors paid by the Conservancy	C

*Disclosure Categories*

Category A

Persons in this category must report all investments, interests in real property, income (including gifts, loans and travel payments other than travel reimbursements paid by the Conservancy), and any business position with any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management, subject to the following limitations:

- (a) Income is reportable only if it is received from a source within the region or, if that source is doing business within the region, planning to do business within the region, or has done business within the region during the two-year period prior to the time any statement is required under this code.
- (b) An interest in real property is reportable only if the property, or any part of it, is located within or not more than two miles outside the boundaries of the region.
- (c) Investments are reportable only if the business entity has an interest in real property in the region, or does business, or plans to do business, in the region, or has done business within the region at any time during the two-year period prior to the time any statement is required under this code.
- (d) Business entities are reportable for purposes of business position disclosure only if the business entity is doing business, or plans to do business, within the region or has done business within the region at any time during the two years prior to the time any statement is required under these regulations.
- (e) For purposes of the above limitations the term "region" means the Sierra Nevada Region as described by Public Resources Code section 33302(f).

### Category B

Persons in this category shall disclose any investment in a business entity, business position in a business entity, and income from a source (including gifts, loans, and travel payments other than travel reimbursements paid by the Conservancy), if the business entity or source of income is of a type to do business with the Conservancy or to contract with the Conservancy to provide goods, services, equipment, materials or facilities to or used by the Conservancy.

### Category C

Persons in this category are considered designated employees, are subject to the disclosure categories in A and B and the disqualification requirements described in the standard Conflict of Interest Code, section 18730(b)(9). The Executive Officer, however, may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as other statements filed in accordance with this conflict of interest code.

NOTE: Authority cited: Sections 33300 and 33325(b), Public Resources Code;  
Sections 87300 and 87304 Government Code  
Reference: Section 87300 et seq., Government Code

# **SIERRA NEVADA CONSERVANCY**

**Agenda Item IX  
Sierra Nevada Cascade  
Grant Program  
(5 Pages)**

**Thursday,  
February 23, 2006  
10:00 am**

STATE OF CALIFORNIA



*resources*  
A G E N C Y

# Sierra Nevada-Cascade Conservation Grant Program





## Sierra Nevada-Cascade Conservation Grant Program

### New Program

- Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50).
- Chapter 240, Statutes of 2003 – Specific requirements for all Proposition 50 implementing departments.
- Chapter 230, Statutes of 2004 – Created the Sierra Nevada-Cascade Conservation Grant Program within the Office of the Secretary for Resources.





## **Coordination of Grant Programs in the Sierra Nevada-Cascade Region**

- **Coordination Plan submitted to the Legislature on December 1, 2005**
- **Grant Guidelines require Applicants proposing projects geographically located within the Conservancy boundaries to describe how the projects will further the mission and goals of the Conservancy.**
- **The Conservancy will provide a representative to participate on the Technical Review Committee which will evaluate and score the proposals.**
- **The Technical Review Committee is currently made up of professionals from the Tahoe Conservancy, Department of Water Resources, Department of Fish and Game, and regional Water Quality Control Boards.**



## How Much?

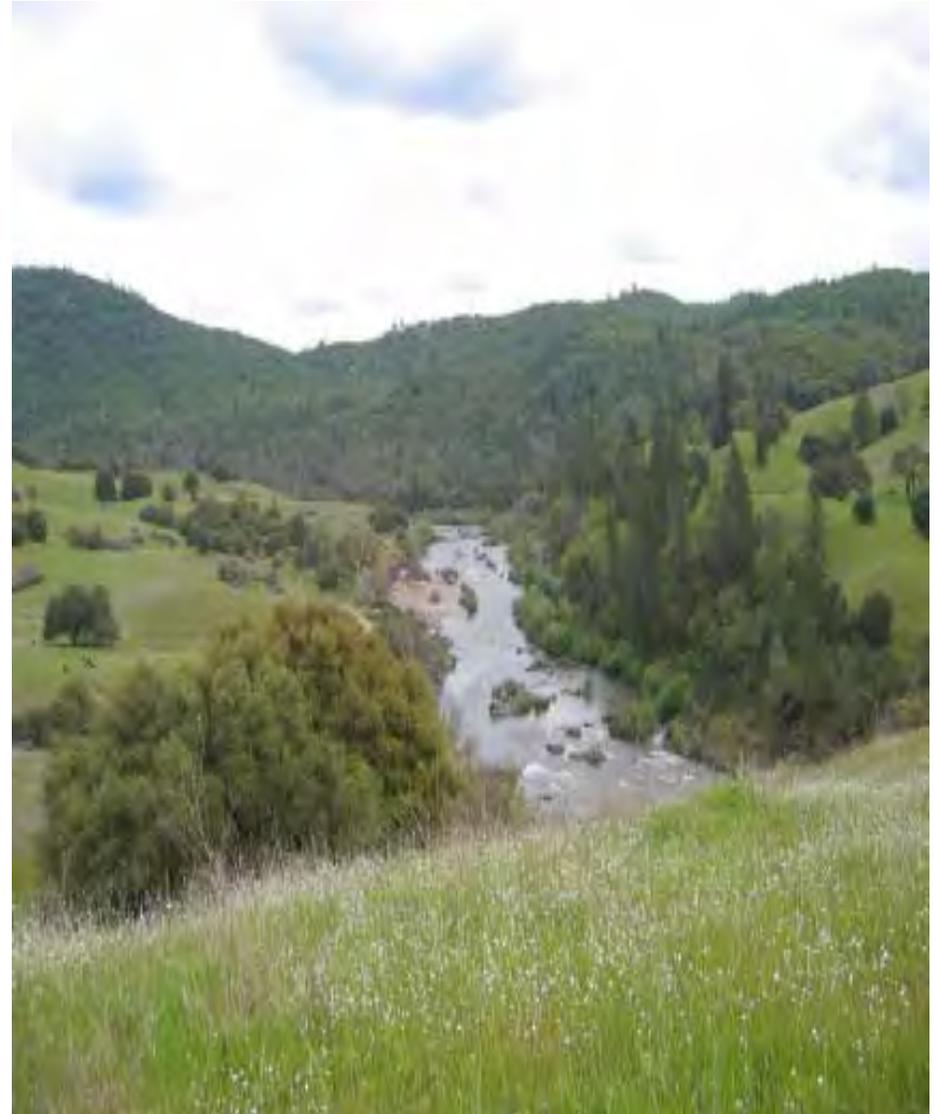
- \$ 4.15 Million Appropriated for FY 2004-05
- \$11.65 Million Appropriated for FY 2005-06
- \$15.8 Million Currently available to be awarded this round
- \$11.65 Million Requested for FY 2006-07
- No maximum or minimum award this round





## Who is Eligible?

- **Local Public Agencies**
- **Local Water Districts**
- **Nonprofit Organizations**





## What is Eligible?

Land and Water Rights Acquisitions to  
Protect Water Quality in Lakes, Reservoirs,  
Rivers, Streams and Wetlands



# Eligible Acquisition Types

1. **Working Landscapes** – Acquiring agricultural, forest, or grazing land, or other working landscapes, to prevent conversion of that land to uses that could decrease water quality in the region and degrade habitat values, or to convert that land to uses that could improve water quality in the region and habitat.





# Eligible Acquisition Types

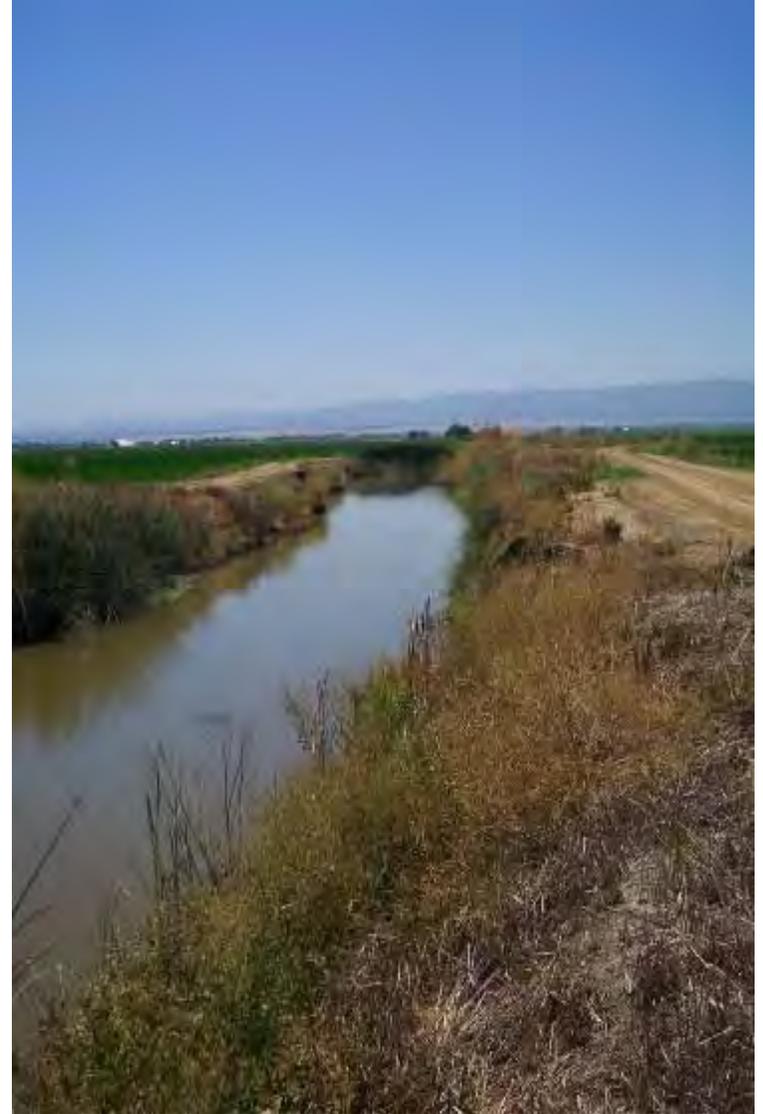
- 2. Adjacent Lands** – Acquiring land adjacent to or affecting rivers, streams, lakes or wetlands, that, if not protected, could lead to a decrease in water quality in the region.





## Eligible Acquisition Types

3. **Water Rights** – Purchasing water rights that will protect water quality and in stream flow, in the region, for resource protection.





## Eligible Acquisition Types

4. **Management Practices** – Acquiring land that mitigates or prevents current or anticipated management practices that contribute to water quality degradation in the region.





## What is Eligible?

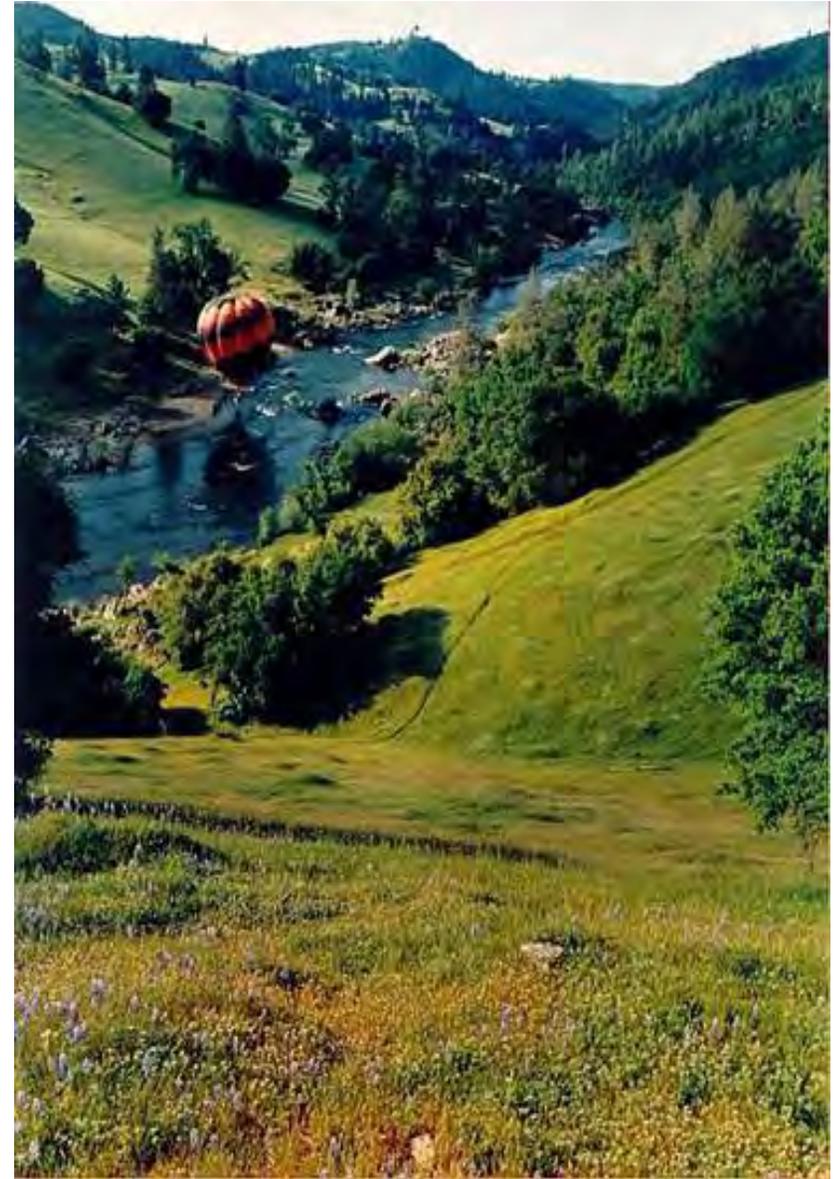
### Other Statutory Requirements:

- Applications must include a proposal for the long-term management of the resource acquired.
- Projects must comply with the California Environmental Quality Act ([CEQA](#)).
- Real property must be acquired from a [willing seller](#).
- Additional requirements must be met if the Project is located in the [CALFED](#) solution area.



# Selection Process

- Grant guidelines approved and solicitation notice posted.
- Solicitation period = 60 days
- Applicants submit a complete grant application to the State by the deadline.
- Application reviewed for eligibility and completeness.
- Ineligible or incomplete applications will not be evaluated or considered for funding.





# Selection Process

- **Complete, eligible** applications will be evaluated by the Resources Agency Technical Committee, using the Evaluation Criteria.
- **Site visits** may be scheduled for semi-finalists. Rankings may be adjusted as a result of the site visit.
- In evaluating applications, **partial funding** may be considered to fully maximize grant awards.
- The Committee recommends projects for funding to the Secretary for Resources.
- The Secretary determines the final Project awards.



### **Strategic Program Planning**

At the December 2, 2005 meeting the Board approved a process for the development of a strategic plan. The Board directed that the Strategic Plan, required under Public Resources Code section 33345, be developed in consultation with various governmental and non-governmental stakeholders through an open, public process. Further, the timeline established anticipates the Board considering approval of a plan at the July 2006 meeting.

Board members Brissenden and Kirwan were appointed as a subcommittee to work with the Executive Officer to ensure development of a plan that is consistent with the Board's direction. Since the December meeting, a number key steps have been taken:

- A format for the plan has been identified, consistent with the format recommended by the Department of Finance.
- A list of proposed guiding principles has been developed that will guide the development of specific goals and strategies.
- A summary list of possible activities has been identified based on input received from the six public workshops held last year by the Conservancy. The list will be used as a starting point for discussions regarding development of goals and strategies.
- Staff resources have been identified, including the use of consultants to assist in the preparation of the plan.

A draft set of goals based on the guiding principles agreed upon by the board will be released prior to the public workshops. The proposed principles and goals will serve as the basis for discussion in the six public workshops to be held in April and May of this year. In organizing these workshops, staff will work closely with the sub region representative for each area. It is also proposed that a significant portion of the Board's May meeting be dedicated to discussion of the strategic plan and the input received at that point.

In addition, those involved in the development of the plan will have ongoing discussions with stakeholders to ensure that the Conservancy

has the benefit of the wide array of interests, needs and opinions that exist within the region.

The plan will be developed in two phases: Phase I (to be completed by July 2006) includes the development of a mission statement, guiding principles and goals and strategies necessary to achieve the objectives contained in the statute creating the conservancy. Phase II (to be completed by January 2007) will include the development of program plans that will include project level descriptions.

Recommendation: Consideration and possible authorization for the Executive Officer, in consultation with the Board sub committee, to enter into contracts and interagency agreements for consulting and technical services necessary for development of the Conservancy's strategic plan.

**DRAFT 2/8/06**

### **SNC Guiding Principles**

The SNC will conduct its operations openly and decision-making will be transparent, always striving to improve communications throughout the region;

The SNC will strive to maintain neutrality so that all interested parties are provided an equal opportunity to participate in the SNC's activities;

The SNC will seek to "add value" to existing community efforts occurring in the Sierra Nevada region;

The SNC will encourage community based solutions and will assist communities with technical expertise, information and resources necessary to achieve local solutions;

The SNC will identify opportunities to fill information and technical gaps, building on and expanding community information;

The SNC will seek to meet community needs, recognizing there are local and regional differences, through program and organizational flexibility;

The SNC will develop program priorities considering the input received through community outreach efforts;

The SNC will give priority to multi-benefit projects and activities (those that address more than one of the SNC's objectives);

The SNC will encourage projects and activities that leverage other governmental, private and non-profit funding sources.

The SNC will maximize its expenditure of resources for goods and services within the Sierra Nevada region and constantly look for opportunities for improve the economic well-being of communities in the region;

The SNC will collaborate with other local, state and federal agencies in regards to research, project funding and program activities;

The SNC will emphasize cooperation with local governments, providing information, technical assistance and financial support to assist in meeting mutual goals;

The SNC will respect the responsibilities and obligations of other agencies in carrying out its mission;

**DRAFT 02/08/06**

## **Community Forum Summary**

At the six public workshops conducted by the Sierra Nevada Conservancy in the summer and fall of 2005, a large number of ideas and suggestions were put forward. Below is an effort to categorize the activities/projects that were suggested. This list is not meant to be comprehensive, nor does it suggest any priorities, but rather serves as a broad menu to consider as the Conservancy develops its Strategic Plan.

### **Community Well-being**

- Funding for easements Housing affordability/availability
- Need for community centers
- Access to Information Technology/Communications (high speed internet, teleconferencing, etc.)
- Access to health care
- Improve health care
- Public transportation
- Preservation of cultural resources
- Preservation of historical buildings and settings
- Resource related activities/jobs creation (e.g.: biomass)
- Technical assistance for grant writing, etc.
- Retaining community/historic character
- Encouraging of the arts in the region
- Provide a neutral forum for policy discussions
- Assist local governments in land use planning efforts
- Assist communities with infrastructure needs (e.g.: water and wastewater systems)
- SNC to “buy local”
- Tribal rights and tourism
- Economic development for youth
- promote small businesses
- Planning for new airport
- Preserve small communities

## **Tourism/Recreation**

- Agricultural Tourism
- Assist businesses and community in promotion of tourism
- Working landscapes tourism
- Historical tourism
- Ecotourism
- ADA compliant facilities
- Hunting and fishing opportunities
- Interpretative scenic byways
- Internet access to tourism/recreation opportunities in region
- Conversion of older infrastructure for recreational opportunities
- Assist state and federal agencies in increasing public access
- Develop visitor centers
- Balance recreational opportunities and resource development
- Assist with railroad trails, bike and walking trails

## **Resource Protection**

- Assist in land use planning efforts of local governments
- Promote forest health
- Sustainable forestry
- Fuels reduction/fire safe activities
- Technical assistance and scientific data
- Land swap opportunities
- Environmental education
- Critical acquisitions
- Use of conservation easements for habitat protection and open space preservation
- Facilitate necessary research and monitoring
- Funding for public lands maintenance and improvements
- Water quality projects - build and clean community water systems
- Watershed management and river restoration
- Air quality projects

STRATEGIC

PLANNING

To:  
TABLE OF CONTENTS

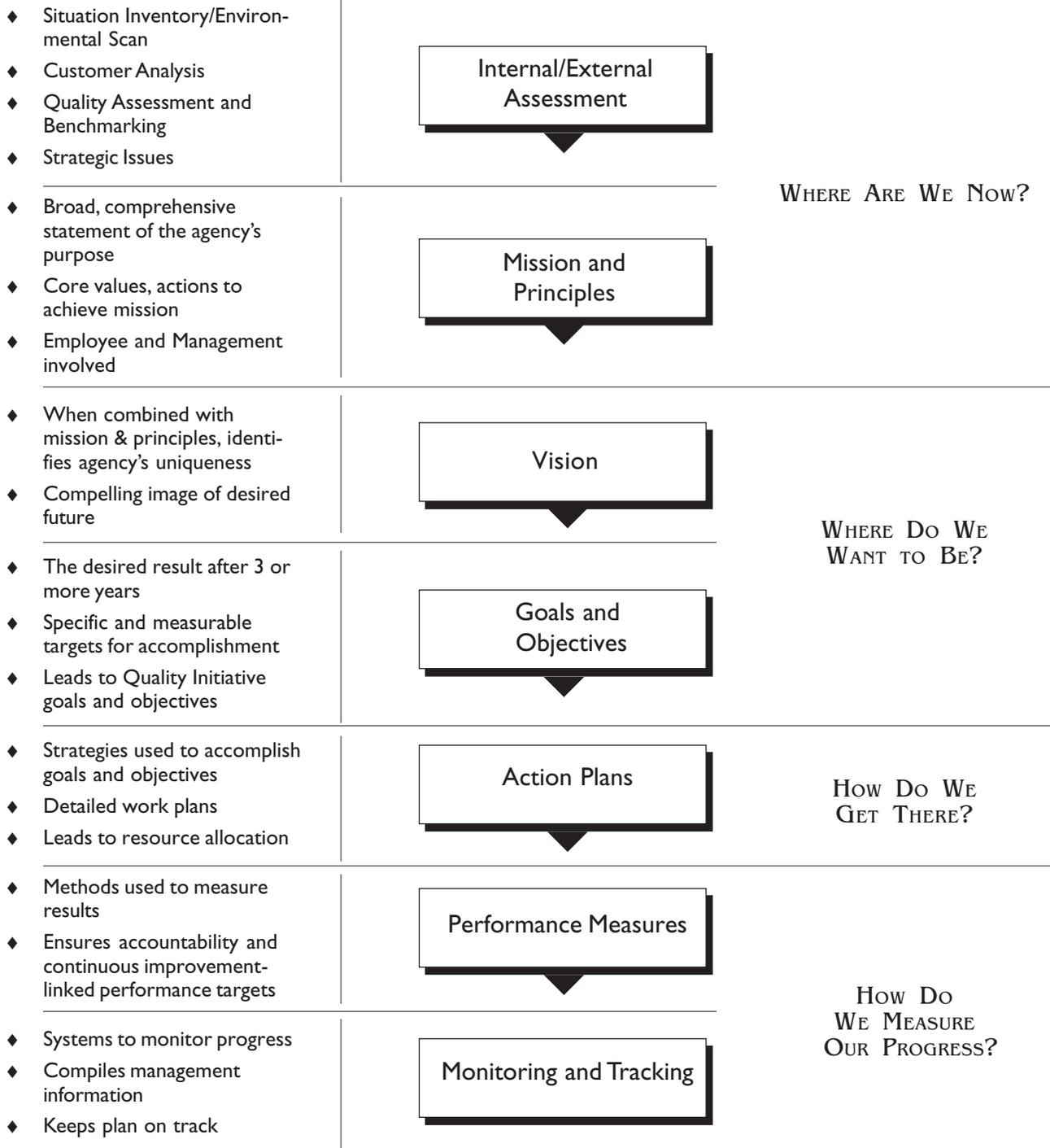
PUBLISHED BY THE  
CALIFORNIA STATE  
DEPARTMENT OF FINANCE



REVISED: MAY 1998

GUIDELINES

# RECOMMENDED STRATEGIC PLANNING PROCESS



Source: State of Arizona's *Strategic Planning and Performance Management Handbook*, "Managing for Results"



*In practice the process is not linear; some steps may be repeated as assumptions change.*

**Selection of Location for**  
**Conservancy's Headquarters Office**

At the December 2, 2006 meeting of the Board, a process was approved for the selection of a Headquarters Office for the Conservancy. A set of specific criteria was approved and Board members Arcularius and Dahle were appointed to a subcommittee to work with the Executive Officer and the Department of General Services in developing a recommendation to the full board.

Following the December meeting, the Department of General Services and the Conservancy notified local governments, media and interested parties within the target area of the Conservancy's interest in securing a headquarters office. The criteria adopted by the board and other requirements of the State of California were made available to all interested parties. Those wishing to submit a proposal were asked to do so by no later than January 9, 2006. A total of 29 sites were identified for possible interim or permanent office locations. This included proposals from 9 different communities (one proposal was from outside the region and therefore eliminated). After initial review by DGS and Conservancy staff, 6 communities were identified for site visits by members of the subcommittee, Conservancy staff and DGS.

On January 30 and 31 the following locations were visited: Truckee, Colfax, Nevada City, Auburn, El Dorado Hills and Martell. Proposals were evaluated by members of the subcommittee and the Executive Officer consistent with criteria approved by the board. In all cases but one (El Dorado Hills) the site visit included involvement by city or county officials (Martell). The proposals included a diverse group of potential sites, including a number of sites that are suitable for building a new office building, some existing buildings in need of refurbishing and a number of buildings ready for immediate occupancy. Each community offered its own unique attributes to be considered. The level of interest and enthusiasm in these communities was impressive.

Based on the review conducted by the subcommittee and staff, it is recommended that the Board consider selecting a location to meet the Conservancy's immediate needs and continue the process to identify a suitable permanent home. The ongoing search for a permanent home should be limited to the general geographic area where the interim office space is located, in order to minimize the effect on Conservancy employees. This recommendation meets the Conservancy's need to move its operations to the Sierra region as soon as feasible and yet maintains the flexibility to consider a number of options for the long term. The subcommittee will provide specific location recommendations to the board.

Recommendation: Consideration and possible authorization for the Executive Officer to take the necessary actions to establish a Conservancy headquarters office pursuant to board direction on specific location.

**Proposed Process for Selection of Location for  
Conservancy's Headquarters Office  
As Approved by the Board, December 2, 2005**

Public Resources Code 33327 requires that the Conservancy establish a headquarters in the region. In order to effectively carry out its mission and in order to proceed with the hiring of permanent staff, it is important that the Conservancy initiate a process that will result in the selection of a headquarters as soon as practicable. The process must allow communities with an interest in becoming home to the Conservancy an opportunity to provide information as to the benefits of locating the headquarters in their community.

Following Board approval of the proposed process, the Department of General Services (DGS) will release an advertisement for office space to accommodate the Conservancy's needs, consistent with the minimum requirements described below and other state requirements. The advertisement will be distributed to all local government entities, media outlets and other interested parties within the proposed target area. Information on the process will also be made available on the SNC website. Based on the communities expressing interest in being home to the Conservancy, communities will be evaluated and ranked by the Conservancy, in coordination with DGS, based on the criteria below.

**Office Location Criteria**

**Minimum Requirements**

- Located within one of the following counties: Amador, Butte, Calaveras, El Dorado, Mariposa, Nevada, Placer, Plumas, Sierra, Tehama, Tuolumne and Yuba.
- No more than 2 hours travel time to Sacramento.
- Year round access to office.

**Preferences**

- Availability of interim and/or permanent office space (including the option of a "build to suit" building).
- Access to major north-south and east-west transportation corridors (I-5, Hwy 99, Hwy 395, I-80, Hwy 99 and Hwy 49).
- Access to high speed internet.
- Access to meeting facilities for Board meetings and other conservancy meetings.
- Convenient access for employees to schools, affordable housing, alternative transportation and other services.
- Opportunity for Conservancy to contribute to the economic well-being of the community.

## Timeline

- December 9, 2005 DGS releases advertisement for office space
- January 9, 2005 Deadline for submitting property proposals
- January 12 –  
February 1 Site visits and evaluation of proposals occur
  
- February 23, 2005 Conservancy Board selects office location at Board meeting

Additional information can be obtained by visiting:

[http://www.sierranevada.ca.gov/DGS\\_site\\_process.html](http://www.sierranevada.ca.gov/DGS_site_process.html).

At the December Board meeting the following meeting schedule for 2006 was adopted:

Thursday February 23 (Central Region, changed to Sacramento)

Thursday May 25 (Southern Region)

Thursday July 27 (Sacramento)

Thursday September 28 (Eastern Region)

Thursday December 7 (North Central Region)

Following that meeting, Supervisor Yamaguchi informed us that the fourth Thursday of each month is booked solid for members of the Butte County Board of Supervisors and would therefore not allow participation by any member of their Board. Unfortunately, dates were not provided to Board members prior to the December meeting, thus creating the confusion. Upon Supervisor Yamaguchi's request, board members were queried as to availability for the following alternative dates. Beside each is the notation as to whether conflicts exist for other board member.

Thursday, May 18 (conflicts exist)

Wednesday, May 24 (no known conflicts)

Thursday, July 20 (no known conflicts)

Wednesday, July 26 (conflicts exist)

Thursday September 21 (conflicts exist)

Wednesday September 27 (conflicts exist)

The board may wish to modify the meeting schedule based on this information.

In addition, given that the February meeting is being held in Sacramento, it is recommended that board meetings commencing with the May meeting be held in the region based on the following scheduled for 2006:

May (Central)

July (South)

September (East)

December (North Central)

Recommendation: Board makes modifications to the meeting scheduled as it deems appropriate.

**Sierra Nevada Conservancy**  
**Board Meeting**  
**February 23, 2006**

**Agenda Item XII**  
**Board Meeting**  
**Schedule**

May 2006						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18 Alternate Date (Conflicts exist)	19	20
21	22	23	24 Alternate Date (No known conflicts)	25 SNC Board Mtg. (Central)	26	27
28	29	30	31			

# July 2006

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20 Alternate Date (No known conflicts)	21	22
23	24	25	26 Alternate Date (Conflicts exist)	27 SNC Board Mtg. (South)	28	29
30	31					

**Sierra Nevada Conservancy**  
**Board Meeting**  
**February 23, 2006**

**Agenda Item XII**  
**Board Meeting**  
**Schedule**

September 2006						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21 Alternate Date (Conflicts exist)	22	23
24	25	26	27 Alternate Date (Conflicts exist)	28 SNC Board Mtg. (East)	29	30