

**Sacramento River Conservation Area Forum
Board of Directors Meeting
Minutes**

March 15, 2007
3:00 p.m.

Monday Afternoon Club
Willows, CA

Vice Chair Jim McKeivitt called the meeting to order at 3:00 p.m., followed by self-introductions. It was determined there was a quorum of voting members present (underlined).

<u>County</u>	<u>Public Interest</u>	<u>Landowner</u>	<u>Agency (non-voting)</u>
Butte	(Jane Dolan)	<u>Shirley Lewis</u>	
Colusa	<u>Gary Evans</u>	(Knutte Myers)	
Glenn	<u>John Amaro, Alt.</u>	<u>Don Anderson</u>	
Shasta	<u>Glenn Hawes</u>	<u>Dan Gover</u>	
Sutter	(Dan Silva)	(Russell Young)	
Tehama	<u>Ron Warner</u>	<u>Brendon Flynn</u>	
Yolo	<u>Lynnel Pollock</u>	<u>Marc Faye</u>	
Resources Agency	<u>Jim McKeivitt</u>		
DWR			Glen Pearson
DFG			Sandy Morey
State Reclamation Board			(Lady Bug Doherty)
USFWS			Catrina Martin
USCOE			Frank Piccola
Bureau of Reclamation			(Basia Trout)

Names listed in parentheses represent absences

SRCAF: Manager Burt Bundy, Assistant Ellen Gentry, Resource Conservationist Beverley Anderson-Abbs

Other identified attendees: James Moller, DeAnza Ramirez Consulting; Kelly Masters, URS Corp.; Dena Gibbons, Public Relations Consultant; Casey Ganskie, Colusa County RCD; Dan Efseaff, River Partners; Kim Davis, Senator Aanestad's office; Gregg Werner, TNC; Denny Bungarz, SRCAF Advisory Council Chair; Ashley Emery, Family Water Alliance (FWA); Jeff Sutton, Colusa canal Authority; TAC Chair Ajay Singh, Glenn County RCD; Pal Sandhu, DWR; Deborah Condon, DWR; Loren Murray, DWR/URS Corp.; Mike Inamine, DWR; Aric Lester, DWR; Bruce Ross, DWR.

1. Unscheduled matters

There were no unscheduled matters at this time.

2. Consent Calendar

Ron Warner moved to adopt the minutes of the January 18, 2007 meeting, seconded by Glenn Hawes. Motion passed by unanimous vote. The Executive Committee notes were accepted by consensus.

3. Report, Discussion and Possible Action for Good Neighbor Policy

GNP Committee Chair Brendon Flynn summarized the GNP draft's circulation to over 500 parties beginning with a 60 day request for comments April 2006, a GNP Public Meeting August 9, 2006, a

request for comments in September 2006 (none received) and the January 30 request for comments. In August, 13 comments were received and in January an additional eight comments were received. A last minute comment faxed yesterday was unable to be considered, but was similar to others already considered. Marc Faye moved to approve the GNP, seconded by Dan Gover. Discussion followed.

Gary Evans reviewed a statement which he asked to be read into the minutes (see attached). Alternate John Amaro said there was nothing solid in the draft for landowner assurances, particularly regarding buffer zones or language for levees to be cleared.

Brendon noted the SRCAF doesn't exist solely for landowners, but must be balanced from all neighbors including agencies and non-profits. Discussions were held in the past regarding change of use. This policy document helps to guide good practice for all projects that would otherwise move forward regardless.

Marc Faye agreed, reporting he enjoys substantial riparian habitat on his land. The mission of the Forum and the intent of legislation are going to happen; the public at large wants it. It depends on the SRCAF to have good faith. Marc added that the Board has already been criticized for taking too much time on this policy.

Lynnel Pollock felt it was time to move on, and the policy can be changed and worked on in the future. SRCAF is not a regulatory body, but a non-profit organization – an entity to bring groups together. Tangible landowner assurances can only be implemented by counties, mostly land use authorities in charge of county government. This policy is a good start, stating suggestions to projects clearly, setting the framework and overview to build upon in order to make sure we are good neighbors when there are competing interests.

Glenn Hawes reported the policy gives us a place to make our case with agencies which have separate needs. As an on-going policy, it can be discussed at any time.

Jim McKeivitt reminded the group what projects were like before the Forum.

Gary Evans stated that there will be no more projects in Colusa County until we have implemented true tangible assurances, adding that Colusa County didn't want the State Park Recreation Area or boat ramp. He said, "If you want to continue the charade, you will do it without Colusa County."

Alternate John Amaro commented that it is good the Advisory Board has a voice in these projects; each project can be visited for criteria. Ag has first priority; you can't protect habitat from ag because land is protected for ag use. Any other use goes through a conditional use permit to protect ag land (i.e., buffer zone, fencing, etc.). Habitat restoration is different. John stated, "Protecting habitat from ag is ludicrous."

Shirley Lewis claimed this policy can be used as a weapon against us (landowners).

Gregg Werner related the document reflects what we can do now under existing law. If liabilities change, the document can too. The efforts of SRCAF and landowner assurances now require more communication, listening and coordination with neighbors. Buffers are viewed on an individual basis, because different buffers do different things. TNC's job of doing restoration has become more involved as a result.

Motion passed with three no votes: Gary Evans, Alternate John Amaro, and Shirley Lewis.

4. Agency Reports

Frank Piccolo, USACE, reported on Hamilton City. Survey crews are back on schedule and a board approved budget is anticipated. Ron Warner asked Frank about the Redamonti property. Frank said he would look into it.

Glen Pearson introduced DWR staff: Mike Inamine, Loren Murray and Deborah Condon. Mike gave a DWR Critical Erosion Repairs Status Briefing PowerPoint presentation. Background information included the system protecting 2.5 million people, two million acres of cultivated land, 200,000 structures, public trust resources, and water supply to two thirds of the state's population. The original 24 Critical Erosion repairs included 14 sites to be repaired by USACE and ten by DWR. Forty PL84-99 Rehabilitation Program repairs include Order 1 sites – protecting urban areas – with significant scour and erosion; 19 repaired by USACE, 13 repaired by Brannan-Andrus Island Local Maintenance District (BALMUD), and eight repaired by DWR. Seven Order 2 sites – protecting undeveloped areas – with high benefits cost ratio (B/C) include four repaired by DWR and three repaired by USACE. There are 341 deferred sites.

Efforts to protect the environment were reviewed. The levee repairs will incorporate environmental features to mitigate impacts including: protect and replant vegetation in water and on benches, include woody material to compensate for fish habitat impacts, avoid VELB habitat, and pre-survey for sensitive bird species such as Bank Swallow, Swainson's hawk, and burrowing owls. The goal is to work in partnership with landowners to secure access.

The agency contact group has been meeting on a monthly basis and will continue to have public meetings. One will be scheduled for April. This information will be made available to SRCAF, or you can email: leveerepair@water.ca.gov.

5. SRCAF Annual Report

Burt Bundy thanked the Board for the adoption of the GNP and understands and recognizes concerns. He noted that the Colusa Subreach Planning project is the only project SRCAF is participating in, and legal counsel's opinion is there would be a breach of contract if SRCAF dropped out of this contract. The policy is clear that SRCAF would not support project proposals for restoration or acquisition if the county's representatives opposed it, but this is a study project.

Annual Reports were included in the Board's packets. The report includes: history, collaboration, background report, the Board of Directors, activities and committee efforts, the SRCAF Work Schedule, map of projects, list of projects reviewed and the Advisory Council members. The report addresses required tasks. Burt complimented the staff on their efforts, in order to produce the report.

The Annual Report for the NPO will include, at a minimum, a summary of activities and expenditures the NPO has supported in the following categories: 1) Landowner incentives, including set asides, easements, levee, bank stabilization, flood control projects construction and maintenance, 2) Fee title land acquisition, 3) Habitat restoration, 4) Administration, 5) Trespass, 6) Education, and 7) Reimbursement of taxes to local government.

Gary Evans noted the Colusa Boat Ramp was new since Colusa County had "drawn the line in the sand." Beverly noted the Boat Ramp had been initially entered into Project Tracker by Pat Kittle (September 14, 2004 as Project Tracker #25 and updated January 11, 2006 as Project Tracker #122).

Burt stressed the importance of Board members reporting what is going on in their county, in order to help coordinate with the Forum. These individual reports should be included under "Agency Reports" on the Board agenda - "the time for agencies and others to give status reports, current activities and introduce new projects or proposals."

Jeff Sutton, Tehama Colusa Canal Authority, suggested that extra steps be taken before projects are sent to the Board for discussion. Burt noted that before any action is taken, notice is first given

to the TAC. Every project is included to the Board and sent out via email and regular mail 10 days prior to all meetings.

6. Board Committee Reports

Executive Committee

Committee Chair appointments will be made when Chair Russell Young returns.

March 30 is the deadline for applications submitted to CSUC. The Executive Committee will do interviews. The selection is hoped to be finalized by the next Board meeting. The target start date is June 4.

TAC Report and Recommendations

Ajay reported no actions were being requested by the TAC at this time. Tisdale Weir is going through the process of dredging a bypass to design capacity and looking at sites for mitigation. It was presented to the TAC in February. The SRCAF will make contact regarding the question of depositing silt.

The Sacramento River Restoration Science Conference is scheduled for April 9-10 at the Bidwell Park Room, Bell Memorial Union, at CSU Chico. Hosted by TNC and the SRCAF, the conference will highlight original research conducted to design, implement, and evaluate conservation actions and better understand Sacramento River ecosystem dynamics. To register, email jkarolyi@tnc.org.

DFG and USFWS representatives are working with the SRCAF to develop a federal Safe Harbor (SH) and a state Voluntary Local Program. A draft SH agreement was included in Board folders. Beverley Anderson-Abbs requested input from the Board with wording to address issues and ideas for species. The next SH meeting will be held in a couple of weeks.

7. Next Meeting Date and Location

The next meeting will be held May 17, 3:00PM, at the Monday Afternoon Club in Willows.

Statement of Gary Evans to the SRCAF Board Regarding the Landowner Assurances Policy

March 15, 2007

The "Landowner Assurances Policy," originated from the outcry of landowners and the need for landowner protections from the negative impacts as a result of environmental work done within the SRCA.

It is important to note here that the intent of the original legislation SB 1086 was to create a mechanism for landowners and the environmental communities to work out problems that kept arising. The legislation's intent was for these entities in conflict to get together and work out real solutions. A laudable goal, that has yet to be realized.

It is now 21 years later and environmental restoration projects continue to move forward without protections in place to mitigate the negative impacts that continue to burden neighboring landowners. We can all attest to the many hours over many years that have been spent attempting to establish a good neighbor policy, yet the language brought before this board today fails to provide any real tangible assurances or mitigation possibilities for the landowners within the SRCA.

This causes great frustration for myself and many of my fellow board members. This lack of progress and the failure of a good faith effort to address landowner concerns has caused us to lose valuable board members, as well as the willingness of counties and stakeholders to continue to support the SRCAF's mission. When our Forum receives Resolutions from Counties, Cities, Farm Bureau, and local land organizations stating they do not want restoration projects in their counties, **we have failed.**

It is time we stop playing games, it is time we stop giving the landowners lip service, it is time we stop acquiescing only to the environmental agenda, and it is time we stop reflecting in our newsletters and minutes that all is well, it is not. We are perpetrating fraud on the public by not reflecting openly and honestly the concerns and grievances within our Forum.

The Board and staff of the SRCAF have not done their part in advocating for real and tangible landowner assurances. It pains me once again to state that the current language as written is still nothing more than a policy paper outlining a process that will be set into practice on how the Forum will conduct itself. This language does nothing to provide true assurances for private landowners, while at the same time exempting State and Federal landowners from participating in local processes.

We have real possibilities for language, yet the agencies and the Forum have done little towards helping develop language, and at times thwarted such language. I have heard Mr. Bundy state many times that some solutions may need to be done through legislation. However, not once has this board directed Mr. Bundy and staff to work together with our legislators to educate them regarding these concerns, and to actively participate in shaping solutions that will help provide true landowner assurances. Instead of providing these assurances we have ran the other way saying we cannot advocate legislation. We have both federal and state legislators that understand our situation and are more then willing to assist us.

Having said this, I am here to propose that this current landowner assurances language should remain status quo as a white paper only. I recommend forming a new committee that is stakeholder driven, that will work out language for remedies that will help direct staff and this Forum towards providing real landowner assurances.

The SRCAF has forged a close working relationship with state and federal resources agencies and various environmental groups, who have said they share and support the SRCAF's mission. It is not only my hope that they will support our efforts, but they also support any legislation that may be necessary to implement tangible landowner assurances. Should this not be the case then I believe it will be very evident what the real intent is.

Sincerely,

A handwritten signature in dark ink, appearing to read 'G. J. Evans', written in a cursive style.

Gary Evans
Colusa County Supervisor
SRCAF Public Interest Representative