

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

January 28, 2010
3:00pm

Granzella's Banquet Center
Williams, CA

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). Names listed in parentheses represent absences.

County	Public Interest	Landowner	Agency (non-voting)
Butte	<u>Jane Dolan</u>	<u>Shirley Lewis</u>	
Colusa	<u>Gary Evans</u>	<u>Walt Seaver</u>	
Glenn	<u>Leigh McDaniel</u>	<u>Don Anderson</u>	
Shasta	<u>Glenn Hawes</u>	<u>Dan Gover</u>	
Sutter	<u>James Gallagher</u>	<u>Russell Young</u>	
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			Curtis Anderson
DFG			Sandra Morey
Central Valley Flood Control Board			(Lady Bug Doherty)
USFWS			Kathy Wood
USACE			Frank Piccola
Bureau of Reclamation			Buford Holt
SRCAF: Executive Director Beverley Anderson-Abbs, Resource Conservation Assistant Rob Irwin, and Administrative Assistant Ellen Gentry.			

Other identified attendees: Brian Fedora (Sutter County Landowner Representative appointee), Dan McManus (DWR); Dave Brown (CSU Chico); Stacy Cepello (DWR); Luana Kiger (NRCS); Scott Clemons (Riparian Habitat Joint Venture); Pat Kittle (Kittle's Outdoor & Sport Co.); Mike Urkov (NewFields); Kim Davis (Senator Aanestad's office); Pablo Garza (TNC); Gregg Werner (TNC); Aric Lester (DWR); Butch Hodgkins (CVFCB); Ashley Indrieri (Family Water Alliance); Koll Buer (DWR); Tom McCubbins (Tehama County RCD); Barbara LeVake (SVLA, Levee District 1 Board); and other conference attendees.

1. New County Appointed Board Members

New county appointed Board members Walt Seaver (Colusa Co.), Leigh McDaniel (Glenn Co.) and James Gallagher (Sutter Co.) were introduced and seated.

2. Election of Officers and Naming of Committee Chairs

Jane Dolan, Board Development Committee Chair, recommended the following Executive Committee appointments as determined by the Committee: Chair Brendon Flynn, Vice Chair Ron Warner, Secretary/Treasurer Jane Dolan, Past Chair Jim McKeivitt, Landowner Representative Shirley Lewis, Public Interest Representative Lynnel Pollock, and Agency Ex-Officio Sandy Morey. Glenn Hawes called to accept the Committee recommendations.

James Gallagher called for individual nominations. Marc Faye moved to accept Brendon Flynn as Chair, seconded by Glenn Hawes. Motion passed by unanimous vote.

James Gallagher nominated Leigh McDaniel for Vice Chair. A vote was taken. Ron Warner was accepted as Vice Chair, by an eight to six vote.

The positions for Jane Dolan as Secretary/Treasurer and Jim McKeivitt as Past Chair were accepted by acclamation.

Ron Warner moved to accept Shirley Lewis as Landowner Representative, Lynnel Pollock as Public Interest Representative, and Agency Ex-Officio Sandy Morey, seconded by Marc Faye. Motion passed by unanimous vote.

Jane Dolan noted that Committee Chairs are appointed by the Board Development Committee.

Russell Young stepped down from his position as Sutter County Landowner Representative. He was thanked by the Board for his many years of service. Brian Fedora was seated as the new Sutter County Landowner Representative.

SRCAF Executive Director Beverley Anderson-Abbs made a presentation on behalf of the Board to Past Chair Jim McKeivitt for his 2008-2010 service as SRCAF Board Chair.

Brendon Flynn pointed out the meeting sign in sheet, agenda, and past Board minutes available to those in attendance and noted that, as a 501(c)3 non-profit, the SRCAF Board is not required to follow the Brown Act or Robert's Rules of Order, and these meetings may be less formal.

3. Unscheduled Matters

Kim Davis pointed out that a request for an extension on the Safe Harbor comment period had been submitted and asked if it had been granted. Beverley Anderson-Abbs reported that the comment period had unofficially been extended following a discussion with Kathy Brown, USFWS Conservation Partnerships Program. Nothing has been heard officially but it may be re-opened for comment since the comment period had ended. The Programmatic Safe Harbor Agreement is in the hands of USFWS.

Lynnel Pollock moved to have staff write a letter on behalf of the Board, requesting an extension for an additional 30 days (to February 21). Gary Evans added that Colusa County Council spoke with Ms. Brown and he understood that with the way it was published, a comment period could be re-opened, but not extended. Brendon Flynn suggested the letter use the term "re-open". James Gallagher reported hearing concerns about Safe Harbor agreements with respect to private lawsuits, and felt there may be some uncertainty regarding take during planting or application afterward if species do come into new habitat. Lynnel Pollock's motion was seconded by Jim McKeivitt. Motion passed by unanimous vote.

Brendon suggested the Safe Harbor be agendaized for the March Board meeting for discussion. He added that since the SRCAF is sponsoring the program Board members should be comfortable. Sandra Morey offered to have a DFG representative at the March meeting to answer questions. Kathy Wood will also talk to Kathy Brown and bring information to that meeting.

Gary Evans expressed concern about the conference itinerary. In the November 5, 2009 Executive Committee notes, one suggestion for Wednesday's itinerary said "Panel discussion - landowners and environmental speakers (balanced)". Although this was not the format adopted, he felt that if you're a landowner not involved with this non-profit, it was not balanced. He said the future funding panel held on Thursday consisted of only agencies and NGOs. He also noted comments regarding federal and state agency representatives having a huge amount of knowledge – with no mention of landowners having knowledge, and the use of the word "opined" in past notes (Carolyn Penny's notes from Colusa Subreach Planning Project Advisory Workgroup, Draft Meeting Summary, April 3, 2006, removed in amended final notes prior to acceptance). He suggested these were subliminal messages and these thought processes should be changed as a start.

James Gallagher inquired about the note concerning tax returns being filed for zero amounts for the years 2006, 2007, 2008. Beverley reported that the two grants SRCAF functions under are contracted to CSU Chico Research Foundation, which hires staff and deals with finances and taxes for the grant funds. The

Forum, as a 501(c)3, is still required to file tax returns but does not actually have cash flow, hence the returns are filed indicating this. This was a subject of confusion from the beginning, and has since been corrected.

4. Consent Calendar

Glenn Hawes moved to adopt the minutes of the December 4, 2008 meeting, seconded by Jane Dolan. Motion passed with the abstention of Walt Seaver, Gary Evans, Leigh McDaniel, Brian Fedora, and James Gallagher.

Jim McKeivitt moved to adopt the minutes of the March 19, 2009 meeting, seconded by Ron Warner. Motion passed with the abstention of Walt Seaver, Gary Evans, Leigh McDaniel, Brian Fedora, and James Gallagher.

Marc Faye moved to adopt the minutes of the May 21, 2009 meeting, seconded by Jim McKeivitt. Motion passed with the abstention of Walt Seaver, Gary Evans, Leigh McDaniel, Brian Fedora, and James Gallagher.

Jim McKeivitt moved to accept the minutes of the December 4, 2008 Executive Committee meeting, seconded by Jane Dolan. Motion passed with the abstention of Walt Seaver, Gary Evans, Leigh McDaniel, Brian Fedora, and James Gallagher.

Ron Warner moved to accept the minutes of the June 4, 2009 Executive Committee meeting, seconded by Jim McKeivitt. Motion passed with the abstention of Walt Seaver, Gary Evans, Leigh McDaniel, Brian Fedora, and James Gallagher.

Lynnel moved to accept the minutes of the November 5, 2009 Executive Committee meeting, seconded by Jim McKeivitt. Motion passed with the abstention of Walt Seaver, Gary Evans, Leigh McDaniel, Brian Fedora, and James Gallagher.

5. Amendments to the SRCAF Bylaws

The SRCAF Bylaws were previously mailed in Board packets. There are no changes at this point and this was removed as an action item. A Committee will review any changes needed and report back to the Board.

Brendon reviewed this Board's need to have the ability to govern itself. As the process stands, counties have the right to appoint representatives for their county. Although it is important to maintain this local control, some members have not been in attendance because they are either not interested, or have concerns with the process. The Bylaws give the Forum the ability to remove a representative with cause. This has never been done and is not the intent of the Board. Nor is the intent of the Board to act on items in a county without members of the county present. If a member is not willing to attend, they remove themselves from the process, leaving the Board to struggle for a quorum. In order to move forward effectively, we need a quorum to get business done and to abide by concepts. Extended absences may require a removal and reappointment by the county, but there may be no reason to amend the Bylaws at this point.

Jane pointed out that these ideas go to the Board Development Committee before changing, and that it was an odd conversation to be having at this point since everyone is in attendance.

Gary suggested a discussion of the first sentence of Article 2, Section 1 ("The Corporation shall have a minimum of nine voting members, which shall include one 'at large' member and eight appointed by four participating counties.").

Shirley Lewis suggested adding "Director or their alternate" to Article 2, Section 7. Brendon suggested adding an amendment referencing "Director and/or his or her alternate". Glenn Hawes noted this has been discussed several times.

Jim McKeivitt commented that within the conservation area, BLM, State Parks, and the Forest Service have expressed interest in being included. It was suggested that we extend an invitation to these signatories, and recommended action they become ex-officio members of the Board. Modifying or amending the Board requires notifying the Advisory Council in advance. It was recommended they be given notice. Jane reported

there is no recommended amendment today, and we should ascertain their interest first. Brendon referred this to the Board Development Committee.

Brian Fedora asked about Article 4, Section 2 and receiving Annual Reports. Brendon explained that the Annual Report reviewing activities is provided, but CSUC Research Foundation manages revenues and disbursements during the fiscal year and our fiscal information is combined in their overall report. Staff keeps track of financial activity in order to balance with CSUC RF information and presents quarterly financial reports to the Board.

Lynnel asked about Article 5 and the E&O policy for the Board by CSUC RF, and requested all Board members have copies listed as insured.

James Gallagher noted that the third Thursday for SRCAF Board meetings doesn't work for him. He suggested the third Wednesday; however this didn't work for others. Brendon suggested preferred times be emailed to Ellen Gentry (egentry@water.ca.gov), and an email survey can be taken.

6. Amendments to the SRCAF Strategic Plan

The Strategic Plan was developed during planning sessions in 2003 and late 2007. Staff suggested adjusting dates out a year due to the funding freeze in 2009. Lynnel suggested an update be given on the Strategic Plan at a future Board meeting, then look at dates and extending it.

Lynnel asked about the wording change to the Mission Statement with the addition of "was established to coordinate implementation of the 1989 Plan and Handbook by ...". It was requested that staff prepare a presentation for the next Board meeting reviewing such changes and going over goals to determine what has been accomplished and which ones may need to be extended.

7. Board Member Reports

Jane Dolan reported on a California State Parks proposal for an RV campground along the river at the Singh Unit. Butte County had sent a 14 page comment letter noting that it was an inappropriate use in that area and would lead to problems associated with unofficial river float trips and possible homeless issues. She indicated there has been no response from State Parks. Beverley added that the Singh Unit is in Project Tracker, but not this particular aspect. Gregg Werner noted the Singh property is now only restoration and the RV park has been removed from the EIR following receipt of Butte Counties concerns. Beverley will have State Parks come to the Board meeting in March to clarify the components of this project.

Jim McKeivitt reported on an M&T scoping meeting to determine what is needed to remove the gravel stock pile from the ranch, in anticipation of the need to dredge the encroaching gravel bar this year. The next meeting is scheduled for February 4 which Jim and Beverley will both attend. Brendon added this is a perfect example of what the Forum can guide and direct. The City of Chico sewer outfall has been moved to avoid the encroachment of the gravel bar.

Leigh McDaniel reported that an entourage of officials will be going to Washington, DC to lobby for federal funding for the Hamilton City levee project. He commented that Safe Harbors are a concern of regional lands and that the supervisors had unanimously opposed the Cattleman's Agreement and would like to see some legal concerns worked out further.

Glenn Hawes gave a brief report on the Battle Creek project in Shasta County. The project includes removal of several dams that impede fish passage into Battle Creek, which will open up 40 miles of potential spawning habitat and improve cold water flow through the watershed. He also noted that he has mitigation banks for endangered species on his property and feels much of the concern about the Safe Harbor is misplaced.

James Gallagher reported Sutter County was embarking on a flood control project.

Ron Warner reported Battle Creek is pulling out five or six dams and discontinuing moving water from one fork to the other. Tehama County is working to get Senator Boxer and Congressman Herger to come together with bills to designate the 17,000 ac Bend district BLM as the Sacramento River National Recreation Area. Tehama County wanted some say on usage for grazing, horseback riding, hunting, etc.

Senator Boxer has given up 35 of 37 points of disagreement between the bills. The Forum voted to send a letter supporting the compatible bills for the designation in 2008. The Red Bluff Diversion Dam project is a big issue in Tehama County.

Lynnel Pollock reported that Yolo County has adopted their General Plan. There are no changes to land use within the Conservation Area. Developments are planned for the Knights Landing area. She also mentioned concerns about water holding in Fremont Weir and Yolo bypass under the Bay Delta Conservation plan.

Curtis Anderson, DWR, expressed appreciation for talks given by Deputy Director Mark Cowin and Ken Kirby during the SRCAF Board Renewal Conference. He briefly discussed the Northern CA Water Association's (NCWA) Integrated Regional Water Management Plan (IRWMP), and the Four Counties (now five counties involved) Plan. The two groups are now working together to develop a single IRWMP. DWR has been doing drought monitoring and information was made available. Curtis explained that Sites Reservoir will have three locations where water can be pumped to fill it, including the Tehama Colusa Canal and pipeline facility in Tehama County.

Frank Piccola, USACE, reported the Hamilton City project is at 90% design and needs the federal money to continue. The Sacramento River Bank Protection Project has nothing planned within the Conservation Area for 2010, however with recent rains, there may be erosion sites. DWR and the Corps are working under a cost share agreement and coordinating the CVFMP and Sac Bank work.

Buford Holt, Bureau of Reclamation, gave an update on Shasta Lake water resources and the "Glenn Colusa Irrigation District and the Holthouse and Colusa County Water Districts Long-Term Transfers of Central Valley Project Water in Support of the Colusa Generating Station Environmental Assessment". The draft EA has been available for review since December 30, 2009. Past attempts to transfer water rights have caused a significant challenge for the giant garter snake (GGS). Progress is being made valley wide regarding GGS, and congressional action is moving along.

Gary Evans, Colusa County; Jim McKevitt, the Resources Agency and Sandy Morey, DFG reported no new updates.

8. Activities

Beverley Anderson-Abbs gave an update on the SRCAF funding, which was restored beginning October, 2009. The hiring committee selected Robert (Rob) Irwin for the position of Resource Conservation Assistant, and Rob accepted and began work January 4, 2010.

An Incidental Take Permit was applied for following a unanimous vote by the SRCAF Board in March, 2008. The Draft Safe Harbor Agreement went to the Federal Register on December 21, 2009 for a 30 day comment period. USFWS reported receiving a request for an extension on the comment period. Safe Harbor discussions have been held for more than five years, including LAC, TAC and Board meetings; Grant applications, Public meetings, NRCS cluster meetings and DWR Flood maintenance meetings. The document has been available on the SRCAF website for comment.

Staff continues to coordinate and facilitate Project Team meetings for Kopta Slough/Woodson Bridge. The Hydraulic Analysis and Geomorphology Report have been completed and will be posted on the SRCAF website. Aric Lester, DWR, will finalize the Feasibility Study by February. DWR is interested in this project as mitigation for flood risk reduction projects; USACE is interested in the potential of rock removal as mitigation for future Sac Bank work; State Parks is interested in receiving the property for public access; Tehama County is interested in the protection of the base of Woodson Bridge, South Avenue and the Corning Sewer outfall. Updates will continue.

USACE completed the 90% plans for Hamilton City in October, 2009 and final plans will be made when federal funding is determined. Assuming federal funding, construction could begin mid 2011. SRCAF has provided a support letter for this project each year they lobby for funding. Staff recommends continuing to provide a support letter for funding the Hamilton City Project.

Staff have been attending meetings and providing comments for the Central Valley Flood Protection Plan as part of the Upper Sacramento Regional Workgroup. This plan is to be submitted to the Central Valley Flood Protection Board by January 1, 2012. Ken Kirby, Executive Advisor to DWR for the FloodSAFE Initiative, gave a presentation at the SRCAF Conference earlier in the day.

The three year Strategic Plan was updated early 2008 for calendar years 2008-2010. With the funding freeze that occurred for much of 2009, staff recommends amending the date to 2011 with potential minor changes. This will be addressed at the next Board meeting.

9. Kopta Slough Woodson Bridge Project update

Koll Buer, DWR, gave a PowerPoint presentation on the Fluvial Geologic Perspective of Woodson Bridge SRA, including various formations, historic meander belts, bank protection, and historic river channels and changes. The Proposed "Geomorphic" Project includes bank protection removal, no pilot channel, bank protection placement at the bridge and sewer outfall, and reduced erosion at WBSRA. He concluded his presentation with information regarding the removal of riprap, protecting bridge abutments and infrastructure as necessary, returning to "natural" meander, a no pilot channel, limiting liability and the return to riparian succession. His complete presentation can be found on the SRCAF website.

10. Hamilton City Flood Damage Reduction and Ecosystem Restoration

Gregg Werner, TNC, gave a PowerPoint presentation on the flooding situation at Hamilton City project development which included local community and farming interests engaging SRCAF, TNC, and other partners to help. Solutions include: a new 6.8mi levee, setting the levee back to accommodate floodwater displaced by the higher levee, restoring land between the setback and the river to riparian habitat, and a positive benefit/cost ratio. Benefits include: greatly increased flood protection for the city and surrounding farm land; no increase in flood levels across the river; 1,400+ acres of restored riparian habitat connecting 4,000ac of riparian habitat. Construction plans were completed in 2009 and, pending federal funding in the FY11 budget, construction is set to begin in 2011. His complete presentation can be found on the SRCAF website. Glenn Hawes moved to send a letter of support for this project, seconded by Jane Dolan. Motion passed unanimously.

11. Red Bluff Diversion Dam Fish Passage Improvement Project

Mike Urkov, Newfields, gave a PowerPoint presentation on the facility, its background, and the problem of impeding passage of ESA species and ESA concerns which have reduced "gates in" operations over the years limiting water availability to agriculture. The solution includes landfill excavation, bridge and siphon, pumps and motors, and a fish screen and forebay. Construction of all elements would be completed by September, 2012. His complete presentation can be found on the SRCAF website.

12. Next Meeting Date

The next meeting was tentatively set for March 18, pending information received from Board members regarding their third Thursday availabilities.

The remaining 2010 meetings are scheduled for May 20, July 15, Sept. 16, Nov. 18, pending Board availability.