Notice of Public Meeting

San Diego River Conservancy

A public meeting of the Governing Board of The San Diego River Conservancy will be held Friday,

> July 6, 2007 9:30 am – 11:30 am

Meeting Location

San Diego City Hall 202 "C" Street Closed Session Meeting Room, 12th Floor San Diego, California 92101

Tele-Conference Location SACRAMENTO: 1416 Ninth Street, Resources Agency Conference Room 1305 Sacramento, CA 95814--(916) 657-4105

The public is welcome to attend at either location.

Contact: Michael Nelson (619) 645-3183

Meeting Agenda

- 1. Roll Call
- 2. Approval of Minutes
- 3. Public Comment

Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged.

4. Chairperson's and Governing Board Members' Report

5. Executive Officer's Report

The following topics may be included in the Executive Officers Report. The Board may take action regarding any of them:

Legislative Status Report

- Proposed 2007/2008 Budget
- Senate Bill (Kehoe) No.419

2007 Work Plan

- Work Plan Status Matrix
- Old Town San Diego State Historic Park (site of former Caltrans Building)
- Hydrology Study

6. Deputy Attorney Generals Report

7. 2007 Work Plan / Multi Use Path /Fashion Valley to Qualcomm

8. Wetlands Recovery Project / Work Plan Proposals

- Invasive Removal and Restoration
- Land Conservation

9. Land Conservation / Acquisition Status

- Vernon Jacobs LLC / Mission Valley
- Hanlon Walker / Santee

10. Adjournment

Accessibility

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call Michael Nelson at 619-645-3183

EXECUTIVE OFFICER'S SUMMARY REPORT

Meeting of July 6, 2007

ITEM: 1

SUBJECT: ROLL CALL AND INTRODUCTIONS

EXECUTIVE OFFICER'S SUMMARY REPORT

Meeting of July 6, 2007

ITEM: 2

SUBJECT: APPROVAL OF MINUTES

The Board will consider adoption of the March 2, 2007

and May 11, 2007 public meeting minutes.

PURPOSE: The minutes of the March 2, 2007 and May 11, 2007

Board Meetings are attached for your review.

RECOMMENDATION: Approve minutes

SAN DIEGO RIVER CONSERVANCY (SDRC) Minutes of March 2, 2007 Public Meeting

(Draft Minutes for Approval May 11, 2007)

<u>Chairperson Donna Frye</u> called the March 2, 2007 meeting of the San Diego River Conservancy to order at approximately 9:30 a.m.

1. Roll Call

Members Present:

Donna Frye, Chair (City Council of San Diego)

Anne Haddad (Public at Large, Appointed by Governor)

Karen Scarborough (Secretary of Resources Designee)

Jim Peugh (Public at Large, Appointed by Senate)
Andrew Poat (Public at Large, Appointed by Governor)

Michael McCann (San Diego Regional Water Quality Board Designee)

Vince Brown (Deputy Director of Finance)

John Donnelly (Wildlife Conservation Board Designee)

Staff Members Present:

Michael Nelson, Executive Officer

Hayley Peterson, Deputy Attorney General

Ann Van Leer, Consultant, San Diego River Conservancy

Absent:

Jerry Sanders (Mayor, City of San Diego)

Toni Atkins (Public at Large, Appointed by General Assembly)

Mike Nelson announced that Norm Roberts submitted his resignation to the Governor because he was unable to attend meetings on Friday meeting dates. He also introduced the selection of Flenell Owens, as the new Administrative Services Manager for the Conservancy. Mr. Owens, who was in attendance, is a veteran of the United States Navy and a graduate of San Diego State University with a degree in Business Administration. He will begin on March 19, 2007. The Chair extended a welcome to Flenell from the Board.

2. Approval of Minutes

Andrew Poat made a motion to approve the minutes, which was seconded by Jim Peugh. The minutes were adopted unanimously.

3. Public Comment

Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged.

There were no public comments

Mike Nelson introduced Matt Rahn, Director of San Diego State University's Field Station Program and his assistant Kelsey.

Chairperson Frye asked others to introduce themselves. The following people were also in attendance:

Mark Weston (General Manager of Helix Water District)
Chuck Muse (President, Board of Directors, Helix Water District)
Michael Beck (Endangered Habitats League)
Rob Hutsel (San Diego River Park Foundation)
Steve Hill (Councilmember Toni Aitkin's office)

4. Chairperson's and Governing Board Members' Report

(No comments)

5. Executive Officer's Report

The following topics may be included in the Executive Officers Report. The Board may take action regarding any of them:

(a) Office Location

Mike Nelson announced that San Diego River Conservancy new office was open for business and that the new address was:

San Diego River Conservancy 1350 Front St. Suite 3024 San Diego CA, 92101

The Coastal Conservancy has successfully established data and telephone connections. His new e-mail address is: mnelson@sdrc.ca.gov.

The Executive Officer also announced that the auditorium in the basement would be available as an alternate site for meetings of the Board of Directors.

<u>Chairperson Frye</u> requested that an updated roster of the governing board be made available.

(b) Recruitment of Staff

<u>Mike Nelson</u> expressed his appreciation to Karen Scarborough for the assistance her staff has provided the Conservancy during the transition, as well as the efforts of the Coastal Conservancy's during the staff recruitment.

(c) Executive Officer Activities

2007 Work Plan Update

Mike Nelson first discussed the 2007 Work Plan that was approved at the January 19, 2007 Board Meeting. He stated his intention to provide updates at each meeting

He mentioned that at the last meeting following a discussion of regarding the lack of success the Conservancy had with the Public Works Board, Anne Sheehan and Karen Scarborough had encouraged him to strengthen its relationship with its partners and cultivate new ones in its efforts to raise the Conservancy's profile and establish a track record. He stated that he was proud that in attendance were its longstanding partners, but a new partner, San Diego State University's, Field Station Program

Land Conservation

Mike Nelson stated that the 2007 Work Plan referenced six properties in the City reach One property owner he had spoken with appeared anxious to work with the Conservancy and that a closed session might be necessary at a future meeting.

White Donation:

<u>Karen Scarborough</u> asked for an update on what actually occurred regarding the White donation with the White property donation.

<u>Karen Scarborough</u> explained that the Public Works Board had delayed taking action due to liability issues associated with the donation and the executor's desire for the family to continue to have access to the property.

Both the Public Works Board and the Department of General Services had recommended that the Conservancy discuss limiting the duration of the property owner's access. That discussion was initiated, but was a nonstarter with estate's executor. Since then, the executor withdrew his offer to the Conservancy.

Andrew Poat asked whether there is another approach to preserving the property than a State acquisition.

Mike Nelson offered that in addition to conversations with SDSU about hydrology and invasive species, SDSU may have a research purpose for the White property.

He acknowledged that Michael Beck of the Endangered

Habitats League continued to have conversations with the executor and asked him discuss the current status of the donation. Michael Beck indicated that originally the property owner, before dying, wanted to quickly donate the property to the San Diego River Park Foundation, but the prospect of a time consuming and costly subdivision mapping exercise with San Diego County, prompted him to approach the Conservancy. Michael Beck continues to be in communication with the executor and will keep the Conservancy posted on any progress

Legislative Matters:

2007-2008 Budget

Mike Nelson informed that Board of two legislative matters. The first dealt with the fact that the Governor had included in his 2007-2008 budget a 3-year Capital Outlay for the Conservancy of \$15 million to be allocated within the Urban Greening Program of Proposition 84. He advised that hearings had been scheduled for the 7th and 12th of March and that he would discuss it further during Agenda Item 7, which dealt with the Conservancy's Operating Budget.

SB 419

Mike Nelson stated that Senator Kehoe has been considering legislation that would improve the Conservancy's operation and raise its profile, and serve as a precursor to legislation that would remove the 2010 sunset provision that exists in the enabling statute. He advised that Senator Kehoe had introduced AB419 as "spot" legislation as a placeholder should she decide to introduce more substantive provisions.

<u>Chairperson Frye</u> asked what was the deadline for introducing substantive changes to "spot" legislation.

<u>Andrew Poat</u> explained what a "spot" bill is. He said that generally the substance of the bill should be added by April 1 and final substantive changes by June. The bill would typically go to the Governor in September.

<u>Vince Brown</u> reminded the Board that this is a 2-year session so it could become a 2-year bill.

<u>Chairperson Frye</u> stated that in her capacity as a councilmember she would be supportive of anything that would lead to greater funding for the Conservancy.

Assembly Member Lori Saldana

Mike Nelson advised that he had met with Assembly Member Saldana, who had expressed keen interest in the progress and success of the Conservancy. Mike stated that she had expressed a willingness to help. Also she spoke about the SDRC's ½ mile from the main stem boundary, which led to a discussion of the growing interest by citizens in protecting the canyons throughout the region and particularly those that led to the San Diego River.

Chairperson Frye questioned whether the focus should be on the ½ mile or even a mile from the main thread rather than a broad based approach like watersheds that would mirror the Coastal Commission and Regional Board.

<u>Chairperson Frye</u> said she would pursue this issue with Assembly member Saldana because it would increase visibility and capture additional stakeholders.

<u>Jim Peugh</u> suggested that it consideration could be given to ½ mile around tributaries.

Karen Scarborough inquired about need for jurisdictional definition.

<u>Deputy Attorney General Peterson</u> stated that a jurisdictional definition is preferable and could be drafted more broadly, using examples of Coastal Conservancy and others.

<u>Mike Nelson</u> said that he would add Canyonlands to the next Board's next agenda.

San Joaquin and Coachella Valley Mountains Conservancy Operations

The Board encouraged the Executive Officer at the previous board meeting to meet or interview Executive Officers from other Conservancies. Mike Nelson spoke with Melinda Marks at San Joaquin River Conservancy by phone, and met with the Executive Officer of the Coachella Valley Mountains Conservancy.

Mike Nelson said that San Joaquin River Conservancy has a 22-mile parkway management plan that the jurisdictions within the parkway have adopted as part of their General Plans. The practical impact of this approach is that the jurisdictions must at least consider formally the River Parkway Management Plan when decisions are made at the beginning of a project rather than the end.

Coachella Mountains and Valley Conservancy initially received no state appropriation when it was created. One of the ways it met its operating costs was to prepare was to serve as a consultant to local governments the hired them to create a habitat conservation plan for Coachella Valley. The Conservancy also had to wrestle with jurisdictional issue. Its boundaries as originally enact s because it included the mountain tops, but not the valleys. The boundaries of the habitat management plan became eventually became the boundaries for the Conservancy's jurisdiction.

Both Executive Officers said they try to stay at arms length from the land use decision-making process and let the non-profit contest permits and project developments.

Both Conservancies, though they work with a number of NGOs have a primary non-profit that they utilize most often to accomplish their objectives.

<u>Karen Scarborough</u> suggested that the Executive Officer also meet with the Sierra Nevada, Lake Tahoe and perhaps the Baldwin Hills Conservancies.

<u>Jim Peugh</u> inquired whether San Joaquin had been successful with the parkway plan and whether the jurisdictions use it.

John Donnelly said that the jurisdictions are using it. He also said that the first thing they look at is whether the project is part of the master plan. The County and City of Fresno and the City and County of Madera have bought into the plan, so they are able to get projects through and support for projects in those jurisdictions. So, it works very well.

Jim Peugh asked whether Department of Fish & Game, the Fish & Wildlife services, and Corp of Engineers participated in its creation.

<u>John Donnelly</u> replied that Fish & Game participated, but was not sure whether it made permitting easier, but at least all parties are aware of it, and projects that are inconsistent have a more difficult time.

<u>Mike Nelson</u> noted that the San Joaquin Conservancy takes title to property through the Wildlife Conservation Board (WCB), rather than the Public Works Board.

<u>Karen Scarborough</u> advised that this approach might be something to consider if legislation goes forward. It is because SDRC was connected to Coastal Conservancy that its acquisitions are reviewed

by the Public Works Board.

Hydrology Study

Michael McCann asked about the hydrology study and the Bureau of Reclamation. Mike Nelson stated that he had been in touch with the Bureau of Reclamation and they had met in San Diego to reactivate work on the Scope of the study and address the \$750,000 estimated cost. Though neither the Bureau nor SDRC had the sufficient funds to complete the study, both parties agreed that they had funds to begin the effort. SDRC expressed in the models ability to assist with location of restoration and recreational uses. SDRC asked the Bureau to revise the Scope of Work.

<u>Mike Nelson</u> also acknowledged that his predecessor had convened a meeting of stakeholders and that he would like to that group examine the revised Scope of Work before moving forward.

Mike Nelson said that his intentions was to ask Senator Boxer and Congresswoman Davis to consider a federal appropriation

<u>Jim Peugh and Michael McCann</u> would like to be involved with the hydrology study.

<u>Chairperson Frye</u> encouraged the Executive Officer to work with the Regional Water Quality Board because it has water quality monitoring reports available.

Jim Peugh and Chairperson Frye discussed the interrelationship between hydrology, water quality restoration and recreation. Jim Peugh is particularly concerned about the infrastructure near Interstate 5.

<u>Chairperson Frye</u> also mentioned that the City recently announced flood control planning and wondered whether there could be some coordination with the City that might benefit the SDRC study.

SDRC Message

<u>Mike Nelson</u> stated that he and Director Poat have discussed developing San Diego River Conservancy's message which defines the overarching purpose and mission and would develop a draft for the Board's consideration.

<u>Chairperson Frye</u> questioned the need to develop a message because she thought this was already captured in the 5-year Strategic Plan and suggested that Andrew Poat and Mike should first look at the Strategic Plan.

6. Deputy Attorney Generals Report

(No report)

Chairperson Frye asked when Statements of Economic Interest are due. Hayley Peterson stated that they are due this month. She said that she had met with Mike Nelson and suggested that a letter or email be sent to Board members as a reminder that the forms should be submitted to the Executive Officer so the forms could be forwarded by to the Fair Political Practices Commission by the April 2, 2007.

7. Review Proposed 2007 – 2008 Budget

Mike Nelson advised that the 2007-2008 Budget was now before the California General Assembly, that in addition to an increase in operating funds from \$296,000 to \$449,000, the Governor's budget proposal included a \$13.7 million Capital Outlay from the Urban Greening Program to be funded by Proposition 84. Mike Nelson thanked Karen Scarborough for her efforts. She reminded him that the Governor and Secretary Chrisman deserved the credit for these substantial increases. He also remarked that within the Capital Outlay is an appropriation for staff.

<u>Karen Scarborough</u> stated that support from the Board, citizens and stakeholders was critical.

<u>Chairperson Frye</u> asked if it would be appropriate to send a letter from the Conservancy in support of the proposed budget.

<u>Vince Brown and Karen Scarborough</u> agreed and explained that typically stakeholders also send letters.

<u>Chairperson Frye</u> asked the Executive Officer to draft a letter that she could send.

<u>Karen Scarborough</u> stated it would be appropriate to mention that every Conservancy, but SDRC received a line item in Proposition 84 and that the proposed budget corrects this anomaly.

Andrew Poat pointed out that Prop 84 items are one time appropriations. He also asked about the increase from \$500,000 to \$2.745 million and who would do the work. The Executive Director responded that SDRC will spend the funds directly or pass them through to stakeholders.

<u>Vince Brown</u> explained that a detailed plan must be prepared before funds are spent. The Department of Finance will require front end accountability, as well as back end accountability through audits. If

voters are going to approve future bonds, previous appropriations must be utilized. The Executive Director interjected that a single potential acquisition could far exceed the amount available.

Andrew Poat asked whether the Executive Officer was confident that the Conservancy would have the capability to handle the expenditures. Mike Nelson responded affirmatively, especially since the Capital Outlay included funding for additional staff.

<u>Ann Van Leer</u> inquired whether the accountability requirement for Proposition 84 could utilize the existing 5-year plan. Would there be different plan requirements.

<u>Vince Brown</u> stated the accountability requirements would be different and insist on much greater detail. He referred to the Caltrans article in the Union Tribune about front, mid and post accountability.

<u>Ann Miller Haddad</u> sought clarification about the Conservancy's staffing and that the SDRC currently has 2 positions and Proposition 84 would fund a third.

Jim Peugh asked who the third person would be.

<u>Mike Nelson</u> stated that the position was a Program Analyst, Level II and that recruitment would follow existing State personnel hiring procedures.

<u>Karen Scarborough</u> moved to accept budget with comments and incorporate help from stakeholders to get letters out. Director Haddad seconded. The motion was approved unanimously.

8. Authorizing a River Parkways Grant for the Removal of Invasive Non Native Plants in the San Diego River

The Board may consider adoption of Resolution 07 – 2 supporting an application by the San Diego River Conservancy or San Diego State University to the Resources Agency for a River Parkways Grant to fund the removal of invasive non-native plants from the San Diego River.

The Executive Director stated that the proposed Resolution is to allow the San Diego River Conservancy (SDRC) to move forward with a new partner, San Diego State University to remove invasive species in the headwaters of El Monte Valley. This project is found in both the Strategic and the Annual Work Plan. He stated that the Conservancy would like to begin the removal of invasive, non-native plants in headwaters of the River. He added that Ann Van Leer had made preliminary contacts with property owners in the area and that this action would allow SDRC to provide funds to San Diego State University (SDSU) to do the work.

Ann Van Leer stated that the properties are public owned, one by City of San Diego and one by Forest Service, totaling about 600 acres. The Forest Service land should be handled with an amendment to an earlier MOU. The City will need to secure the necessary approvals.

Mike Nelson introduced Matt Rahn, the Director of SDSU's Field Station Program. Matt stated that the Field Station Program was established in 1962 and currently comprises 4 properties: Mission Trails Park on Fortuna Mountain, Tijuana Estuary and two others, totaling approximately 10,000 acres. The purposes of the program are research, education, and outreach. They are trying to find local opportunities to bring SDSU and its students to the City, closer to campus, which makes the River ideal. This project would engage the Soil Ecology Restoration Group on campus. He stated that this project will be considered a research project.

<u>Jim Peugh</u> asked how much of the contract will be for mapping and how much for actual removal?

Ann Van Leer stated that the mapping would be for the two properties totaling roughly 600 acres at the base of the El Capitan dam.

Michael Beck He stated that a comprehensive plan is needed for the River; however as much as 80% of mapping had been accomplished.

Matt Rahn added that the University's interest is not just in the removal of invasives, but also in determining what is likely to happen in future. This would provide a type of early warning detection system after removal.

<u>Andrew Poat</u> asked that once the goal is accomplished, how do you maintain the results.

Anne Van Leer stated that we have proposed to the City that Proposition 40 would pay for conservation easement on City property, revenues that could become endowment for maintenance. Under Prop 40, property owner must agree to 25-year maintenance.

<u>Vince Brown</u> asked how much remains in Prop 40, and how much competition for the remainder?

Ann Van Leer stated that this amount is earmarked for SDRC. \$7 million had been allocated, \$5 million remaining. Of the \$5 million, about \$2 million already encumbered through resolution approved by the Board, these two items would obligate the remaining, \$3 million that is left.

<u>Karen Scarborough</u> asked whether the resolution should specify that it is the earmarked portions.

Ann Van Leer stated that this is the standard resolution the Conservancy has used working closely with Resources Agency

<u>Ann Miller Haddad</u> moved to adopt resolution, which was seconded by Andrew Poat. The motion was approved unanimously, with Karen Scarborough abstaining.

9. Authorizing a River Parkways Grant for the Hanson Pond Property Acquisition

The Board may consider adoption of Resolution 07- 3 supporting an application by the San Diego River Conservancy or the Endangered Habitats Conservancy to the Resources Agency for a River Parkways Grant to provide funding for the acquisition of the Hanson Pond property.

The Executive Officer stated that this item as well as the previous item was would encumber all remaining funds available to the Conservancy. He emphasized that the work of San Diego River Park Foundation has been central to SDRC and that this resolution would provide assistance with the acquisition of the Hanson Pond, which will be a major restoration project.

Michael Beck stated that the El Monte Valley is approximately 7½ miles from the base of the dam to Wildcat Canyon Rd and that he has been working with the Helix Water District on the middle section. Hanson Pond is 145 acres, due west of Helix golf course footprint. Many partners are involved in the project and the negotiations with Hanson. He stated that he was looking to complete the approximately \$5.5 million acquisition this year. The Endangered Habitats League (EHL) will likely hold fee title. He stated that he had secured about \$2.5 million, but still needs \$3.5 million to finish. He remarked that the Coastal Conservancy is interested in helping, but not willing to donate more than the local conservancy.

<u>Chairperson Frye</u> asked how much funding is sought by this action. Mike Nelson responded that it will probably be about \$1 million, but will depend on negotiations with EHL.

<u>Ann Van Leer</u> stated that the resolutions historically have not had dollar amounts; however, by end of the month, the Executive Officer will need to allocate all funds.

Andrew Poat asked if we can include the language that has 'an amount up to".

<u>Ann Van Leer</u> stated it that it had been the Conservancy's practice to allow the Executive Officer the flexibility to move funding among the

projects the Board had previously approved. Karen Scarborough stated that this practice may have been allowed for these previously allocated funds, but that this would not be the case for future funding.

Andrew Poat made a motion to adopt Resolution 07-3, amended to specify that the Executive Director is authorized to commit funds available in Prop 40 River Parkway Funds specifically set aside for the San Diego River for the purpose of accomplishing this resolution, but that grant totals would be approved for any new appropriations. It was seconded by Jim Peugh and passed unanimously with Karen Scarborough abstaining.

Ann Haddad and Andrew Poat moved and seconded a motion to amend Resolution 07-2 to be consistent with Karen Scarborough's statement regarding Board approvals of existing set asides, but requiring grant total for Board actions for any new funding the Conservancy should receive. It also was approved unanimously.

10. Adjournment

The meeting was adjourned at 11:20. The next meeting of the Board of Directors is May 11, 2007.

Accessibility

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call Michael Nelson at 619-794-2038

Resolution No: 07-2 RESOLUTION OF THE BOARD OF THE SAN DIEGO RIVER CONSERVANCY

APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE RIVER PARKWAYS GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the State Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a resolution certifying the approval of application by the applicant's governing board before submission of said application to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the project

WHEREAS, the Governing Board of the San Diego River Conservancy finds the application for the **Removal of Invasive Non-Native Plants in the San Diego River** to be consistent with the Conservancy's Five Year Strategic and Infrastructure Plan, especially Program 3, Project 1, *Remove Invasive Non-Native Plants and Restore the Land.*

NOW, THEREFORE, BE IT RESOLVED that the San Diego River Conservancy Board of Directors

- 1. Approves the filing of an application for the **Removal of Invasive Non-Native Plants in the San Diego River** by the San Diego River Conservancy or San Diego State University;
- 2. Certifies that the San Diego River Conservancy understands the assurances and certification in the application form; and
- 3. Certifies that the San Diego River Conservancy has or will have sufficient funds to operate and maintain the project; and
- Certifies that the San Diego River Conservancy has reviewed and understands the Special and General Provisions contained in the Sample Project Agreement shown in the Procedural Guide; and
- 5. The Executive Officer is authorized to determine and approve the total amount of River Parkways Grant Program (Proposition 40) funding for which the San Diego River Conservancy will seek for the purposes of this resolution and project.
- Appoints the Executive Officer as agent for the San Diego River Conservancy to conduct all the
 negotiations, execute and submit all documents including, but not limited to applications,
 agreements, payment requests and so on, which may be necessary for the completion of the
 aforementioned project.
- 7. The Executive Officer will include a total dollar amount for all subsequent projects and resolutions that the Board of Directors may be asked to consider in the future.

	of March 2007. I, the undersigned, hereby certify that the duly adopted by the San Diego River Conservancy's Board of
Following Roll Call Vote:	Ayes: Nos: Absent:
Michael J. Nelson, Executive Officer San Diego River Conservancy	

Resolution No: 07-3 RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO RIVER CONSERVANCY

SUPPORTING THE APPLICATION FOR GRANT FUNDS FOR
THE RIVER PARKWAYS GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR,
SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 BY THE
SAN DIEGO RIVER CONSERVANCY OR THE ENDANGERED HABITATS CONSERVANCY

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the State Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a resolution certifying the approval of application by the applicant's governing board before submission of said application to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the project

WHEREAS, the Governing Board of the San Diego River Conservancy finds the application for the **Acquisition of the Hanson Pond** as consistent with the Conservancy's Five Year Strategic and Infrastructure Plan, especially Program 1, Project 1.2, *Conserve 500 Acres in the El Monte Valley.*

NOW, THEREFORE, BE IT RESOLVED that the San Diego River Conservancy Board of Directors:

- 1. Approves the filing of an application for the **Acquisition of the Hanson Pond** by the San Diego River Conservancy or the Endangered Habitats Conservancy;
- 2. Certifies that San Diego River Conservancy understands the assurances and certification in the application form; and
- 3. Certifies that San Diego River Conservancy has or will have sufficient funds to operate and maintain the project; and
- 4. Certifies that San Diego River Conservancy has reviewed and understands the Special and General Provisions contained in the Sample Project Agreement shown in the Procedural Guide; and
- 5. The Executive Officer is authorized to determine and approve the total amount of River Parkways Grant Program (Proposition 40) funding for which the San Diego River Conservancy will seek for the purposes of this resolution and project.
- Appoints the Executive Officer as agent for San Diego River Conservancy to conduct all the
 negotiations, execute and submit all documents including, but not limited to applications,
 agreements, payment requests and so on, which may be necessary for the completion of the
 aforementioned project.
- 7. The Executive Officer will include a total dollar amount for all subsequent projects and resolutions that the Board of Directors may be asked to consider in the future.

	of March 2007. I, the undersigned, hereby certify that the duly adopted by the San Diego River Conservancy's Governing
Following Roll Call Vote:	Ayes: Nos: Absent:
Michael J. Nelson, Executive Officer San Diego River Conservancy	_

SAN DIEGO RIVER CONSERVANCY (SDRC) Minutes of May 11, 2007 Public Meeting

(Draft Minutes for Approval July 6, 2007)

<u>Chairperson Donna Frye</u> called the May 11, 2007 meeting of the San Diego River Conservancy to order at approximately 9:50 a.m.

Roll Call

<u>Chairperson Frye</u> requested that Hayley Peterson swear in new board members, David King and Tom Sheehy. David King was sworn in as the new member representing the San Diego Regional Water Quality Board and Tom Sheehy representing the Department of Finance.

Members Present:

Donna Frye, Chair City Council of San Diego Jerry Sanders Mayor, City of San Diego

Anne Haddad Public at Large, Appointed by Governor

Karen Scarborough Resources Agency Designee

Andrew Poat Public at Large, Appointed by Governor David King San Diego Regional Water Quality Board

Tom Sheehy Department of Finance Designee
John Donnelly Wildlife Conservation Board

Staff Members Present:

Michael Nelson, Executive Officer

Hayley Peterson, Deputy Attorney General

Flenell Owens, Administrative Services Manager, San Diego River Conservancy

Ann Van Leer, Consultant, San Diego River Conservancy

Absent:

Toni Atkins Public at Large, Appointed by General Assembly

Jim Peugh Public at Large, Appointed by Senate

<u>Chairperson Frye</u> announced that Jim Peugh was in the hospital and not able to attend today's meeting.

3. Approval of Minutes

Andrew Poat had questions regarding the wording of amendments to Resolutions 07-02 and 07-03 that were referenced on the last page of the minutes. He expressed that he was having difficulty reconstructing what was done based on the language in the minutes.

<u>Mike Nelson</u> stated that it was his recollection was that Resolutions 07-02 and 07-03 authorized the Executive Officer to make application for Proposition 40 funds available to the SDRC with an amendment that future resolutions must include a reference to a total dollar amount for the project. It had been the Board's practice to approve resolutions endorsing the utilization of

Proposition 40 funds without a total dollar amount, however in the future, there must be a specific dollar amount for each project that the board would be asked to consider.

<u>Andrew Poat</u> stated that what minutes should say is that we were authorizing the executive officer to use all funds available, from Prop 40, for purposes of these projects.

<u>Karen Scarborough</u> agreed and stated that the minutes did not correctly reflect what she had specifically said. She clarified her statement to the Board as follows: "In the past, you had resolutions without dollar amounts, but in the future you would like to have dollar amounts on the resolutions"."

<u>Mike Nelson</u> suggested that he circulate a revised resolution that incorporates this clarification.

<u>Andrew Poat</u> agreed and asked that the Board defer approval of the minutes until the next meeting.

4. Public Comment

Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged.

Rob Hutsel, Chair of the San Diego River Coalition and Executive Director of the San Diego River Park Foundation testified that the Coalition had a meeting in April regarding the problem of trash and illegal encampments in Mission Valley. The Eastern Police Division requested the meeting. SDRC's Executive Officer was in attendance. Two issues arose that perhaps the Conservancy could help. The first issue was the clean up of property managed by the Department of Fish and Game. Secondly, a large property that is owned by the Water Department of the City of San Diego.

Also, the Coalition unanimously supported SB 419. One thing that came up during their deliberation was that it was important to include all local jurisdictions on the Board and the inclusion of the City of Santee merits consideration in the future.

He also reported that River Days was approaching, that more than 30 organizations were participating this year and there would be 36 different activities. They distributed 85,000 brochures; a great way to get the word out about the Conservancy as one of its partners.

<u>Chuck Muse</u>, President Board of Directors, Helix Water District testified that his board had authorized the general manager to execute a Memorandum of Understanding between the U.S. Forest Service and the Helix Water District to grant a right of entry permit to the San Diego River Conservancy.

5. Chairperson's and Governing Board Members' Report

Chairperson Frye acknowledged that Assembly Member Lori Saldana was in the audience.

<u>Chairperson Frye</u> stated that a 2000 survey of Mission Bay Park concluded that the middle of the San Diego River was considered "land". She announced that there will be an ordinance

coming before the City Council on Monday that will incorporated a definition in the Municipal Code that the middle of the San Diego River is considered to be "water". She remarked that this had been a 10-year mission and goal for her.

<u>Mike Nelson</u> requested to that the Board consider taking Item 8, Canyonlands Presentation, out of order.

7. Deputy Attorney Generals Report (No report)

8. Canyonlands—Presentation

<u>Chairperson Frye</u> introduced Assembly Member Lori Saldana, Eric Bowlby, and Andy Spurlock for the presentation.

<u>Mike Nelson</u> wanted to establish the context for the presentation. He stated that he met with Andy Spurlock and later with Assembly Member Saldana regarding Canyonlands and jurisdictional issues affecting Conservancy; and the Board had encouraged him to bring a presentation on the subject.

Assembly Member Lori Saldana introduced the Canyonlands Presentation She stated that the cost of land is so prohibitive and funding so scarce that we must focus on economical approaches to protecting the San Diego River Valley, which also promote a sustainable future and water quality in the region. She explained that we have this very large watershed and we are very focused on the main stem of river and the lands immediately adjacent, but the fact is that many more people live in areas that connect to the river by virtue of our canyons. I have found that citizens in Assembly District 76 love their open space, and they love their canyons. Everyday they are making the connection between open space and the water quality of Mission Bay, and our coastal beaches. I think it is a very easy connection to build on. So that people understand when you take care of your backyard canyon, you are really taking care of the river and all of the other watersheds that are connected.

So, because the land is perhaps more affordable in these outlying areas and they have a tangible connection to the water quality of the river, my suggestion is that we work with the Canyonland's folks and look at land that can be acquired. I think that it is very important that the Canyonland program be included as one of the River Conservancy's projects.

She introduced Andy Spurlock and Eric Bowlby. Andy conducted a power point presentation which traced the history of planning efforts in the Region that have emphasized the importance of the San Diego River and a strategy to protect the Region's Canyons, he used excerpts from Kevin Lynch's Temporary Paradise, the City of San Diego's River Park Draft Master Plan and the San Diego River Conservancy's Strategic Plan to illustrate this conclusion.

Eric Bowlby conducted a power point presentation that described the Sierra Club' successful San Diego Canyons Campaign, He discussed the projects activities in various Canyons and the tremendous support it has received from the general public and the communities that border them.

(Links to these presentations can be obtained by contacting the San Diego River Conservancy)

<u>Mayor Sanders</u> thanked Senator Kehoe for working with the City on a legislation (SB373) and announced that he will be forwarding to the Council a recommendation to dedicate 6600 acres of designated open space, an initiative his staff and Senator Kehoe had developed.

Karen Scarborough asked would this be done within the Kehoe bill or separately?

<u>Mayor Sanders</u> answered that it would be accomplished within the Kehoe bill, which will make it much less expensive than the process used to be, and that was why he was so grateful for the Senator's efforts. He added that many of the acres are within the canyons that were described in today's PowerPoint presentations. He mentioned that he had a list of them, including the 32nd Street Canyon.

<u>Mayor Sanders</u> further stated that it had been interesting to see the spin on this issue from people that were telling the community that he would be selling those canyons, when actually he was dedicated them as open space. He said that anything the City was selling had already been developed as commercial property, or is vacant, or residential lots. Any sale would not involve canyons.

In fact, we would go even further to protect and to dedicate them, instead of just having them as designated open space.

Mayor Sanders thanked Senator Kehoe again for providing a vehicle that allows the City to dedicate open space in a less expensive way.

<u>Eric Bowlby</u> testified that the Sierra Club had submitted a letter supporting Senator Kehoe's SB 373. Moreover, that there was a list of designated open space parcels that was submitted to the Natural Resources and Culture Committee in November. The list was contained in the Civic Solutions Canyonlands presentation to the committee. Some 17,000 acres have been designated open space and have been approved for dedication. We are anxious to see all of those eventually within a measure that will protect these canyons.

<u>Mayor Sanders</u> stated that this is also what he is interested in doing. The first 6600 acres have already been put into the process and that over a period of time, when the surveying and all of that has been done, he will move forward on as many as he can, and expedite the process.

Eric Bowlby thanked the Mayor.

Andrew Poat asked Eric Bowlby what is the greatest opportunity for SDRC to collaborate on this?

<u>Eric Bowlby</u> stated that they would like to have some funding to get students involved in the canyon restoration projects, which would take a great deal of staff time and coordination.

<u>Karen Scarborough</u> stated that the presentation sounded like a good initiative, without having the benefit of viewing the slides.

<u>Chairperson Frye stated</u> that the pictures are amazing. She asked that Eric and Andy provide the presentations to Karen and Tom so that they may see what the Board saw. She also requested that the presentations be sent to Mike Nelson so he could forward them to anyone who was interested in them.

<u>Chairperson Frye</u> stated that she was thrilled with the Mayor's announcement today. It is one of the best things that she could hope to see happen.

<u>Eric Bowlby</u> reiterated how happy he is to see the dedication process move forward. He recalled that when he was asked how the Conservancy could help he wanted to state that in addition to the support of this legislation, perhaps the Conservancy could also support the concept of a San Diego Region Canyonland Park

9. Review Proposition 13 and 40 Grants—Financial Report

<u>Mike Nelson</u> stated that this item was a follow up to a statement he made at the last board meeting regarding project commitment and obligation for all funding that had been allocated to the San Diego River Conservancy. Ann Van Leer prepared the matrix that was in their packets. It was a project-by-project analysis of the financial obligation, the source of funding, and the status of the project.

<u>Andrew Poat</u> said that he was delighted to see this report. He also wanted to know the status of projects in the current year's work plan. He also asked if there was anything the Board should be doing to support projects contained in the report?

<u>Ann Van Leer</u> replied that each of these projects has their own life and I think all of you are doing different things to help move them along. The report from Helix Water District referred to two of the listed projects, San Diego River Gorge Phase 1 and 2. Phase 1 is the trail and Phase 2 is the trailhead improvements; land tenure issues complicate both, but we are working our way through them.

<u>John Donnelly</u> asked what e amount of funds had been leveraged by the 12 million dollars that have been committed to these projects.

Anne Van Leer replied that she would like to go back and calculate the totals.

<u>John Donnelly</u> stated that he is also on the San Joaquin River Conservancy Board and they have managed to match 50% of all fund expended for restoration and acquisition projects.

10. Event Marketing/Public Outreach

<u>Mike Nelson</u> stated that he would like to begin a program of event marketing and public outreach that would directly relate to the projects listed in the financial status report that had been distributed. As each of these projects emerges in some phase of completion, he said it was his intention to have an event or formal announcement to market SDRC's accomplishments. Brent Eidson and Rob Hutsel had discussed with him opportunities for this to be done. In fact, at dedication of the Eagle Peak acquisition could be one of the first, followed by the commencement of construction of the Ocean Beach bike trail by the City.

The Executive Officer also stated that he had included in their Board packets a Program for River Days. He indicated that being a sponsor of this event had put the name and programs of the Conservancy on a mailing that reached 85,000 people.

6. Executive Officer's Report

The following topics may be included in the Executive Officers Report. The Board may take action regarding any of them:

Legislative Status Report

Senate Bill (Kehoe) No. 419

<u>Mike Nelson</u> stated that a Senate hearing had occurred for SB419. He reminded the Board that a provision in this legislation would expand the Conservancy's jurisdiction to include its tributaries; a change in the enabling statute that would make it possible for SDRC to become involved with the canyonland proposals and projects. He further reported that County Supervisor Jacob, Mayor Sanders and the San Diego River Coalition had written letters in support of SB 419.

He noted that the addition of a representative from San Diego County created a voting imbalance among state and local members that was of real concern to both the Resources Agency and the Department of Finance. He stated that the Resources Agency had recommended that the problem be resolved by adding another member to the Board, the Department of Parks and Recreation.

<u>Tom Sheehy</u> stated that the Department of Finance is in opposition to the bill unless amended, stating that the Bill as written would remove the Governor's majority, which the Department could not support.

<u>Karen Scarborough</u> stated that she had a conversation with Anne Sheehan about adding an additional member and that she felt that the Department of Finance would probably look kindly upon this option.

<u>Diana Spehn</u> stated that the Senator Kehoe has submitted an amendment to include a representative from State Parks. That is going through the process.

<u>Chairperson Frye</u> asked Tom Sheehy would that proposed amendments satisfy the issues you have raised?

<u>Tom Sheehy</u> stated that it sounds like it. We certainly would look forward to seeing it when it is in print and would be happy to report back to you.

Proposition 84

<u>Andrew Poat</u> asked what is the status of Proposition 84? Do we have any potential?

Mike Nelson replied affirmatively, but indicated that the Proposition 84 funding SDRC was seeking remained in the Governor's Budget and constituted an allocation within the Urban Greening Program, which could be found in Chapter 9 of the Proposition. He advised that the funding was vulnerable and was complicated by the fact that there were a number of organizations expressing keen interest in the Urban Greening Program and that SDRC had be stricken from implementing legislation for the program. He said the Deputy

Secretary for Legislation at the Resources Agency was aware of these developments.

2007 Work Plan Update

Old Town San Diego State Historic Park (site of former Caltrans Building)

<u>Mike Nelson</u> stated that one of the items on the Work Plan was investigate the disposition of the former Caltrans site in Old Town. He reported that he had met with Ronie Clark, the District Supervisor for Parks and Recreations that they discussed opportunities to link visitors to Old Town State Park to the River and its history. A second meeting occurred with Deanna Spehn to discuss funding for the acquisition of Caltrans property.

11. Adjournment

The meeting was adjourned at 11:30. The next meeting of the Board of Directors is July 6, 2007.

Accessibility

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call Michael Nelson at 619-645-3188

EXECUTIVE OFFICER'S SUMMARY REPORT

Meeting of July 6, 2007

ITEM: 3

SUBJECT: PUBLIC COMMENT

PURPOSE: Any person may address the Governing Board at this

time regarding any matter within the Board's authority which is not on the agenda. Submission of information in writing is encouraged. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Presentation times may

be reduced depending on the number of speakers.

EXECUTIVE OFFICER'S SUMMARY REPORT

Meeting of July 6, 2007

ITEM: 4

SUBJECT: CHAIRPERSON'S AND GOVERNING BOARD

MEMBER'S COMMENTS

PURPOSE: These items are for Board discussion only and the Board

will take no formal action.

EXECUTIVE OFFICER'S REPORT Meeting of July 6, 2007

ITEM: 5

SUBJECT: **EXECUTIVE OFFICER'S REPORT**

The following topics may be included in the Executive Officers Report. The Board may take action regarding any of them:

Legislative Status Report

- Proposed 2007/2008 Budget
- Senate Bill (Kehoe) No.419

2007 Work Plan

- Work Plan Status Matrix
- Old Town San Diego State Historic Park (site of former Caltrans Building)
- Hydrology Study

San Diego River Conservancy Proposition 13 and 40 Status Report as of 6/25/07

Land Conservation	Funding	Grantee	Amount	Funds Leveraged	Status	Strategic Plan	2007 Work Plan
Eagle Peak Preserve Phase 3 acquisition	Prop 40	SDRPF	\$527,000	\$258,000	Project submitted	Yes	Yes
El Monte Flume Properties	Prop 40	SDRC	\$1,000,000	TBD	Project in refinement	Yes	Yes
Hanson Pond acquisition	Prop 40	EHC	\$1,521,000	\$4,050,000	Project submitted	Yes	No
*CALMAT acquisition	Prop 40 and Prop 13	Lakeside RPC	\$4,200,000	\$12,000,000	Project completed	NA	NA
*Eagle Peak Preserve Phase 1	Prop 40	SDRPF	\$175,000	\$55,000	Project completed	NA	NA
Land Conservation Subtotals:			\$7,423,000	\$16,363,000	220%		
Recreation and Education	Funding	Grantee	Amount	Funds Leveraged	Status	Strategic Plan	2007 Work Plan
Lakeside River Park Trail	Prop 40	Lakeside RPC	\$203,000	\$260,000	Project approved and underway	Yes	No
San Diego River Gorge Phase 1	Prop 40	SDRC	\$127,204	\$63,440	Project approved and underway	Yes	No
San Diego River Gorge Phase 2	Prop 40	Ramona Trails Assoc.	\$354,900	\$84,442	Project submitted	Yes	No

San Diego River Conservancy Proposition 13 and 40 Status Report as of 6/25/07

Ocean Beach Bike Path	Prop 40	City of SD	\$2,000,000	\$550,000	Project Approved and Underway	Yes	No
Recreation and Education Subtotals:			\$2,685,104	\$957,882	36%		
Natural and Cultural Resources Preservation	Funding	Grantee	Amount	Funds Leveraged	Status	Strategic Plan	2007 Work Plan
Invasive Exotic Mapping and Removal	Prop 40	SDSU SDRC	\$1,391,896	TBD	Project in refinement	Yes	Yes
*Mission Valley Preserve	Prop 40	City of SD	\$500,000		Project approved and underway	Yes	Yes
Natural and Cultural Resources Subtotal:			\$1,891,896	\$0	0%		
Water Quality/ Natural Flood Conveyance	Funding	Grantee	Amount	Funds Leveraged	Status	Strategic Plan	2007 Work Plan
No Prop 40 Projects at this time.							
Water Quality Subtotal:			\$0	\$0			
Grand Total:			\$12,000,000	\$17,320,882	144%		
	NA- Projects approved and completed before the Strategic Plan * Project completed prior to FY 2007						

EXECUTIVE OFFICER'S REPORT

Meeting of July 6, 2007

ITEM: 6

SUBJECT: **DEPUTY ATTORNEY GENERAL'S REPORT**

This item is for Board discussion only and the Board will

take no formal action. (Hayley Peterson)

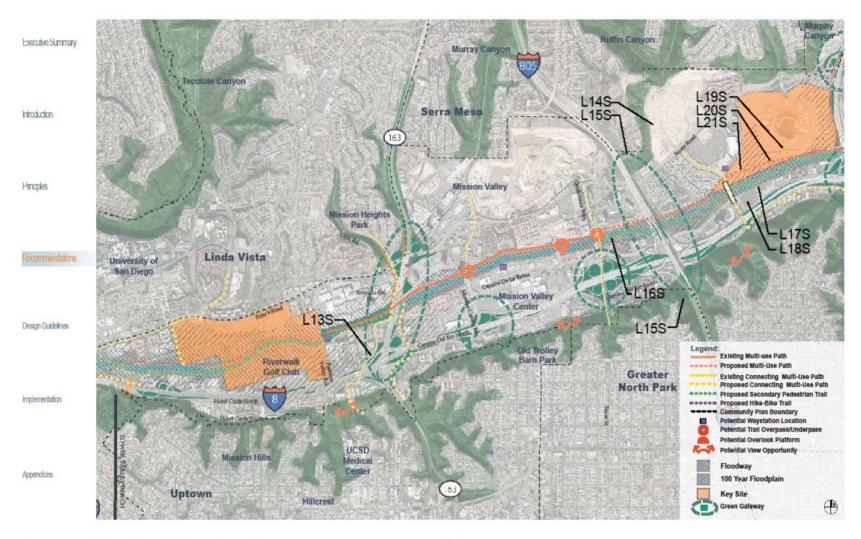
EXECUTIVE OFFICER'S REPORT

Meeting of July 6, 2007

ITEM: **7**

SUBJECT: 2007 Work Plan/Multi Use Path/Fashion Valley to

Qualcomm



EXECUTIVE OFFICER'S REPORT Meeting of July 6, 2007

ITEM: 8

SUBJECT: Wetlands Recovery Project/ Work Plan Proposals

• Invasive Removal and Restoration

• Land Conservation

Project Name: San Diego Watershed Riparian Restoration Program

Type of Project: _ Acquisition _ Planning \underline{X} Restoration/Enhancement

Project summary: The San Diego River Conservancy has initiated a watershed based

invasive non-native plant control program on the San Diego River Watershed. Initial baseline mapping has been completed, watershed based permitting is being initiated, and funding for implementation of control and restoration is being developed. Over 329 acres of high priority invasive plant species have been mapped in riparian areas that need to be controlled and replanted. Arundo, tamarisk, palms, and pampas grass are the bulk of the acreage, but non-native trees are also in abundance. All of these species degrade habitat

quality and pose a significant fire and flood risk.

Location: County: San Diego

Watershed: San Diego River Watershed

State Senate District (#): 36, 39

State Assembly District (#): 66, 76, 77, 78

Acreage: Total acreage of project area: >329 acres of invasive non-

<u>natives</u>

Acres of existing (pre-project) wetland habitat: 6,642 acres

Acres of post-project wetland habitat: 6,971 acres

Feet of stream corridor (if applicable): 100 miles (52 river & 48

stream)

Budget Summary: Total project cost: \$5,100,000 (estimate based on

mapping)

Funding secured to date: \$1,675,000 (River Parkways, Fed:

DoD)

Funding reg/under review: \$ 975,000 (Helix Water District)

Funding gap: \$ 2,450,000

Contact Information:

Name: Michael Nelson

Organization: San Diego River Conservancy

Address: 1350 Front Street- Suite 3024, San Diego CA 92101

Telephone: 619-645-3183 Fax: 619-238-7068

Email: mnelson@sdrc.ca.gov Website: http://sdrc.ca.gov/

Proposal prepared by: Michael Nelson	Title: Executive Officer
Signature:	Date:

2007 WRP WORK PLAN PROPOSAL SUMMARY

1. Project Name:			
2. Type of Project (check only one):	X_Acquisition Planning Restoration/En	hancement
Diego River Conserva of its partners; secure emphasis on those pr	ancy. A program thates and acquire key properties that provide	of the land conservation t compliments the land properties in all reaches to a linkage to state locate continuous 52 mile ripar	conservation activities of the River with any al federal open spaces,
4. Location:	State Senat State Asser	n Diego San Diego River te District (#):36, 39 mbly District (#):66,76,7 essional District (#):	7,78
5. Acreage:	Acres of exi	ge of project area: <u>150</u> isting (pre-project) wetlesst-project wetland habit am corridor (if applicab	and habitat: <u>6,642 acres</u> at: <u>6,971 acres</u> .
6. Budget Sumr	Funding sec	cured to date: quests under review:	\$ 73.274,000 \$ 6,402,000 \$ 13,500,000(3yr) \$ 53,372,000
7. Contact Infor			
Name:	Michael Nelson	_	
Organization:	San Diego River C		
Address:	1350 Front Street,		
	San Diego, CA 92	<u>101</u>	
Telephone:	(619) 645-3183		
Email:	mnelson@sdrc.ca.g	gov	
Website (if availab	ole): http:// sdrc.ca.g	jov/	

8.	Proposal prepared by: Michael Nelson	Title: Executive Officer	
9.	Signature	Date	

EXECUTIVE OFFICER'S REPORT **Meeting of July 6, 2007**

ITEM: 9

SUBJECT: Land Conservation/Acquisition Status

• Vernon Jacobs LLC/Mission Valley

Hanlon Walker/Santee

