

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,

November 9, 2007
9:30 am – 11:30 am

Meeting Location

San Diego City Hall 202 "C" Street
Committee Room, 12th Floor
San Diego, California 92101

Tele-Conference Location: 1416 Ninth Street
Resources Agency Conference Room 1305 Sacramento, CA 95814
(866) 673-2851 / Passcode 3486949

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:

2008 Meeting Calendar

Status Report

- 2008 Work Plan
- Senate Bill (Kehoe) No.419

2007 Work Plan Update

- Bike Path
- Eagle Peak
- Mission Valley Preserve
- Land Conservation
- Hydrology Study
- Wetlands Recovery Project Work Plan

6. Deputy Attorney Generals Report

7. City of San Diego - Project Review – Inter Agency Coordination (Brent Eidson)

The Board will hear a presentation from the City of San Diego concerning its projects along the river. The Board may consider authorizing the executive officer to pursue specific actions with the City to implement the Conservancy's Strategic and Infrastructure Plan within the City of San Diego.

8. SDRC Invasive Non-Native Species Control and Re-vegetation Program (Ann Van Leer – Jason Giessow)

The Board will receive a presentation on a program to control invasive non-native species and enhance native species along the river. The Board may consider authorizing the Executive Officer to seek additional funding to implement the program.

9. San Diego River Gorge Trail – Phase Two

The Board will consider approval of a revised Resolution 06-14 to assign SDRC as lead agency for Phase Two of the River Gorge Trail improvement project, replacing the Ramona Trails Association.

10. San Diego River Trail – Riverford Road Trail Project

The Board will consider affirming and authorizing submittal of a Proposition 50 grant and Resolution (07-10) to implement improvements to .95 miles of the San Diego River Trail. The project includes construction of a trail and a trail crossing under the Riverford Road Bridge in the community of Lakeside.

11. 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.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of November 9, 2007

ITEM: 1

SUBJECT: **ROLL CALL AND INTRODUCTIONS**

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of November 9, 2007

ITEM: **2**

SUBJECT: **APPROVAL OF MINUTES**

The Board will consider adoption of the September 28, 2007 public meeting minutes.

PURPOSE: The minutes of the September 28, 2007 Board Meeting are attached for your review.

RECOMMENDATION: Approve minutes

SAN DIEGO RIVER CONSERVANCY (SDRC)
Minutes of September 28, 2007 Public Meeting

(Draft Minutes for Approval November 9, 2007)

Chairperson Donna Frye called the September 28, 2007 meeting of the San Diego River Conservancy to order at approximately 9:34 a.m.

1. Roll Call

Members Present:

Donna Frye, Chair	Council Member, City of San Diego
Karen Scarborough	Resources Agency
Anne Sheehan	Department of Finance
Toni Atkins	Council Member, Public at Large—(Arrived at 10:15 a.m.)
John Donnelly	Wildlife Conservation Board
Jim Peugh	Public at Large
Anne Haddad	Public at Large
David King	San Diego Regional Water Quality Board
Andrew Poat	Public at Large—(via phone at 10:25)

Staff Members Present:

Michael Nelson,	Executive Officer
Hayley Peterson,	Deputy Attorney General
Ann Van Leer,	Consultant, San Diego River Conservancy
Flenell Owens,	Administrative Services Manager

Absent:

Jerry Sanders	Mayor, City of San Diego
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2. Approval of Minutes

Anne Sheehan made a motion to approve the minutes of the July 6, 2007 public meeting. The motion was seconded by Jim Peugh and adopted unanimously, with John Donnelly abstaining.

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.

4. Chairperson's and Governing Board Members' Report

There were no comments.

5. Executive Officer's Report

Legislative Status Report

2007/2008 Budget

Mike Nelson: stated that the Governor had signed the 2007/2008 Budget which contained a line item for the projects and programs of the San Diego River Conservancy of \$ 2,985,000. He said that these funds had been earmarked in the Coastal Conservancy's budget from its allocation of Proposition 84 funding for San Diego Bay and adjacent watersheds.

He also stated that the Conservancy's operating budget for FY 2007-08 was \$299,000. A very tight budget if you consider that roughly 55% is allocated for salary and benefits; 15% for Facilities/General Office Management; 10% for Pro Rata/Data Center Services; and, about 15% for Consulting Services.

Ann Sheehan said that if the Conservancy could demonstrate that its workload requires an increase in its operating budget, the Department of Finance could consider justifying an increase in future operating budgets.

Senate Bill (Kehoe) No.419

Mike Nelson: stated that Senate Bill 419 introduced by Senator Kehoe and co-authored by Assembly member Saldana had been enrolled by the California Legislature requiring only the Governor's signature to become law. This legislation will add two new voting members to the Governing Board, a member from the Board of Supervisors for the County of San Diego and the Department of Parks and Recreation. He also mentioned that the measure would allow the San Diego River Conservancy to pursue projects along the rivers tributaries.

2007 Work Plan

Mike Nelson gave a status report on the following SDRC's projects

- **Bike Path**
Bids have been received by the City of San Diego the amount of funds that had been appropriated for the project, and that it was conceivable that a contract would be awarded in October.
- **Eagle Peak**
The final property to be acquired is in escrow.
- **Land Conservation Opportunity/Santee**
An appraiser has been selected and approved by the property owner, a contract is being drafted, and the property owner will be in town in November to meet the appraiser.
- **Hydrology Study**
Mike Nelson stated that he was able to meet with the Regional Water Quality Board and representatives of the City of San Diego with the help of Board member David King. He also explained that there was general consensus among the parties that the Hydrology studies that the City and SDRC were pursuing could utilize the same baseline data.

- *Wetland Recovery Project*

The Conservancy had submitted formal proposals to the State Coastal Conservancy's for inclusion in the Work Plan for the Wetlands Recovery Project for the removal of invasives within the watershed and the acquisition SDRC was pursuing in Santee. He added that the Wildlife Conservation Board participates in the development of the Work Plan and also has funded some of its projects.

John Donnelly recommended that projects that the Conservancy might recommend to the Wildlife Conservation Board from the Work Plan or by direct submission first be reviewed by the Department of Fish and Game.

Strategic and Infrastructure Plan

Senate and Assembly Staff Analysis

Mike Nelson advised that the various committees and staff that considered SB 419 had scrutinized the Strategic Plan's \$164.5 million infrastructure estimate. There was a concern that expansion of the jurisdictional boundaries of SDRC would dramatically increase the infrastructure costs.

Union Tribune Article

Mike Nelson also stated that the infrastructure costs were the subject of lengthy discussions he was having with the Union Tribune regarding the value of the Conservancy and the disparity between the Strategic Plan's estimate of infrastructure costs and the allocation SDRC had received to date. As a consequence he was concerned that a critical article that may appear in the Union Tribune

Karen Scarborough stated that the Conservancy should not anticipate a negative article, and we should hope for a positive report.

Chairperson Frye stated that she has worked with Mr. Lee and she is optimistic that he will be fair with this piece.

6. Deputy Attorney General's Report (No report)

8. Proposition 50 Grant/ Mission Valley Greenway

The Board may consider adoption of Resolution 07-05 to authorize the Conservancy to apply to the Resources Agency for Proposition 50 funds for the development of a multi purpose trail from Fashion Valley to Qualcomm Stadium (Mission Valley Greenway).

Mike Nelson stated that the Governing Board had endorsed the Mission Valley Greenway Initiative that was presented by Kathy Keehan and Rob Hutstel as a priority during the July 6th meeting. He informed the board that there might be an opportunity for SDRC to work with the City of San Diego, the San Diego River Coalition, the San Diego County Bicycle Coalition and the River Park Foundation to apply for Proposition 50 funding for this project. The deadline for grant submittal is October 17th and would require a lot of work from Kathy, Rob, the Conservancy as well as the City of San Diego. He said that although the timing and logistics are very tight, he would like a resolution from the Board to submit with an application should the partners be able to pull one together.

Anne Sheehan asked how much will this project cost?

Mike Nelson stated that we do not know the actual costs because we don't know how much the City of San Diego has already invested in the Greenway, and how much more they plan to invest, so the partners can develop a realistic cost estimate for a project.

Anne Sheehan asked who would manage the project.

Mike Nelson responded by saying the City of San Diego will manage the project.

Karen Scarborough stated that because of her position with the Resources Agency, it has been the boards practice for her to abstain from voting on applications to the Resources Agency, even though she is not legally prohibited from voting.

Chairperson Frye stated that she would trail this item to see if the Board has a quorum later in the meet without Karen. She also stated that she would work with Lisa Gonzalez on her staff regarding the fiscal information that would be necessary to develop an application.

Anne Sheehan asked if approval of this resolution needed today.

Mike Nelson stated that he felt it was necessary, recognizing the October deadline for grant applications...

Chairperson Frye added the condition that the Proposition 50 funds should not be used in lieu of City of San Diego funds.

The Governing Board returned to this Item after Item 11. Ann Sheehan moved for the approval of Resolution 07-05 authorizing the Conservancy to apply for Prop 50 funds for the development of the Mission Valley Greenway. Karen Scarborough seconded the motion. The Board voted 6-0-1 (Karen Scarborough abstained due to potential conflicts with her position with the Resources Agency) to approve the motion.

10. San Diego River Park-City of San Diego Draft Master Plan/Potential Economic Benefits/Integrated Planning/Partnerships with Private Sector

The Board may consider adoption of Resolution 07-07 directing the Executive Officer to prepare a summary report that explores restoration projects and signature parks in other urban jurisdictions and the methodology employed to engage the private sector and the philanthropic community in these endeavors.

Mike Nelson stated that Governing Board is undoubtedly aware that other cities and urban jurisdictions have begun to make signature parks and urban river restorations among their top priorities. He added that his cursory review of some of these projects revealed that they are characterized by integrated planning that have successfully included community and economic development, transportation, flood protection, as well as, environmental, conservation and recreation objectives

He asked that he be allowed to investigate other projects and prepare a report for the Board on this subject. He mentioned that the City of San Diego's Draft Master Plan- San Diego River Park discusses these factors, but it is not completely clear how this goal will be achieved. The Executive Officer expressed a desire to contact other jurisdictions, with Andrew Poat's assistance, to ask about how they have been successful in integrating these factors.

Anne Sheehan stated that some national nonprofit organization, like Trust for Public Land, might have collaborated with urban jurisdictions on done similar projects.

Karen Scarborough stated that preparing a may be valid if it helps to find funding, but otherwise it may be unnecessary.

Anne Sheehan recommended that the Executive Officer look into using interns from local universities that can receive college credits for doing this type of work. She suggested using either students in environmentalist programs or law students.

David King recommended that the Executive Officer speak with Corky Wharton from the University of San Diego about the need for student assistance.

Chairperson Frye stated that the Resolutions should be reworded to state that the Executive Officer is authorized to enlist the assistance of students to assembly information regarding river restoration and signature park projects in other urban jurisdictions.

Karen Scarborough moved for the approval of Resolution 07-07 authorizing the Executive Officer to enlisted the aid of student assistants to assembly information that explore river restoration projects and signature parks in other urban jurisdictions. Ann Sheehan seconded the motion. The Board voted 5-0-3 to approve the motion.

11. Contracting Regulations

The Board may consider adoption of Resolution 07-08 directing the Conservancy to submit Draft regulations to the Office of Administrative Law for a SDRC selection process for Private Architectural, Landscape architectural, Engineering, Environmental and Land Survey and Construction Project Management Firms.

Mike Nelson stated that San Diego River Conservancy presently relies on the Coastal Conservancy for its procurement and contracting needs. In the event that the legitimate priorities and time constraints of the Coastal Conservancy might conflict with SDRC's, the San Diego River Conservancy should have the ability to select contracts for private architectural, landscape architectural, engineering, environmental, land surveying and construction projects management firms.

Jim Peugh stated that biologist and geologist should also be added to the list for potential contractors

Karen Scarborough moved for the approval of Resolution 07-08 authorizing the Conservancy to adopt attached draft Selection Process and directs staff to submit the draft Selection Process to the Office of Administrative Law and to comply with that Office's procedures for adoption of the Selection Process as a regulation. Ann Sheehan seconded the motion. The Board voted 7-0-1 to approve the motion.

7. Introduction of Jim King—Discussion of a potential Tributary and Canyon Project

The Board may consider adoption of Resolution 07-04 authorizing the Executive Officer to develop the framework for a project that would involve a tributary and a canyon of the San Diego River, as well as a report and recommendations for the Board's review and approval

Mike Nelson introduced Jim King as a new employee to the Conservancy. Jim was most recently a Senior Project Development Officer for the State Coastal Conservancy with over 25 years of state. He has been hired by the Conservancy as a Retired Annuitant to work 20 hrs a week as a Conservancy Project Development Analyst. He was active in a number of high profile San Diego projects such as Famosa Slough and the Tijuana Estuarine Research Reserve.

Jim King convey his excited in developing a project that would focus on the tributaries of the San Diego River, its canyons and the community's interested in their restoration. He stated that his method for project development is Adaptive Management or learn as you go and that he has visited many of the canyons and tributaries in San Diego such as:

- Ruffin Canyon and San Rock in Serra Mesa
- Alvarado/Adobe Falls, Navajo in the Grantville area
- Normal Heights/Kensington
- Mission Valley

Jim also stated that there are four criteria that should be used in selecting a Tributary and Canyon Project:

- Location of canyon/tributary of the San Diego River
- A connection can be made to a reach of the river.
- Public ownership in the canyon
- Active Community Association

Other standard criteria to consider are invasives, hydrologic connections and CEQA/NEPA regulations.

Toni Atkins stated that she was glad to see the Conservancy's focus on canyons.

Toni Atkins moved for the approval of Resolution 07-04 authorizing the Conservancy to develop the framework for a project that would involve tributaries and canyons of the San Diego River, as well as a report and recommendations for the Board's review and approval. Jim Peugh seconded the motion. The Board voted 7-0-1 to approve the motion.

Jim Peugh stated that we should make the word "tributary" plural throughout the Resolution.

9. 2008 Annual Work Planning Retreat/Invitation to Partners

The Board may consider adoption of Resolution 07-06 directing the Executive Officer to develop an agenda for a one-day planning retreat to draft a 2008 Work Plan; an agenda that will include the invitation and participation of the Conservancy's partners.

Mike Nelson stated that last year the Board embraced the concept of an Annual Work Plan as a way to measure accomplishments for the year. He said he had spoken recently with Andrew Poat about this matter and that he had expressed his desire to meet with the Conservancy's partners. Mike recalled

that Council member Atkins had expressed a similar sentiment at an earlier Board Meet. . He further stated that he had mentioned to the Chair, who encouraged that it be placed on the agenda for deliberation.

Chairperson Frye stated that her concern is that inviting partners will lead to partners setting SDRC's agenda. She recommended having the board retreat and then having a follow up meeting where partners could comment.

Andrew Poat stated that he felt that inviting partners would help us to focus. Also, he wanted to see how our various work plans coordinated. He agreed on not having our partners directing our agenda for next year.

Karen Scarborough stated that she views this item as two separate goals. One goal is setting the Work Plan and the other goal is getting together with partners to discuss our agenda.

Toni Atkins stated that she wants interaction with the Conservancy's partners. She stated that maybe we can request information regarding what our partners activities and objective in advance of the retreat.

Jim Peugh also recommended that we solicit input and recommendations from partners in advance of the retreat.

No action was taken on this item.

12. Adjournment

The meeting was adjourned at 11:15. The next meeting of the Board of Directors is November 9, 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 619-645-3183

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of November 9, 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.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of November 9, 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.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of November 9, 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:

2008 Meeting Calendar

Status Report

- 2008 Work Plan
- Senate Bill (Kehoe) No.419

2007 Work Plan Update

- Bike Path
- Eagle Peak
- Mission Valley Preserve
- Land Conservation
- Hydrology Study
- Wetlands Recovery Project Work Plan

Yearly Calendar

January 2008 - December 2008

January 2008 1

S	M	T	W	Th	F	Sa
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November 2008 11

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December 2008 12

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State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of November 9, 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*)

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of November 9, 2007

ITEM: 7

SUBJECT: **City of San Diego – Project Review – Inter Agency
Coordination (Brent Eidson)**

The Board will hear a presentation from the City of San Diego concerning its projects along the river. The Board may consider authorizing the executive officer to pursue specific actions with the City to implement the Conservancy's Strategic and Infrastructure Plan within the City of San Diego.

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State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of November 9, 2007

ITEM: 8

SUBJECT: **SDRC INVASIVE NON-NATIVE PLANT CONTROL
AND REVEGETATION PROGRAM FOR THE SAN
DIEGO RIVER**

PURPOSE: The Board will receive a presentation on a proposed program for invasive non-native plant control and re-vegetation for the river. The Board may consider authorizing the executive officer to seek additional funding to implement the program.

STRATEGIC PLAN
CONSISTENCY This item will help to implement Program 3, Project 1, *Remove Invasive Non-native plants, Restore and Manage the Land*, of the Five Year Strategic and Infrastructure Plan.

BACKGROUND: The San Diego River Conservancy's statute states, in part, that the purpose of the Conservancy is to "provide wildlife habitat and species restoration and protection, wetland protection and restoration, and protection and maintenance of the quality of the waters in the San Diego River.."

Invasive non-native plants and animals are one of the primary impediments to restoring and protecting the river's habitats and native species. Invasive non-native species displace native species by out-competing them and infesting areas that would otherwise support native species. Infestations of invasive non-native plants also reduce public safety in the river as dense stands of non-native plants have created hidden areas where illegal encampments have flourished. Encampments can become a base for criminal activities in surrounding

neighborhoods and increase fire risks associated with illegal campfires (ignition source). Arundo stands can burn any time of year, even when weather conditions are not favorable for fires (low humidity and no wind).

Many encampments in the San Diego River are located in areas infested with non-native Arundo, a giant reed that can grow skyward up to 25 feet and aggressively expands horizontally. Arundo displaces native riparian vegetation and provides poor habitat for native terrestrial insects and wildlife. It traps sediments and narrows flood channels, leading to erosion and over bank flooding. Arundo biomass can block stream flows particularly when large trees and Arundo form blockages that can cause flood flows to lift bridges off their pylons or even cause failure of the structure.

The San Diego River is heavily infested with non-native plants, especially in areas west of the El Capitan Dam, including Arundo and other invasive non-native plants such as tamarisk, non-native palms, landscape trees and pampas grass.

The abundance and diversity of native species in the river is reduced by infestations of non-native plants and animals. Especially affected in the river is the tiny least Bell's vireo, a small grey bird which is Federally Endangered. The vireo makes its home in riparian habitat and prefers to nest in low, dense, scrubby vegetation and is particularly dependent on corridors of habitat along rivers and streams. Infestations of invasive non-native species and fragmentation of habitat threatens the vireo reducing availability of native vegetation for nesting and foraging, and by creating small fringe populations, which are very vulnerable to localized extinctions contributing to large-scale range reductions.

While there have been limited geographically dispersed efforts to control invasive non-native plants along the river, most have been at such a small scale that their impact on the river's overall health is insignificant.

A large-scale river-wide systematic program, based on a comprehensive map of the distribution of non-native

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species will allow the control program to be initiated (including re-vegetation with natives), is proposed for the Governing Board's consideration. This river-wide systematic approach will combine a non-invasive native control and re-vegetation component with a parallel component to survey, band and monitor the least Bell's vireo throughout the river over a two year period. The program will later implement recommendations resulting from the knowledge gained from the least Bell's vireo surveying, banding and monitoring component.

In August, the Executive Officer submitted a proposal to the San Diego River Fund (Fund) to begin implementation of this program. The proposal requested funding for two inter-related tasks: (1) permitting and pre-grant work to leverage up to \$1.3 million in Proposition 40 funds to support control of non-native vegetation and re-vegetation with native species and (2) surveying, banding and monitoring of the least Bell's vireo and associated follow-up actions. The Fund agreed in October to support Task 2 and is still considering the request for Task 1.

THIS ACTION:

The action is for the Governing Board to hear a presentation regarding a comprehensive river-wide approach to reduce infestations of non-native species, enhance habitats for native species and protect the least Bell's vireo, an endangered species found along the San Diego River. The Board may consider authorizing the Executive Officer to enter into agreements to provide funding to support this program.

RECOMMENDATION:

Hear the presentation and support follow-up funding.

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State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of November 9, 2007

ITEM: 9

SUBJECT: **APPROVAL OF A REVISED RESOLUTION 06-14 TO ASSIGN THE SAN DIEGO RIVER CONSERVANCY AS LEAD AGENCY FOR PHASE TWO OF THE RIVER GORGE TRAIL IMPROVEMENT PROJECT, REPLACING THE RAMONA TRAILS ASSOCIATION**

PURPOSE: The Board may consider adoption of revised Resolution 06-14 authorizing the San Diego River Conservancy to file an application with the Resources Agency for the *San Diego River Gorge Trail Construction and Rehabilitation Project PHASE TWO- Trailhead Improvements*.

STRATEGIC PLAN
CONSISTENCY

This item will help to implement Program 2, Project 1.1 and 1.2 of the Five Year Strategic Plan, both projects concern improvements to the San Diego River Gorge Trail and trailheads. The San Diego River Gorge Trail provides access to the San Diego River Trail from the West in Ramona and the East near Eagle Peak and as such this project also supports Strategic Plan Program 2, Project 1, *Complete the San Diego River Park Trail*. The San Diego River Gorge Trail also serves as a portion of the Transcounty Trail, thus proposed improvements also help implement an important goal of our partner, San Diego County.

BACKGROUND: At the Conservancy Meeting of August 11, 2006, the Governing Board approved resolution 06-06 authorizing the Conservancy to apply to the Resources Agency for Prop 40 River Parkways funds for *Phase One* improvements to the River Gorge Trail including construction and rehabilitation of both the East and West trail segments totaling approximately 4.75 miles. That

grant was awarded and a grant agreement for \$127,204 (Grant Agreement 40720-05, April 10, 2007) between the San Diego River Conservancy and the Resources Agency is now in place.

At the Conservancy Meeting of October 13, 2006, the Governing Board approved resolution 06-14 in support of an application by the Ramona Trails' Association and/or the Forest Service to the Resources Agency for Prop 40 River Parkways funds for *Phase Two* improvements to the River Gorge Trail. While the primary purpose of the *Phase One* project is to make improvements to the trail, *Phase Two* focuses on improvements to the heavily used trailhead located at the top of the West San Diego River Gorge Trail in the San Diego Country Estates near Ramona.

At the time resolution 06-14 for the Ramona Trails/and/or Forest Service application was approved, the project area for the *Phase Two* improvements was located outside the San Diego River Area. Also at that time, the Forest Service NEPA analysis for the *Phase Two* improvements wasn't complete. Accordingly, at the time it appeared most prudent to advance the projects separately so the trailhead improvements wouldn't hold up the trail improvements as the trail improvements are considered most critical to improve public safety on this heavily used trail.

One of the first steps required for the *Phase One* project was to complete a CEQA analysis, a requirement of the grant. The Conservancy was able to secure the services of a pro bono CEQA specialist to develop the CEQA document. During this process and in conversations with the Resources Agency, we learned that the Ramona Trails grant would not be awarded until a CEQA analysis was also completed for *Phase Two*. We later learned that the Ramona Trails Association did not have the resources to advance the CEQA for *Phase Two*. Accordingly, we spoke with our pro bono CEQA specialist who volunteered to complete the CEQA analysis required for the trail *and* trailhead improvements in one CEQA document. That combined CEQA document is now in development.

There is another consideration since the Governing Board approved both the *Phase One* and *Phase Two* resolutions. SB 419 provides new authority to the Conservancy to work in the tributaries and the watershed if circumstances merit. Deputy Attorney General Peterson has advised that the new legislation plus her previous opinion (November 29, 2005) regarding the Conservancy's jurisdiction that suggested that when a project straddles the Area boundaries the decision to proceed is a policy call of the Governing Board, provides sufficient legal authority for the Conservancy to manage both phases of the River Gorge Trail Project.

What has occurred, in effect, is the *Phase Two* project caught up with *Phase One* project. In beginning the contracting process for *Phase One*, it has become clear that there are economies of scale associated with contracting and implementation if the phases can be combined into one project managed by one entity in coordination with the Forest Service.

The Ramona Trails Association is in agreement that the phases should be managed as one project and supports the Conservancy's application for *Phase Two*. The Association continues to be committed to providing in-kind assistance to support improvements to the River Gorge Trail.

THIS ACTION:

The action is for the Governing Board to approve revised resolution 06-14 authorizing the Executive Officer, working closely with the Forest Service, to submit an application to the Resources Agency for *Phase Two* of the River Gorge Trail Improvement Project, replacing the application of the Ramona Trails Association.

This project will install a trailhead facility to provide a public restroom, shaded picnic area, trash receptacle, and drinking fountain. The project will also improve an existing spur trail to a vista point to ADA standards and improve parking.

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The estimated budget for *Phase Two* trailhead improvements is shown below. In-kind costs include staff time provided by the Forest Service.

Component	Estimated Cost/Grant	In-Kind
Task 1) NEPA, CEQA, water and sewer, project development, project management and administration	\$92,375	\$74,910
Task 2) Site Prep	\$5,000	
Task 3) Materials	\$186,500	
Task 4) Construction	\$58,000	
Task 5) Other, including annexation to the Ramona Water District and Forest Service supervision	\$50,000	\$9,532
Subtotal	\$391,875	\$84,442
10% Contingency	\$39,187	
Total	\$431,062	\$84,442

Estimated Total Project Cost: **\$515,504**

SUPPORTING DOCUMENTS:

Revised Resolution 06-14.
SDRC Jurisdiction and Liability Memo, November 29, 2005
SB 419, Kehoe

RECOMMENDATION: Adopt Revised Resolution 06-14.

RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO RIVER CONSERVANCY
SUPPORTING THE APPLICATION FOR GRANT FUNDS BY THE
SAN DIEGO RIVER CONSERVANCY 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; and

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

1. Approves the filing of an application for the ***San Diego River Gorge Trail Construction and Rehabilitation Project PHASE TWO-Trailhead Improvements*** by the San Diego River Conservancy;
2. Certifies that applicant understands the assurances and certification in the application form, and
3. Certifies that applicant has or will have sufficient funds to operate and maintain the project; and
4. Certifies that applicant has reviewed and understands the Special and General Provisions contained in the Sample Project Agreement shown in the Procedural Guide; and
5. Appoints the Executive Officer as agent 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.

WHEREAS, the Governing Board of the San Diego River Conservancy finds an application to support *Phase Two* Improvements to the San Diego River Gorge Trail to be consistent with the Five Year Strategic and Infrastructure Plan of the San Diego River Conservancy, especially Program 2, Projects 1.1 and 1.2.

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

Supports the filing of an application by the San Diego River Conservancy for the ***San Diego River Gorge Trail Construction and Rehabilitation Project PHASE TWO – Trailhead Improvements***.

Approved and adopted the 9th day of November 2007. I, the undersigned, hereby certify that the foregoing revised Resolution Number 06-14 was duly adopted by the San Diego River Conservancy's Governing Board.

Following Roll Call Vote: Ayes: _____
 Nos: _____
 Absent: _____

Michael J. Nelson, Executive Officer
San Diego River Conservancy

Item 10

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of November 9, 2007

ITEM: 10

SUBJECT: **AFFIRMING AND AUTHORIZING A PROPOSITION 50, RIVER PARKWAYS GRANT APPLICATION AND RESOLUTION FOR THE RIVERFORD ROAD TRAIL PROJECT-SAN DIEGO RIVER TRAIL.**

PURPOSE: The Board may consider adoption of Resolution 07-10 authorizing the San Diego River Conservancy in partnership with the Lakeside River Park Conservancy, to develop the Riverford Trail Project.

STRATEGIC PLAN CONSISTENCY This item will help to implement Program 2, Project 1, *Complete the San Diego River Park Trail*

BACKGROUND: The Conservancy's enabling statute includes a statement directing the Conservancy: **"to provide recreation opportunities, open space,...and lands for educational uses within the area."** **"To provide for the public's enjoyment and to enhance the recreational and educational experience on public lands in the territory in a manner consistent with the protection of land and natural resources, as well as economic resources, in the area."**

The Conservancy's Strategic Plan includes in Program 2: Project 1.6, Complete at least 2 miles of trail in the Lakeside Reach

This grant will complete a .95 mile segment of the San Diego River Trail in the unincorporated community of Lakeside, providing new recreational opportunities including strolling, hiking, bicycling, and equestrian uses in the disadvantaged community.

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The project also helps achieve other recreational goals and objectives for the region and the Lakeside community. For example, the project has been included in several other planning documents. Those documents are The RiverWay Trails Plan: An Implementation Guide for Trails along the Upper San Diego River, the County Trails Program and the Community Trails Master Plan. The Lakeside Community Trails Plan also includes this trail. See appendix, *County Trails Master Plan*

The San Diego River Conservancy and the Lakeside River Park Conservancy were able develop a Proposition 50 Grant Application by the October 19, 2007 deadline. The Grant Guidelines provide that "a Resolution from the Governing Body may be submitted later, if the board meeting schedule prohibits obtaining a signed resolution before to the filing deadline". As a consequence the SDRC and the Lakeside River Park Conservancy are seeking the Governing Boards approval of Resolution 07-10 today.

THIS ACTION: The action is for the Governing Board to approve resolution 07-10 endorses the application to the Resources Agency for a Proposition 50 grant to construct .95 miles of trail along the San Diego River in the unincorporated community of Lakeside, implementing a portion of the 52-mile San Diego River Trail.

SUPPORTING DOCUMENTS: Resolution 07-10.

RECOMMENDATION: Adopt Resolution 07-10.

Resolution No: 07-10

RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO RIVER CONSERVANCY
APPROVING THE APPLICATION FOR GRANT FUNDS FOR
THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE WATER SECURITY, CLEAN
DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002 (Proposition 50)

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

WHEREAS, the 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(s) by the Applicants governing board before submission of said application(s) 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 grant funds for Proposition 50 consistent with enabling statute which directs the Conservancy: "to provide recreation opportunities, open space,...and lands for educational uses within the area."

WHEREAS, The Conservancy's Strategic Plan endorses the completion of the San Diego River Park Trail from the headwaters to the ocean, which includes in Program 2: Project 1.6, the completion the design, permitting and construction of 2 miles of trail in the Lakeside Reach of the San Diego River.

WHEREAS, The RIVERFORD ROAD TRAIL PROJECT is a component of the San Diego River Park Trail.

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

1. Authorizes the Executive Officer in partnership with the Lakeside River Park Conservancy to apply to the Resources Agency for Proposition 50 funds for the RIVERFORD ROAD TRAIL PROJECT.
2. Certifies that Applicant understands the assurances and certification in the application, and
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the Project(s) consistent with the land tenure requirements; or will secure the resources to do so, and
4. Certifies that it will comply with the provisions of Section 1771.8 of the State Labor Code regarding payment of prevailing wages on Projects awarded Proposition 50 Funds, and
5. If applicable, certifies that the Project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained, and
6. Appoints the Executive Officer, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, and payment requests and so on, which may be necessary for the completion of the aforementioned Project(s).
7. Appoints the Executive Officer as agent for San Diego River Conservancy to conduct all

negotiations, execute and submit all documents including, but not limited to applications, agreements, and payment requests and so on, which may be necessary for the completion of the aforementioned project.

Approved and adopted the 9th day of November 2007. I, the undersigned, hereby certify that the foregoing Resolution Number 07-10 was duly adopted by SAN DIEGO RIVER CONSERVANCY

Following Roll Call Vote: Ayes: _____
 Nos: _____
 Absent: _____

Michael J. Nelson, Executive Officer
San Diego River Conservancy