

**BOARD OF DIRECTORS MEETING**  
**PUBLIC SESSION MINUTES**

Sacramento, CA  
January 23, 2019  
1:00 pm – 2:15 pm

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**ATTENDANCE**

Association of California Water Agencies  
Director: Dave Eggerton - Present  
Alternate: Melissa Sparks-Kranz – Absent

California Department of Fish and Wildlife  
Director: Nancee Murray – Present  
Alternate: OPEN

California Farm Bureau Federation  
Director: Karen Mills – Present  
Alternate: Noelle Cremers – Present (until 1:45 pm)

California Forestry Association  
Director: Kirsten Kolpitcke – Present  
Alternate: George Gentry – Absent

California Hydropower Reform Coalition  
Director: Pete Bell – Present  
Alternate: Richard Roos-Collins – Absent

California Public Utilities Commission  
Director: Allison Brown - Present  
Alternate: OPEN

California Public Utilities Commission Appointed Public Members  
Director: Art Baggett Jr. – Present  
Director: David Muraki – Present  
Director: Chris Nota – Absent

California Natural Resources Agency  
Director: Wade Crowfoot – Absent  
Alternate: Brady Moss – Present

California Tribal Interests  
Director: Larry Myers – Present  
Alternate: Ken Tipon – Absent

Central Valley Regional Water Quality Control Board  
Director: Soapy Mulholland – Present  
Alternate: Bob Schneider – Present

Public Advocates Office  
Director: Truman Burns – Present  
Alternate: OPEN

Pacific Gas & Electric Company  
Director: Mike Schonherr – Present  
Alternate: Rebecca Doidge - Present

Rural County Representatives of California  
Director: Lee Adams – Present  
Alternate: John Viegas – Absent

State Water Resources Control Board  
Director: DeeDee D'Adamo – Absent  
Alternate: Jeffrey Parks – Present

Trust for Public Land  
Director: Dave Sutton – Absent  
Alternate: John McCamman - Absent

U.S. Forest Service  
Non-Voting Liaison: Jerry Bird - Absent

## **STEWARDSHIP COUNCIL STAFF**

Executive Director Heidi Krolick  
Director of Land Conservation Erin Healy  
Director of Finance and Operations Aaron Robertson  
Senior Project Manager Steve Schweigerdt  
Finance and Compliance Administrator Debbie Daugherty  
Office Administrator Robyn White

## **OTHERS**

Dave Bolland, past Board Member, Association of California Water Agencies  
Agnes Gonzalez, Chairwoman, Pit River Tribe (Tribe)  
Mickey Gemmill, Vice Chairman, Tribe  
Jaime Anguiano, Atsuge Representative, Tribe  
Charles White, Tribal Administrator, Tribe  
Russell Eleck, Land Coordinator, Tribe  
Gregory Feather Wolfin, Interim Environmental Director, and family, Tribe  
Raquel Davis, Tribe  
Sharmie Stevensen, Executive Director, Fall River Resource Conservation District (RCD)

Mike Millington, Board Chair, RCD  
Paul Vienneau, Executive Director, Shasta Land Trust (SLT)  
Nick Von Beroldingen, GIS Intern, SLT  
Tessa Blevins, Conservation and Projects Manager, SLT  
Megan Wargo, Director of Land Protection, Pacific Crest Trail Association (PCTA)  
Ricky Prows, Board Member, and family, Maidu Summit Consortium (MSC)

## **SUMMARY OF ACTIONS AND RESOLUTIONS TAKEN BY THE BOARD AT THIS MEETING**

- Adoption of the minutes of the November 15, 2018 board of directors meeting. (**Consent calendar item**)
- Approval of the proposed Land Conservation and Conveyance Plan (LCCP) for lands to be retained by PG&E at the Bucks Lake planning unit, which LCCP describes how the proposed transaction conforms to and fulfills the requirements of the 2003 Settlement Agreement and Stipulation; approval of the proposed conservation easement funding agreement in the amount of \$299,300 to the Feather River Land Trust.
- Approval of the proposed Land Conservation and Conveyance Plan (LCCP) for lands to be donated to the Pit River Tribe at the Hat Creek planning unit, which LCCP describes how the proposed transaction conforms to and fulfills the requirements of the 2003 Settlement Agreement and Stipulation; approval of the proposed conservation easement funding agreement in the amount of \$140,300 to the Shasta Land Trust. The board directs staff to work with the parties to modify the conservation easement as noted in the below minutes.
- Approval of the proposed Land Conservation and Conveyance Plan (LCCP) for lands to be donated to the Maidu Summit Consortium at the Lake Almanor (Maidu Trail) planning unit, which LCCP describes how the proposed transaction conforms to and fulfills the requirements of the 2003 Settlement Agreement and Stipulation; approval of the proposed conservation easement funding agreement in the amount of \$70,100 to the Feather River Land Trust.
- Approval of the proposed Land Conservation and Conveyance Plan (LCCP) for lands to be donated to the Maidu Summit Consortium at the Lake Almanor (Maidu Wetlands) planning unit, which LCCP describes how the proposed transaction conforms to and fulfills the requirements of the 2003 Settlement Agreement and Stipulation; approval of the proposed conservation easement funding agreement in the amount of \$138,200 to the Feather River Land Trust.
- Approval of the Pit River Tribe as the recipient of fee title to approximately 541 acres available for donation within the Hat Creek planning unit, 1,095 acres available for donation within the Lake Britton planning unit, and 1,506 acres available for donation in the Fall River Mills planning unit, subject to compliance with all of the requirements of the Land Conservation Commitment, including the following terms:
  - The Pit River Tribe provides a limited waiver of sovereign immunity to ensure that the land conservation easement and other agreements executed pursuant to the Land Conservation Commitment are enforceable.
  - The Pit River Tribe agrees not to petition the federal government to have the donated lands placed into federal trust.

- The board recommends that the Stewardship Council provide funding for future property tax obligations associated with this recommended donation.
- Approval of the Fall River Resource Conservation District as the recipient of fee title to approximately 450 acres available for donation within the Fall River Mills planning unit and 1,612 acres available for donation in the Burney Gardens planning unit, subject to compliance with all of the requirements of the Land Conservation Commitment.

## **ATTENDANCE AND QUORUM**

Stewardship Council board President Art Baggett called the roll, declared a quorum, and called the meeting to order.

## **CONFLICT OF INTEREST DISCLOSURES**

Mr. Baggett asked if any board members had a conflict of interest with regards to any of the proposed actions. None were disclosed.

## **PUBLIC COMMENTS**

Agnes Gonzalez, Chairwoman, Pit River Tribe, Gregory Feather Wolfin, Interim Environmental Director, (Tribe), were present and provided comments pertaining to the action involving the Hat Creek planning unit and the Shasta County fee title donee recommendations. Mickey Gemmill, Vice Chairman, Tribe, Paul Vienneau, Executive Director, (SLT), and Megan Wargo, Director of Land Protection, (PCTA) were present and provided comments pertaining to the action involving the Hat Creek planning unit. Ricky Prows, Board Member, MSC was present and provided comments pertaining to the action involving the Lake Almanor planning unit. Sharmie Stevensen, Executive Director, Fall River Mills RCD was present and provided comments pertaining to the action involving the Shasta County fee title donee recommendations.

## **CONSENT CALENDAR**

The board approved the consent calendar items as noted above in the summary of actions and resolutions taken at board meeting.

## **BOARD DEVELOPMENT COMMITTEE**

### ***Recognition of former board member Dave Bolland***

Mr. Baggett presented outgoing board member Dave Bolland with a plaque to thank him for his service on the Stewardship Council board and said it had been a pleasure to work with him. Mr. Bolland thanked the Stewardship Council and acknowledged the important work done by the board.

## **FIDUCIARY COMMITTEE**

Fiduciary Committee Chair, Truman Burns, reviewed the operating activities for the month ended November 30, 2018 included in the board packet. He noted year-to-date, expenditures totaled \$3,550,467 compared to a budget of \$10,650,857, a variance of \$7,100,391 below budget.

Mr. Burns noted primary drivers for the variance included transaction negotiations, conservation easement endowment payments, tax neutrality payments and enhancements all coming in below budget.

Mr. Burns then explained the investment account balance at the end of December was slightly more than \$35M noting \$2.3M had been earned over the last five years with half of that amount earned in the last two years.

## **WATERSHED PLANNING COMMITTEE**

Soapy Mulholland reviewed the purpose of the Watershed Planning Committee. She then turned the meeting over to Senior Project Manager Steve Schweigerdt.

### **Bucks Lake planning unit (ACTION)**

Mr. Schweigerdt reviewed the proposed Land Conservation and Conveyance Plan (LCCP) for the lands to be retained by PG&E at the Bucks Lake planning unit. The LCCP pertains to the retention of 2,164 acres of land by PG&E and includes the proposed conservation easement (CE) recommended to be held by Feather River Land Trust (FRLT) and the proposed CE funding agreement in the amount of \$299,300.

Mr. Schweigerdt said that public comments had been received on the LCCP and shared with the board, including substantial comments from Rick Frey and Bill Nicholau. He explained staff and PG&E have provided a written response to the comments and would like to have a follow up phone call. Mr. Frey and Mr. Nicholau have not been available but staff will continue to pursue the phone call to discuss the specific comments and questions presented. The Bucks Lake Homeowners Association was invited to the meeting but did not have a representative available.

After an opportunity for board questions and discussion, the board approved the action as described above in the summary of actions and resolutions taken at the board meeting.

### **Hat Creek planning unit (ACTION)**

Mr. Schweigerdt reviewed the proposed LCCP for the lands to be donated to the Pit River Tribe at the Hat Creek planning unit. The LCCP pertains to the donation of 830 acres of land by PG&E and includes the proposed CE recommended to be held by SLT and the proposed CE funding agreement in the amount of \$140,300.

Mr. Baggett then called on Agnes Gonzalez, Chairwoman of the Tribe. Chair Gonzalez expressed the Tribe's gratitude and said the return of the lands were a true blessing to the Tribe. She said the Tribe believed in community and developing working relationships. She said the Tribe looked forward to working with their partners and community in order to maintain and rehabilitate the land.

Gregory Feather Wolfin then thanked the board from his heart, his family and his people. He stated that he appreciated the opportunity for the Tribe to again be the stewards of the land.

Mickey Gemmill, Vice Chairman of the Tribe thanked the board for working with the Tribe tirelessly on the Hat Creek transaction, and future land transactions. He noted this was a significant and monumental moment in history.

Megan Wargo, Director of Land Protection for the PCTA then addressed the board. She thanked the board for recognizing the Pacific Crest Trail as part of the Beneficial Public Values but expressed a concern regarding language in the conservation easement. She indicated that the PCTA offered some suggested language that could be added to the conservation easement regarding management of the trail area. Ms. Mulholland said that the board did have an opportunity to review the PCTA's comments and noted a concern about overly prescriptive provisions in conservation easements, which are perpetual documents. Mr. Baggett asked if consultation between the Tribe and the PCTA would be an acceptable resolution. Ms. Wargo agreed with that approach. Lee Adams expressed a concern with including reference PCTA in the conservation easement and suggested that the consultation be between the Tribe and USFS. Ms. Wargo agreed that Mr. Lee's suggestion was a workable solution since the PCTA has an existing agreement with the USFS. Stewardship Council Executive Director Heidi Krolick indicated that staff would work with the parties to address this proposed change to the conservation easement.

Paul Vienneau, Executive Director of SLT next addressed the board and said it had been an exciting year working with the Tribe, the Stewardship Council and PG&E on the land transaction. He said SLT appreciated the opportunity.

After an opportunity for board questions and discussion, the board approved the action as described above in the summary of actions and resolutions taken at the board meeting.

#### **Lake Almanor (Maidu Trail) planning unit (ACTION)**

Mr. Schweigerdt reviewed the proposed LCCP for the lands to be donated to the Maidu Summit Consortium (MSC) at the Lake Almanor planning unit. The LCCP pertains to the donation of 8 acres of land by PG&E and includes the proposed CE recommended to be held by Feather River Land Trust (FRLT) and the proposed CE funding agreement in the amount of \$70,100.

Mr. Baggett then called on MSC board member Ricky Prows. Mr. Prows told the board he appreciated all they were doing with MSC. He then introduced his infant son to the board and pointed out they were doing this for future generations.

After an opportunity for board questions and discussion, the board approved the action as described above in the summary of actions and resolutions taken at the board meeting.

#### **Lake Almanor (Maidu Wetlands) planning unit (ACTION)**

Mr. Schweigerdt reviewed the proposed LCCP for the lands to be donated to the Maidu Summit Consortium (MSC) at the Lake Almanor planning unit. The LCCP pertains to the donation of 322 acres of land by PG&E and includes the proposed CE recommended to be held by FRLT and the proposed CE funding agreement in the amount of \$138,200.

After an opportunity for board questions and discussion, the board approved the action as described above in the summary of actions and resolutions taken at the board meeting.

### **Shasta County Fee Title Donee Recommendations (*ACTION*)**

Director of Land Conservation Erin Healy directed the board's attention to the maps in the back of their packets and reviewed the recommendations before the board.

She explained that each map was color coded and designated the lands recommended for donation to the Tribe and the RCD as well as the lands being retained by PG&E.

Mr. Baggett asked if there were any public comments. Mr. Wolfen addressed the board again, encouraging them to approve the recommendations for the Tribe. He said the Tribe wanted to be stewards of the lands and is well positioned to do so.

Sharmie Stevensen, RCD Executive Director thanked the board on behalf of the RCD for the fee title recommendations. She appreciated the work that had been put into meetings with the Tribe, SLT and the Stewardship Council and was excited for the future working together with the Tribe. She thanked the Tribe for their willingness to work with the RCD on the Burney Gardens planning unit.

Chairwoman Gonzalez again thanked the board and stated the Tribe was open and receptive and thankful for the opportunity to partner with the RCD at the Burney Gardens planning unit.

Larry Myers commented he felt it was important for the non-Indian community to understand that to the Native Americans the lands were more than physical, they were spiritual. Mr. Myers indicated the importance of the partnership between the Tribe and RCD at Burney Gardens and that he wished to not stall the process, but leave it up to the parties to determine what arrangement would best serve their interests. He noted that the timing is important and would look forward to hearing the outcome of the arrangement when the LCCP is presented to the board, but indicated that he would not need to approve of the arrangement. Ms. Krolick noted that the partnership discussion could occur in parallel with the transactional work. Ms. Stevensen told Mr. Myers the RCD and Tribe already had the framework for a conservation partnership agreement. She further stated there were representatives from each group who were meeting to work on the partnership.

After an opportunity for board questions and discussion, the board approved the action as described above in the summary of actions and resolutions taken at the board meeting.

### ***Land Conservation Program Update***

Director of Land Conservation Erin Healy provided the board with an update regarding the Land Conservation Program. She reported as of December 1, 2018, 38 land transactions had closed escrow protecting over 30,000 acres of watershed lands. She noted approximately 8,730 acres have been donated with 4 transactions currently in the closing process and 4 additional transactions submitted to regulatory agencies for consideration.

### **FINAL PUBLIC COMMENTS**

There were none.

## **BOARD MEMBER ANNOUNCEMENTS**

Mr. Burns announced Genevieve Shiroma had been appointed to the California Public Utilities Commission replacing Carla Peterman who was recently appointed to the Commission on Catastrophic Wildfire Cost and Recovery.

He also announced PG&E had filed with the CPUC to transfer the Deer Creek hydroelectric project to Nevada Irrigation District.

## **ADJOURNMENT**

Mr. Baggett adjourned the meeting at approximately 2:15 p.m.

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Nancee Murray, Secretary