

BOARD OF DIRECTORS MEETING
PUBLIC SESSION MINUTES

Sacramento, CA
September 20, 2017
1:00 pm – 2:30 pm

ATTENDANCE

Association of California Water Agencies

Director: Tim Quinn – Absent
Alternate: Dave Bolland – Absent

California Department of Fish and Wildlife

Director: Sandra Morey – Present
Alternate: Nancee Murray – Absent

California Farm Bureau Federation

Director: Karen Mills – Present
Alternate: Noelle Cremers – Present

California Forestry Association

Director: Kirsten Kolpitcke – Present
Alternate: George Gentry – Present (arrived at 1:45 pm)

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 - Present

California Natural Resources Agency

Director: John Laird – Absent
Alternate: Todd Ferrara – Absent

California Tribal Interests

Director: Larry Myers – Present
Alternate: Ken Tipon – Absent

Central Valley Regional Water Quality Control Board

Director: Soapy Mulholland – Absent
Alternate: Bob Schneider – Absent

Office of Ratepayer Advocates

Director: Truman Burns – Present
Alternate: OPEN

Pacific Gas & Electric Company

Director: Mike Schonherr – Present
Alternate: OPEN

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: Ann Cole - Present

U.S. Forest Service

Non-Voting Liaison: Liz Berger - Present

STEWARDSHIP COUNCIL STAFF

Executive Director Heidi Krolick
Finance and Operations Manager Aaron Robertson
Director of Land Conservation Jessica Daugherty
Senior Project Manager Chantz Joyce
Senior Project Manager Steve Schweigerdt
Project Manager Lauren Faccinto
Administrative Assistant Robyn White
Deputy Director of Land Conservation Erin Healy

OTHERS

Members of the public were also present.

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

- Adoption of the minutes of the June 21, 2017 board of directors (Board) meeting (**Consent calendar item**)

- The Board approved the proposed LCCP for the lands to be retained by PG&E at the Oroville planning unit, which LCCP describes how the proposed transaction conforms to and fulfills the requirements of the 2003 Settlement Agreement and Stipulation; and approved the proposed conservation easement funding agreement between the Stewardship Council and the Northern California Regional Land Trust.
- The Board approved the proposed LCCP for the lands to be retained by PG&E at the Lower Drum (Wise Forebay) planning unit, which LCCP describes how the proposed transactions conform to and fulfill the requirements of the 2003 Settlement Agreement and Stipulation; and approved the proposed conservation easement funding agreement between the Stewardship Council and the Placer Land Trust.
- The Board approved the proposed LCCP for the Lake Spaulding and Bear River (Deer Creek – NID) planning unit, which LCCP describes how the proposed transaction conforms to and fulfills the requirements of the 2003 Settlement Agreement and Stipulation; and approved the proposed conservation easement funding agreement between the Stewardship Council and the Bear Yuba Land Trust.
- The Board approved the proposed revisions to the Revised Final LCCP for the lands to be retained by PG&E at the Chili Bar planning unit, originally approved by the Board on September 10, 2014. The revised final LCCP describes how the proposed transactions conform to and fulfill the requirements of the 2003 Settlement Agreement and Stipulation.
- The Board approved the proposed finding of No Significant Public Interest Value for 3 parcels, approximately 2 acres, within the Bear River planning unit in Placer and Nevada Counties, CA
- The Board approved the proposed finding of No Significant Public Interest Value for parcel 1039, approximately .06 acres, within the Bass Lake planning unit in Madera County, CA
- The Board approved an amendment to the NSPIV Reasoning Memo for the Auberry Service Center planning unit, approved on January 25, 2017, changing the approximate acreage of the NSPIV finding from 9.5 to 12.7 acres.
- The Board rescinded its previous fee title recommendation that Humboldt State University Advancement receive a donation of 1,612 acres at the Burney Gardens planning unit.

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 regard to any of the proposed actions.

Mr. Baggett disclosed he had a conflict of interest regarding the action items pertaining to the NSPIV finding at the Bass Lake planning unit and the revision of the NSPIV finding at the Auberry Service Center planning unit.

David Muraki disclosed he had a potential conflict of interest regarding the action items pertaining to the LCCP at the Lower Drum (Wise Forebay) planning unit and the NSPIV finding at the Bear River planning unit.

Mike Schonherr stated that due to PG&E's direct financial interest in the Lake Spaulding and Bear River (Deer Creek – NID) LCCP, and the NSPIV finding actions, that if any Board member wished him to leave the room, he would be happy to do so.

PUBLIC COMMENTS

Mr. Baggett acknowledged Tom Haglund of the Tuolumne Utilities District. Mr. Baggett informed Mr. Haglund that the board agreed to postpone the action related to the approval of the LCCP regarding the Lyons Reservoir planning unit until the November 15, 2017 board meeting.

Mr. Haglund thanked the Board for the deferral and expressed willingness to work with PG&E and the Stewardship Council in a timely manner.

CONSENT CALENDAR

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

CCLT PRESENTATION

Heidi Krolick introduced Ane Deister, Executive Director and Kimberly Cox, Director of Development and Finance, of the California Council of Land Trusts (CCLT) to report to the Board on the Land Trust Training and Apprenticeship Program (TAP).

Ms. Deister provided background on the grant awarded to CCLT for the TAP Program which had been recently completed. She reported the program had been very successful.

Ms. Deister explained that the interns started with 3 days of training and then worked in all facets of the land trust's day to day operations. She specified that the interns did the work themselves, not just shadow staff which led to a purposeful experience for the interns.

She highlighted some of the successes of the program as well as lessons learned and where improvements can be made. In response to a question prompted by Mr. Myers regarding the need for increased diversity in the conservation field, Ms. Deister stated that one of lessons learned moving forward will include advertising the internship program to a wider audience in order to attract a more diverse pool of applicants.

Mr. Schonherr thanked Ms. Deister and stated that the program was a great representation of what was intended when the grant was contemplated.

WATERSHED PLANNING COMMITTEE

Director of Land Conservation Jessica Daugherty provided an overview of the Watershed Planning Committee's duties and then called on staff to present the action items.

Oroville Planning Unit (ACTION)

Senior Project Manager Steve Schweigerdt reviewed the Watershed Planning Committee's recommendation that the Board approve the proposed LCCP for the lands to be retained by PG&E at the Oroville planning unit in Butte County. The LCCP pertains to 1,333 acres of PG&E retained land. He said that Northern California Regional Land Trust would hold the conservation easement over the property. He noted that parcel 679 is being considered for NSPIV finding and may be removed from the LCCP before it is finalized.

Mr. Baggett asked whether any members of the public wished to address the board on this matter. Noting the public comment cards, Mr. Baggett called Aaron Miller, Department of Water Resources (DWR) to address the Board.

Mr. Miller thanked the Stewardship Council for its work and prior consideration of DWR's request for donation through the Land Stewardship process. DWR hopes that PG&E will partner in future recreation and restoration enhancements that may be compatible with neighboring DWR property through FERC relicensing and other channels.

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

Lower Drum (Wise Forebay) Planning Unit (ACTION)

After Mr. Muraki left the room, Mr. Schweigerdt reviewed the Watershed Planning Committee's recommendation that the Board approve the proposed LCCP for the lands to be retained by PG&E at the Lower Drum (Wise Forebay) planning unit. The LCCP pertains to 16 acres of land in Placer County. Mr. Schweigerdt noted that Placer Land Trust would hold the conservation easement over the property.

After an opportunity for Board questions and discussion, the Board made the following conflict of interest findings:

- The Board confirmed that in good faith it agrees that the Stewardship Council will take the proposed action for its own benefit; that the proposed action is fair and reasonable to the Stewardship Council; and that, after reasonable investigation, the Stewardship Council could not have obtained a more advantageous arrangement with reasonable effort under the circumstances.

Following the conflict of interest findings, the Board approved the action as described above in the summary of actions and resolutions taken at Board meeting.

Lake Spaulding and Bear River (Deer Creek – NID) Planning Unit (ACTION)

After Mr. Muraki returned to the room, Mr. Schweigerdt provided background on the Lake Spaulding and Bear River (Deer Creek – NID) planning unit and reviewed the Watershed Planning Committee's

recommendation that the Board approve the proposed LCCP for the Lake Spaulding and Bear River (Deer Creek – NID) planning unit in Nevada and Placer Counties. The LCCP pertains to the asset sale of 782 acres of land by PG&E to Nevada Irrigation District (NID). He said that the Bear Yuba Land Trust would hold the conservation easement over the property.

Mr. Baggett asked whether any members of the public wished to address the Board on this matter. Noting the public comment cards, Mr. Baggett called on the following individuals to address the Board.

Rem Scherzinger, General Manager, Nevada Irrigation District: Mr. Scherzinger thanked the Stewardship Council and Bear Yuba Land Trust for all their hard work on this project.

Marty Coleman Hunt, Executive Director, Bear Yuba Land Trust: Ms. Coleman Hunt said that Bear Yuba Land Trust (BYLT) was honored to accept the conservation easement (CE) on this planning unit. She thanked everyone for their work on this project.

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

Chili Bar Planning Unit (ACTION)

Mr. Schwiegerdt provided background on the Chili Bar planning unit and reviewed the Watershed Planning Committee's recommendation that the Board approve the Revised Final LCCP for the Chili Bar planning unit in El Dorado County.

He explained that the previous version of the LCCP was approved by the Board on September 10, 2014. Since that time, PG&E constructed a new trail to the Sand Bar area and installed a picnic table. The CE and the LCCP were updated to include recreation as a BPV.

Mr. Baggett invited Ellie Routt, Executive Director of Mother Lode Land Trust to address the Board. Ms. Routt thanked the board for their consideration of MLLT as the conservation easement holder and reiterated that at the time of the approval of the Final LCCP in 2014 there was not any recreation use at Chili Bar and that the recreation improvements had been made after the approval.

Karen Mills asked who had developed the improvements. Mr. Schwiegerdt said that it was part of FERC requirements. Mr. Muraki asked if there had been any existing recreation at Chili Bar. Mr. Schonerr stated that there had not been any authorized, formal recreation.

The Board approved the action as described above in the summary of actions and resolutions taken at Board meeting.

Bear River – No Significant Public Interest Finding (ACTION)

After Mr. Muraki and Mr. Schonherr left the room, Project Manager, Lauren Faccinto provided background information regarding a proposed finding of NSPIV on approximately 2 acres within parcels 852, 867, 868 of the Bear River planning unit.

Ms. Faccinto referred the Board members to detailed information in the Board packet and reviewed the candidate parcels and the process the NSPIV work group and the Watershed Planning Committee went through in order to determine the recommendation for the NSPIV finding. She also indicated that the proposed NSPIV finding was made available for a 30 day public review and

comments were being accepted up to the September 20, 2017 Board meeting. No substantive comments were received.

After an opportunity for Board questions and discussion, the Board made the following conflict of interest findings:

- The Board confirmed that in good faith it agrees that the Stewardship Council will take the proposed action for its own benefit; that the proposed action is fair and reasonable to the Stewardship Council; and that, after reasonable investigation, the Stewardship Council could not have obtained a more advantageous arrangement with reasonable effort under the circumstances.

Following the conflict of interest findings, the Board approved the action as described above in the summary of actions and resolutions taken at Board meeting.

Bass Lake – No Significant Public Interest Value Finding (*ACTION*)

After Mr. Muraki returned to the room and Mr. Baggett left the room, Ms. Faccinto provided background information regarding a proposed finding of NSPIV on .06 acres of the Bass Lake planning unit.

Ms. Faccinto referred the Board members to detailed information in the Board packet and reviewed the candidate parcels and the process the NSPIV work group and the Watershed Planning Committee went through in order to determine the recommendation for the NSPIV finding. She also indicated that the proposed NSPIV finding was made available for a 30 day public review and comment period and comments were being accepted up to the September 20, 2017 Board meeting. No substantive comments were received.

After an opportunity for Board questions and discussion, the Board made the following conflict of interest findings:

- The Board confirmed that in good faith it agrees that the Stewardship Council will take the proposed action for its own benefit; that the proposed action is fair and reasonable to the Stewardship Council; and that, after reasonable investigation, the Stewardship Council could not have obtained a more advantageous arrangement with reasonable effort under the circumstances.

Following the conflict of interest findings, the Board approved the action as described above in the summary of actions and resolutions taken at Board meeting.

Auberry Service Center – Amendment to the No Significant Public Interest Value Finding (*ACTION*)

Ms. Faccinto reviewed the Board's previous NSPIV finding of 9.5 acres at the Auberry Service Center planning unit approved by the board on January 25, 2017 and reviewed the Watershed Planning Committee's recommendation that the Board amend the total acreage for the Auberry Service Center NSPIV finding to 12.7 acres.

After an opportunity for Board questions and discussion, the Board made the following conflict of interest findings:

- The Board confirmed that in good faith it agrees that the Stewardship Council will take the proposed action for its own benefit; that the proposed action is fair and reasonable to the Stewardship Council; and that, after reasonable investigation, the Stewardship Council could not have obtained a more advantageous arrangement with reasonable effort under the circumstances.

Following the conflict of interest findings, the Board approved the action as described above in the summary of actions and resolutions taken at Board meeting.

Burney Gardens – Rescission of Fee Donee Recommendation (*ACTION*)

After Mr. Baggett and Mr. Schonherr returned to the room, Senior Project Manager Chantz Joyce reviewed the Watershed Planning Committees recommendation that the Board rescind the fee donee recommendation of 1,612 acers of land at the Burney Gardens planning unit to the Humboldt State University Advancement Foundation (HSUAF) due to HSUAF's recent request for fee simple title, land with no conservation easement or reserved rights, as well as an endowment of up to \$2.5 million.

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

Land Conservation Program Update

Ms. Daugherty provided the Board with an update regarding the Land Conservation Program.

FIDUCIARY COMMITTEE

Truman Burns directed the Board to the budget summary in the packet. He provided a budget update noting that the Stewardship Council's 2017 expenditures continue to remain under budget.

FINAL PUBLIC COMMENTS

There were none.

BOARD MEMBER ANNOUNCEMENTS

There were none.

ADJOURNMENT

Mr. Baggett adjourned the meeting at approximately 2:30 p.m.

Nancee Murray, Secretary