

COACHELLA VALLEY MOUNTAINS CONSERVANCY

REGULAR MEETING

73-710 Fred Waring Drive, Suite 115

Palm Desert, California

March 14, 2016 - 3:00 p.m.

Tele-conference location:

State of California, Resources Agency

1416 Ninth St., Suite 1311

Sacramento, CA 95814

A P P R O V E D M I N U T E S

MEMBERS PRESENT:

John J. Benoit, Riverside County Supervisor
Richard Balocco, City of Indian Wells
Buford Crites, State Assembly Appointee
Kathy Dice, California State Parks
Jim Foote, Bureau of Land Management
Shelly Kaplan, City of Cathedral City
Patrick Kemp, Natural Resources Agency
Eddy Konno, California Department of Fish and Wildlife
Glenn Miller, City of Indio
Allan Muth, University of California
Larry Olinger, Agua Caliente Band of Cahuilla Indians
Eraina Ortega, California State Department of Finance
J.R. Roberts, City of Palm Springs
Betty Sanchez, City of Coachella
Ellen L. Trover, Senate Rules Committee Appointee
Susan Marie Weber, City of Palm Desert
Ted Weill, City of Rancho Mirage – *(Chairman)*
Anayeli Zavala, City of Desert Hot Springs

MEMBERS ABSENT:

Arturo Delgado, U.S. Forest Service
John Donnelly, Wildlife Conservation Board
Kristy Franklin, City of La Quinta *(Vice-Chairman)*
Karin Messaros, National Park Service
Joan Taylor, Governor's Appointee

STAFF PRESENT:

Jim Karpiak, Executive Director
Kerrie Godfrey, Associate Director/AGPA
Diana Rosas, Staff Services Analysts
Bob Gossman, Project Coordinator

OTHERS PRESENT:

Kathleen Brundige, CV Conservation Commission
Kathleen Jurasky, PS Cemetery District
Franco Laurie, City of Palm Springs
Nickie McLaughlin, Friends of the Palm Springs Mountains

1.0 Call to Order & Introductions

Chairman Weill declared a quorum with 17 voting members present at 3:00 p.m.

2.0 Approval of Minutes of January 11, 2016 Meeting

Chairman Weill asked if there were any comments, additions or corrections to the January 2016 minutes. A motion was made and seconded (Sanchez/Miller) to approve the minutes, the motion passed with two abstentions.

John J. Benoit arrived at 3:12 after the roll call was completed; bringing the quorum to 18.

3.0 Public Comments on Items Not on the Agenda

There were no other comments or questions.

4.0 Closed Session

No matters were scheduled.

5.0 Action Items – Public Hearing

5.1 Adoption of Resolution 2016-03 approving a Proposition 1 local assistance grant to the City of Palm Springs for its Tahquitz Creek/Triangle Parcel Restoration Project.

Jim Karpiak reported that this item is the first Proposition 1 Local Assistance Grant recommendation. The City of Palm Springs is requesting \$50,000 for infrastructure improvements related to restoration of a triangle-shaped parcel adjacent to Tahquitz Creek near the intersection of South Palm Canyon Drive and Sunny Dunes Road. The Project consists of the undergrounding of the system and installation of an oil/water separator at the Site to treat the hydrocarbon pollutant load from the surface collection area. The Project supplements a larger ongoing restoration project that includes removal of invasive vegetation and improvements to the channel to reduce erosion and flooding, along with a trailhead. The City is working in partnership with the Riverside County Flood Control and Water Conservation District and the Project is estimated to have a total cost of \$55,000, with the City funding the balance.

The Project meets several Proposition 1 objectives qualifying it as a “multi-benefit” project. The Project will improve water quality of the aquifer and increase watershed capacity by removing hydrocarbons from the water supply; it will reduce threats to the ground water supply, and will provide for more efficient drainage into the creek and flood prevention. Furthermore, the Project will

preserve and maintain watershed areas that are used during migration by endangered or threatened species of riparian birds. This in turn will improve the natural parkway along the Tahquitz Creek, which supports the local economy by enhancing public recreation opportunities.

Other grant program requirements met by the Project include the City's strong technical staff capacity; in addition to the City's experienced Public Works Department, it has a novel Office of Sustainability that employs environmental professionals under the guidance of an official City commission. Also, the Project is a capital infrastructure project with a useful life of more than 20 years and as such complies with capital improvement requirements for use of bond funds. The City has agreed to comply with all programmatic requirements of Proposition 1 and the Guidelines, public contracting and prevailing wage laws. The Project is Categorically Exempt pursuant to CEQA Guidelines 15301 (c) and (e) (repair or minor alteration of existing facilities involving negligible or no expansion of use).

Jim introduced Franco Laurie from the City of Palm Springs to the Board; Franco had no additions or comments on the report. There were no comments or questions from the Board Members, Chairman Weill asked for a motion.

A motion was made and seconded (Kaplan/Muth) to approve Resolution 2016-03 for a Proposition 1 local assistance grant to the City of Palm Springs in an amount not to exceed \$50,000, for its Tahquitz Creek/Triangle Parcel Restoration Project. The motion passed with one abstention.

5.2 Resolution 2016-04 approving a Proposition 1 local assistance grant to the Palm Springs Cemetery District for its Tamarisk removal and restoration project.

Jim Karpiak reported that the Palm Springs Cemetery District (PSCD) is seeking a Proposition 1 local assistance grant in the amount of \$85,000 the removal of approximately 200 Tamarisk trees along 1430 feet of the west property boundary of Desert Memorial Park at Ramon Road and Da Vall Avenue in Cathedral City. Removing the Tamarisk trees will reduce impact to the water table (the trees' water source) at an estimated rate of at least 700,000 to 900,000 gallons per year. The total estimated Project cost is \$245,000, with the PSCD funding the balance.

The Project is in accordance with Proposition 1 and the Conservancy's Grant Program Guidelines; based on the significant ground water savings from the removal of the large, fifty year old grove of mature tamarisk trees, it scored an 80/100 from staff and outside expert evaluation panel. Originally the PSCD had requested a grant of \$93,000; however after staff met with PSCD it was agreed that no pesticides would be used in the project, that new landscape would be drought resistant, that the work would be done outside of nesting season and that PSCD would increase their funding contribution. The Project complies with capital improvement standards applicable to the use of bond funds. PSCD will

remain responsible for ongoing maintenance of the new landscaping on the Site as part of its ongoing management of the cemetery. The Project is Categorically Exempt pursuant to CEQA Guidelines 15301(c), (h), and 15304 (b).

Jim introduced Kathleen Jurasky, District Manager for PSCD; Kathleen had no additions or comments on the report but was happy to answer any questions from the Board members. There were no questions from the Board members; Chairman Weill asked for a motion.

A motion was made and seconded (Sanchez/Miller) to approve Resolution 2016-04 for a Proposition 1 local assistance grant to the Palm Springs Cemetery District in an amount not to exceed \$85,000 for its Tamarisk Removal and Restoration Project. The motion passed unanimously.

5.3 Resolution 2016-05 approving a Proposition 1 local assistance grant to the Coachella Valley Conservation Commission for its Willow Hole Mesquite Restoration and Groundwater Monitoring Project.

Jim Karpiak reported that the Coachella Valley Conservation Commission is seeking a Proposition 1 local assistance grant in the amount of \$114,268 to remove non-native tamarisk and restore a significant mesquite hummock habitat area consisting of approximately 40 acres near Palm Drive and Mountain View Drive in Desert Hot Springs. This area serves as critical habitat for a number of endangered, threatened and rare species (including the Coachella Valley fringe-toed lizard, Coachella Valley milkvetch, and Coachella Valley round-tailed ground squirrel) associated with the sand dune ecosystem.

Removal of the tamarisk will significantly reduce depletion of the ground water table in the area, as the mature trees use up to 200 gallons of water per tree per day. The removal will involve cutting the trees down and removing the stumps to reduce the potential for re-growth and then clearing the ground for establishment of native plant seedlings. CVCC will work cooperatively with the Friends of the Desert Mountains in their nearby restoration projects, and will coordinate with the Mission Springs Water District to establish and operate a long term effort that monitors ground water levels and their impacts on the mesquite hummocks. The total estimated budget for the Project is \$126,657, with CVCC funding the balance.

The Project is in accordance with Proposition 1 and the Conservancy's Grant Program Guidelines; staff and outside expert panel rated the Project with a score of 87/100 based on it meeting more than one Proposition 1 objective qualifying it as "multi-benefit". It complies with requirements for use of capital improvement funds under applicable bond laws. In addition, the Project supports implementation of the CVMSHCP by undertaking capital restoration work that has long been planned but lacked funding until now.

CVCC staff and CVCC's environmental lawyer analyzed existing environmental documentation for the Multiple Species Plan and applicable mitigation measures and determined that the Project activities that would be funded by the grant have already been analyzed in the 2008 CVMSHCP Final Recirculated Environmental Impact Report and the 2014 Supplemental Environmental Impact Statement. The aspects of restoration projects that typically require environmental review are the use of pesticides or impacts on cultural artifacts; however, the EIRs for the Plan did contemplate use of pesticides and require a cultural study prior to beginning any work to determine what type of machinery may be used on parts of the site. Under Public Resources Code section 21166 and State CEQA Guidelines section 15162, no additional environmental review is required for a project where the work included has previously been analyzed by an EIR and the project does not include substantial changes to the work done, or the circumstances or information known about the impacts of the project have not changed so as to require major revisions of these EIRs. As there are no such changes and the Project will comply with all mitigation measures required by the EIRs, no further environmental review is required for the Project. Formal findings documenting the basis for that determination are included in the resolution approving the Project.

Jim introduced Kathleen Brundige, Management Analyst for CVCC; Kathleen had no additions or comments but offered to answer any questions from the Board members. Larry Olinger asked if the completion date in the Resolution was correct as it differed from the completion date mentioned in the staff report. Jim responded that there was a change to the project schedule so the date listed in the Resolution was the correct completion date. Allan Muth asked if the EIR analyzed the use of herbicides and if herbicides would be used once the trees are mechanically removed. Kathleen responded that the use of herbicides would be used if re-sprouts occurred and that CVCC would be responsible for the long-term monitoring of the site.

Susan Marie Weber asked if the herbicides were sufficiently analyzed in the EIR since she understands that new information on herbicide impacts has become available. Jim responded that the most recent EIR is less than two years old, and the CVCC staff and consultants did not think that needed to be reevaluated. Kathleen concurred and added that the spraying of herbicides would only be done as needed and would be kept to a minimum. Ellen Lloyd Trover asked if the parcels located near Palm Drive and 20th Avenue were private parcels and if they are subject to a conservation easement for the project. Kathleen responded that the parcels are in conservation land but CVCC does not currently own them therefore they are not included in the project; however, if CVCC is able to acquire the parcels within the next couple of years then CVCC would target the area and the parcels would then be included in the project.

A motion was made and seconded (Sanchez/Miller) to approve Resolution 2016-05 for a Proposition 1 local assistance grant to the Coachella Valley

Conservation Commission in an amount not to exceed \$114,268 for its Willow Hole Mesquite Restoration and Groundwater Monitoring Project. The motion passed with three abstentions.

5.4 Discussion of Proposition 1 second competitive round of funding and release of NOFA 2016-01.

Jim Karpiak reported that the review of the first round of applications from the NOFA-2015-16 has been completed and approximately \$290,000 has been granted including today's Board approvals. An additional \$1.5 million in grants were deemed fundable at the last Board meeting but are now undergoing environmental reviews, and when that process is completed, the remaining eligible applications will be brought to the Board for grant approval. The current FY 2015-16 budget appropriated \$2.5 million for Proposition 1 capital grants and the FY 2016-17 budget which will take effect July 1, 2016 is expected to have \$2 million appropriated.

Based on the experience with the first NOFA, The process to distribute funds is going a lot slower than hoped (due to the complicated nature of many of these projects, the time required for CEQA/NEPA review and the limited number of experienced applicants in the Coachella Valley). So in order to move expeditiously with the funding staff is recommending to immediately releasing the new NOFA, a copy of which is in the agenda packet.

Jim requested comments or feedback from the Board on the issuance of Proposition 1 NOFA 2016-01. There were no comments, additions or questions from the Board.

6.0 Reports

6.1 Written Reports from Staff.

Jim Karpiak reminded the Board members that it is time for Board Members to submit their annual Conflict of Interest (Form 700) which is due at the end of March 2016.

John Benoit commented on a new filing system called NetFile and suggested that filers look into it to facilitate the filing process of such requirements. Chairman Weill added to that by suggesting notifying the City Clerks of the new filing system. Staff will follow up with FPPC to see whether CVMC could participate.

6.2 Executive Director Report.

Jim Karpiak reported that the tax issues with the Friends of the Palm Springs Mountains (FOPSM) were being resolved with the help of the City. He introduced Nickie McLaughlin, FOPSM Board Chair. Nickie concurred that the tax fees had been removed and FOPSM would only get \$5,000 in penalties for the oversight. Jim added that the potential transfer to the City of Palm Springs is still pending and future discussions are actively being set. Nickie stated that the first subcommittee meeting is scheduled for

March 24, 2016, with the Mayor of Palm Springs, Councilmember Mills, City Manager and City Attorney and she invited Jim Karpiak to attend as well. She also noted that it was never FOPSM intention to retain the land but to conserve it so FOPSM feels it is appropriate that the City take ownership. No further questions or comments were made.

Jim reported on the Trails Project stating that the Biological Assessment (BA) is still pending before BLM. Once a concurrence letter is received from the Fish and Wildlife Service on the BA the Conservancy can then finalize the Environmental Assessment to begin trail construction, hopefully in the fall.

The final item that Jim reported on was the May bus tour of the Coachella Valley. He reminded the Board members that the meeting will begin at 8:00 am with a teleconference location in Sacramento and the bus tour will begin approximately at 9:00 am. He stated that the meeting is a notice meeting so members of the public are welcomed on the tour.

6.3 Board Member comments and reports from Conservancy member agencies.

Jim Karpiak noted that Jim Foote is retiring from his position at the Bureau of Land Management office and his colleague John Kalish is taking a job in Washington at the end of April. He thanked them both for their contribution to the Conservancy and wished them farewell.

John Benoit noted that he was recently appointed to the Desert Advisory Council with BLM.

7.0 **Adjourn to the May 9, 2016 meeting.**

The meeting was adjourned without objection at 3:40 p.m.