

**COACHELLA VALLEY MOUNTAINS CONSERVANCY**

**REGULAR MEETING**

73-710 Fred Waring Drive, Suite 115

Palm Desert, California

July 12, 2016 - 3:01 p.m.

Tele-conference location:

State of California, Resources Agency

1416 Ninth St., Suite 1311

Sacramento, CA 95814

**APPROVED MINUTES**

**MEMBERS PRESENT:**

John J. Benoit, Riverside County Supervisor  
Richard Balocco, City of Indian Wells  
Cameron Barrows, University of California  
Buford Crites, State Assembly Appointee  
John Donnelly, Wildlife Conservation Board  
Kristy Franklin, City of La Quinta (*Vice-Chairman*)  
Shelly Kaplan, City of Cathedral City  
Patrick Kemp, Natural Resources Agency  
Eddy Konno, California Department of Fish and Wildlife  
John Ladley, U.S. Forest Service  
Karin Messaros, National Park Service  
Glenn Miller, City of Indio  
Chris Mills, City of Palm Springs  
Larry Olinger, Agua Caliente Band of Cahuilla Indians  
Eraina Ortega, California State Department of Finance  
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*)

**MEMBERS ABSENT:**

Kathy Dice, California State Parks  
Joan Taylor, Governor's Appointee  
Anayeli Zavala, City of Desert Hot Springs  
Vacant, Bureau of Land Management

**STAFF PRESENT:**

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

OTHERS PRESENT:

Britt Wilson, City of Rancho Mirage  
Jeff Geraci, CO River Basin Regional Water Quality Control  
Board  
Mary Serra, CO River Basin Regional Water Quality Control  
Board

**1.0 Call to Order & Introductions**

Chairman Ted Weill declared a quorum with 12 voting members present at 8:05 a.m.

**2.0 Approval of Minutes of January 11, 2016 Meeting**

Chairman Weill asked if there were any comments, additions or corrections to the March 14, 2016 minutes; there being none Chairman Weill asked for a roll call to approve the minutes. John J. Benoit and Karin Messaros arrived at 8:07 just before the roll call and brought the quorum to 14. The minutes were approved with two abstentions.

**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 2016-06 approving a Proposition 1 local assistance grant to the City of Palm Springs for its San Jacinto Mountains Watershed Acquisition and Restoration Project.**

Jim Karpiak reported that the City of Palm Springs has requested a Proposition 1 local assistance grant for the acquisition and restoration of a 40 acre parcel located on the southern limits of Palm Springs on Dunn Road near State Route 74. The site was once used for agricultural purposes, but later became a dumping site. As a result of soil contamination and the private owner not having the funds to remediate it, the land has been abandoned for many years. Now the owner is willing to convey the property to the City and the City is willing to accept the property with the assistance of a Proposition 1 grant for clean-up.

At the January Board meeting, the board found this project to be a high priority. Presently, the City is requesting a planning grant of \$65,390 to secure professional services to assess the level and type of contamination, develop a remediation and restoration plan and then prepare appropriate California Environmental Quality Act (CEQA) documentation. The City has done its bidding process and has selected Terra Nova, a well-known local consultant, to complete the work. Once the restoration plan is complete, staff will return to the Board with a recommendation for funding of a grant for Project implementation.

Staff recommends that completion of the project would fulfil several Proposition 1 objectives by improving water quality of the aquifer and reducing threats to the ground water supply to assure that water is safe for human consumption. The Project will also preserve and maintain the watershed areas of Palm Canyon Wash that are used by endangered or threatened species, including Peninsular bighorn sheep. Additionally, remediation of the site will remove harmful materials with the potential to unleash toxins into the airstream which can result in greenhouse gas production, air pollution, irreparable harm to native animals and plants, and a multitude of human health ailments. The City is also contemplating public recreation opportunities for a new hiking destination drawing residents, tourists, educators and enthusiasts to the area.

Jim introduced Michele Mician from the City of Palm Springs. Michele added that this is a very exciting project and mentioned that Board member Buford Crites has visited the site with her. Cal-Recycle is also onboard and very interested in assisting with the completion of the project. Joan Taylor asked if the consulting includes an Environmental Review. Jim Karpiak responded that it does.

A motion was made and seconded (Kaplan/Taylor) to approve Resolution 2016-06 for a Proposition 1 local assistance grant to the City of Palm Springs in an amount not to exceed \$65,390, for the assessment and design of the Project. The motion passed unanimously.

## **5.2 Resolution 2016-07 approving a Proposition 1 local assistance grant to the Desert Recreation District for its flood control infrastructure project.**

Jim Karpiak reported that Desert Recreation District (DRD) is seeking a Proposition 1 local assistance grant for construction of a five acre park in North Shore located on 70<sup>th</sup> Avenue between Miramar Drive and Sea Valley Way. DRD initially requested a grant in the amount of \$602,207 which included funding for various elements that did not meet Prop 1 objectives. At its January Board meeting, CVMC staff was asked to determine if there were discrete portions of the Park project that were appropriate for Prop 1 funding.

Staff met with DRD to identify potentially fundable features of the project, and based on the information provided at the meeting, DRD has submitted a revised application for a local assistance grant in the amount of \$150,000 for flood control and drainage improvements. By creating infiltration basins and swales, surface runoff will be captured to recharge the local aquifer. The revised application contributes to the fulfilment of multiple specific Water Action Plan objectives listed in Prop 1, and it also benefits a disadvantaged community by encouraging economic development activity in the area.

DRD has full support from the community and will be receiving funding for the project from numerous public sources as well as private foundations and

corporate grants to meet their \$3,435,058 project budget. DRD has agreed to comply with all programmatic requirements of Prop 1 and the Guidelines. DRD also adopted a Mitigated Negative Declaration (MND) and filed a Notice of Determination as lead agency for the Project on March 10, 2015. Staff reviewed the MND and its mitigation measures and determined that the MND fully addresses the Project, thus the Conservancy may rely on the MND in order to approve the grant to DRD. Detailed findings are included in the resolution proposed for Board consideration and adoption.

Jim introduced Barb Adair, Assistant General Manager from DRD and Jennifer Toy from Kounkuey Design Initiative (KDI). Jennifer thanked the Board members for their consideration and stated that KDI, a non-profit organization, has been working with the Northshore residents since 2010 and looks forward to the completion of the project. Supervisor Benoit added that this area critically needs this resource and that the County has worked with DRD on numerous projects therefore, he can report that DRD is a very responsive and well managed group so based on the work with them he wholeheartedly supports this grant.

A motion was made and seconded (Benoit/Weber) to approve Resolution 2016-06 for a Proposition 1 local assistance grant to the Desert Recreation District in an amount not to exceed \$150,000 for its Flood Control Infrastructure Project.

### **5.3 Update on Shumway Ranch Acquisition Project and discussion of potential options.**

Jim Karpiak reported that the Friends of the Desert Mountains (FODM) has terminated its agreement with the Living Desert. During the due diligence period, FODM identified a number of concerns mainly with the costs of upkeep and taxes in light of the fact that part of the property has improvements on it. After some discussion and negotiation, the parties could not reach an agreement and the purchase agreement was terminated.

At this point we are left without an entity to take title to the property. Because of the importance of the land and the investment in time already put into this endeavor, staff is reluctant to give up on the project. Also, the acquisition is slated to use approximately \$500,000 of expiring Section 6 funds that are earmarked for acquiring Peninsular bighorn sheep habitat in the Coachella Valley; if the Wildlife Conservation Board (WCB) cannot encumber the funds by September, 2016, the funds will be forfeited. The best option for saving the acquisition project is to research the potential for another state or local public agency to take title, including the option of the Conservancy taking title by going through the State Public Works Board and Department of Finance processes. The Living Desert has indicated that it would be willing to hold off listing the property for sale to allow time to find a solution to conserve the property. Thus staff's goal is to complete the discussions and research necessary to bring a proposal to the Board in July. If the Conservancy is able to take title staff would

like to hold a special meeting or tour for Board members who are interested in visiting the site.

Chairman Weill encouraged staff to pursue the options of taking title because so much work has gone into the project already, and it is very worthwhile. Kristy Franklin asked what the annual taxes on the property were. Jim responded that based on the purchase price the property taxes for a private sector owner would be approximately \$7,500 to \$9,000; however a state agency would be exempt from the taxes. He added that FODM main concern was finding funding to pay the property taxes. Kristy Franklin asked what the maintenance costs would be to upkeep the property. Jim responded; at this time the costs would not be much but it depends on the work needed to preserve the buildings for future use and based on recent estimates the costs were a couple of thousand dollars a year for inspections and repairs. Ellen Trover added that the site is marvelous and is critical habitat with cultural icons for the Coachella Valley Mountains and a lot of work has been put into this project so she is in favor of staff pursuing other potential ownerships. Chairman Ted Weill noted that it was the Board's consensus that staff pursue with their acquisition goal for this property.

## **6.0 Reports**

### **6.1 Written Reports from Staff.**

Jim Karpiak reported that the Bond balances in the report reflect the use of all funds ever approved by the Board including those not yet expended. For example, the \$1.5 million that was allocated for Shumway is not included in the balance so if the project does not happen the balance will increase by \$1.5 million. He also reported the good news that there are additional \$960,000 in bond funds from Prop's 12, 40 and 84 that will be part of the budget proposal for the FY2017/18 budget.

### **6.2 Executive Director Report.**

Jim Karpiak reported that the environmental assessment (EA) is still going through environmental review at BLM for the Trails Project. Congressman Ruiz personally offered to intervene with BLM to move the project along, and his staff recently made contact with BLM, so hopefully work will begin this fall or early winter.

Also, there is a development related to another potential trail is in Long Canyon: Katie Barrows, Kerrie Godfrey and Jim Karpiak visited a property at the base of Long Canyon that could be a possible trailhead site; as the owner is very interested in selling, and appraisal is underway.

Joan Taylor asked what the purposes of the monitoring wells were in the Mission Springs as per the minutes from the March Board meeting. Jim responded that it was to monitor the groundwater levels and to judge the

success of the removal of tamarisk and impacts on the mesquite hummocks after restoration.

### **6.3 Board Member comments and reports from Conservancy member agencies.**

Chairman Weill reported that at the July Board Meeting there will be a closed session to evaluate the Executive Director. If there are no objections the Chairman, Vice-Chairman and Executive Director will meet in advance to prepare a report to the Board for discussion at the July 11 meeting. Board members may contact the Chair or Vice-chair if they want to provide input on the report. Chairman Weill asked if there were any questions or objections, there being none, he reported that the evaluation process would proceed accordingly.

### **7.0 CVMC Bus Tour of Project Areas**

At this time Chairman Weill announced that the bus tour would commence and the remainder of the meeting would occur in workshop form there would be no further deliberations or votes by the board.

### **8.0 Adjourn to the July 11, 2016 meeting.**

The meeting was adjourned without objection at 2:45 p.m.