

**COACHELLA VALLEY MOUNTAINS CONSERVANCY  
REGULAR MEETING  
73-710 Fred Waring Drive, Suite 115  
Palm Desert, California  
July 12, 2010 - 3:00 p.m.**

**M I N U T E S**

**MEMBERS PRESENT:**

John Benoit, Riverside County Supervisor, District IV  
Cynthia Bryant, California Department of Finance  
Buford Crites, State Assembly Appointee  
John Donnelly, Wildlife Conservation Board  
Jim Foote, U.S. Forest Service (non-voting)  
Kristy Franklin, City of La Quinta  
John Kalish, Bureau of Land Management  
Patrick Kemp, Natural Resources Agency  
Eddy Konno, California Department of Fish and Game  
Paul Marchand, City of Cathedral City  
Gordon Moller, City of Rancho Mirage  
Al Muth, University of California  
Larry Spicer, City of Indian Wells  
Ellen Lloyd Trover, Senate Rules Committee Appointee– Vice-Chairwoman

**MEMBERS ABSENT:**

Karl Baker, City of Desert Hot Springs  
Kathy Dice, California State Parks  
Jim Ferguson, City of Palm Desert– *Chairman*  
Richard Milanovich, Agua Caliente Band of Cahuilla Indians  
Chris Mills, City of Palm Springs  
Curt Sauer, National Park Service  
Joan Taylor, Governor’s Appointee

**STAFF PRESENT:**

Bill Havert, Executive Director  
Geary Hund, Associate Director  
Kerrie Godfrey, Staff Services Analyst

**OTHERS PRESENT:**

None

**VACANT POSITIONS:**

None

**1.0 Call to Order & Introductions**

The Vice-Chairwoman, Ellen Lloyd Trover, declared that a quorum with 11 members present at 3:05 pm.

**2.0 Approval of Minutes of January 11, 2010 meeting**

Vice-Chairwoman Trover asked if there were any additions or changes to the January 11, 2010 Minutes. There were none. A motion was made and seconded (Muth/Konno) to approve the Minutes as distributed. The motion was adopted by all members saying “Aye” in a unanimous vote.

**3.0 Public Comments on Items Not on the Agenda**

Vice-Chairwoman Trover asked if there were any comments on any items not on the agenda. There were none.

**4.0 Closed Session – No matter is scheduled**

Vice-Chairwoman Trover asked if there were any closed session items. There were none.

**5.0 Information items**

**5.1 Status of the Proposition 84 bond program.**

Bill Havert explained that the acquisitions program has been inactive for almost a year and a half because of the State bond freeze so he believes this is a good time to update the Board on where things stand at this point. In February CVMC was asked to identify new projects that we could undertake were there bonds to become available. Staff put together a list of potential projects and sent them up to State Parks and subsequently when the Spring Bond Sale took place there were funds that was approximately \$4.5 million allocated to CVMC for some of the projects that were put on that list. When staff received the info we were initially given the impression that we could reactivate the projects and move forward with spending the funds. So, staff did start exploring the possibilities of moving forward with some of the projects on the list and then we were informed that the projects that were submitted in February were apparently not sent forward to the State Treasurer's Office (STO) for approval. We presume at this point that the funds are appropriated, we just don't have the approval to spend the funds. Recently staff submitted an updated list to State Parks and we have been told that this list along with some other departments will collectively be sent to STO for approval. Staff is not sure how long this process will take but, we believe it will take STO a minimum of a month once they receive the list from State Parks. At this point we will assume that the projects will be approved and down the road we will then have the ability to expend the funds that were allocated in the Spring Sale. In the meantime staff will continue gingerly to consider potential other projects and be mindful that the final approval to expend the funds is not quite there yet.

Bill explained that in the past the way bond funds were appropriated was through our annual budget and CVMC could move forward and spend those funds by sending State Parks a request for disbursement of those funds when they were needed. At this point the dynamic has changed because the bond sales are a lot less certain than they were in the past. So now it has become a cash flow issue keeping in mind that the legislature may appropriate \$11.5 million to CVMC in the budget however, the actual bond sales may not provide that much cash so we have to be more mindful of managing the cash that becomes available through the bond sales and assume that more cash will not become available until we have expended the existing cash from last Spring and Fall bond sales.

Larry Spicer asked if this was simply a delay and not a question as to whether we will get the money. Bill answered that the voters passed the bond and we have roughly \$26 million left in Prop 84 and some miscellaneous Prop 12 and 40 funds. Its just a question now of how long it will take to sell the bonds to incrementally provide that amount of money.

Pat Kemp added that CVMC is not alone in the fact that funding has been slow and this has been real arduous process for both Resources and State Parks to get through with the State treasurer and he thinks that cash flow will eventually improve but, CVMC has to be very prudent about our cash and take care not to build up a lot of cash that you do not plan to spend immediately because STO is monitoring this also.

Bill added that right now it is a bit of a catch 22, we have the cash and would love to spend it but we do not have approval from the STO. Hopefully the approval will come shortly and we can start spending the cash from the sales on some projects.

Vice-Chairwoman Trover thanked Bill for the presentation and noted for the record that Buford Crites, Kristy Franklin and Paul Marchand arrived late and noted that we now have 14 members present at the meeting.

## **5.2 CVMC acquisition priorities**

Bill Havert explained that since it has been such a long time he thought it might be a good idea to refresh our memories about the CVMC acquisition priorities. Bill noted for the members on the telephone that the we are looking at a map of CVMC territory. On the map we have identified the priority acquisition areas that the Board approved 3 years ago. Essentially this map shows wildlife corridors as one of our key areas and one of them links the San Jacinto Santa Rosa Mountains with the San Bernardino Mountains, another is in the Whitewater Canyon and yet another links the Little San Bernardino Mountains and the Mecca Hills and Orocopia Mountains connecting with the Joshua Tree National Park. Switching to a second general category which has to do with protecting essential ecological processes that sustain the overall blow sand habitat; thousand palms, whitewater floodplain, fringe toed lizard preserve-willow hole, National Monument-upper Palm Canyon, the scenic corridor along Hwy 74 and the Santa Rosa Mountains Alluvial fans which includes the lake shore area by ancient Lake Cahuilla. These are various general goals that we have focusing on wildlife movement corridors and ecological processes and in the case of the mountains protecting scenic resources and supports habitat values in there as well. CVMC's mission is to protect resources of different sorts such as biological, cultural resources, scenic resources, recreational resources, so we have a multifaceted mission. Compare that with the Coachella Valley Conservation Commission and their sole mission is to protect biological resources. We have a lot of overlap with them but, sometimes our priorities differ a little from theirs. Bill asked if there were any questions or suggestions about how we may want to amend the acquisition priorities to be addressed as a future action item.

Larry Spicer noted in the legend the CVMSHCP area is identified in white; and asked if those identify the links that are drawn. Bill answered that this reference on the map is the MSHCP boundary. CVMC boundary and the MSHCP Boundary are the same.

## **6.0 Action Items - public hearing**

### **6.1 Resolution 2010-02 approving local assistance grant to the Friends of the Desert Mountains or an interagency agreement with the Wildlife Conservation Board to match other grant funds for acquisition of land on the alluvial fan of the Santa Rosa Mountains**

Bill Havert explained that this is the proposed grant to the Friends of the Desert Mountains who are actually exploring 2 full sections of land which became available for purchase in May. Two separate projects; the first is with BLM who appears to have funds available for the ½ section purchase and is interested in acquiring that property. For the remaining section and a half, it appears likely that the Friends will pursue a partnership acquisition using federal Section 6 Cooperative Endangered Species Conservation Fund money would be available for the purchase; these funds do, however, require a 30% match so we are exploring several different funding sources for this and there may be an in-kind match that the Friends could provide. The Friends are in the process of considering their annual budget which is not completed yet so it is not clear if any funds may be available. This is really a backup for the Board to consider a grant to provide the matching funds for the Federal Section 6 grant funds. These would be highly leveraged funds on our part and obviously there are a number of contingencies involved as identified in the staff report. Not the least of which are the approval of our bond fund projects so we actually have the funds available to grant to the Friends. This project is expected to take several months yet to complete and the appraisal has just been completed and will be sent to the Department of Fish and Game (DFG). Wildlife Conservation

Board (WCB) and will administer a subgrant to the Friends with the Federal Section 6 Grant Funds; which are federal funds that are administered by the State. WCB will send the appraisal to the Department of General Services (DGS) for review and then if the appraisal is approved, WCB may be able to add it to their August agenda for consideration of the subgrant. There is another possibility here; (DFG) determines in conjunction with the lands that they already manage in the Coachella Valley that they may want to take title to these lands then the Friends might possibly assign the right to purchase to DFG and drop out of the deal at this point and the State would take title at close of escrow. The matching funds requirement would remain and may still have to come from the Conservancy. Under this circumstance it would not be a grant to the Friends anymore, it would be an interagency agreement with WCB which acquires land on behalf of DFG. So there are different ways that this acquisition could work out but the point of having it on the agenda today is that we don't meet again until September and the WCB meeting is in August and in order for WCB to consider that there are matching funds available this is the contingency to show that these funds would be there.

John Donnelly noted that it is highly unlikely that this would make it to the WCB agenda in August because WCB has just been notified by DGS that they are not accepting any new appraisals for new projects because of the budget impasse and secondly the WCB agenda cutoff date is July 19, 2010.

Bill noted that he has been working with Jon Wilcox on this and he was going to try to get it through DGS expeditiously but, with the new information provided by John Donnelly, the Board may want to consider that even if this does not make WCB's August agenda it would most likely make it on the November agenda and depending on CVMC's overall situation we could come back to this in September. However, if circumstance arose and there was not other reason to have a September meeting then the Board might prefer to do this today and if the board approves this item there is no harm done.

Paul Marchand noted that it may take a few months for the legislature to approve the budget.

Bill concurred and noted that if this were the case we may actually lose the opportunity to acquire this land but, we can not determine this today so the best the Board can do is try to move this forward and if the deal does not go through then it would not be our fault. So the motion would be for the Board to approve a grant and/or interagency agreement depending on who will take title so CVMC funds would be available for the match of the Federal Section 6 grant funds.

John J. Benoit asked if there is an expiration date and Bill answered that it was January 31 and this should give us sufficient enough time to determine if this acquisition funding is going to work out.

Ellen Lloyd Trover asked how open the escrow was. Bill answered that the agreement the Friends came to with the land owners was for them to give us 150 days to see if they could get all the funding together to complete the deal. If it goes past this date they would have to go back to the landowner to extend that timeframe.

Vice-Chairwoman Trover asked for any additional discussion on the item and there was none. She asked for a motion to approve Resolution 2010-02. A motion was made and seconded (Benoit/Kalish) to adopt the resolution. The motion passed by unanimous vote.

## 7.0 **Reports**

Vice-Chairwoman Trover for any additional discussion since there was no additional discussion Vice-Chairwoman Trover called for an omnibus motion to receive and file written report item 7.1-7.2 A motion was made and seconded (Marchand/Benoit) to receive and file written report 7.1 and 7.2. The motion was adopted by all members saying "Aye" in a unanimous vote.

**8.0 Adjourn to the September 13, 2010 meeting.**

A motion was made and seconded (Marchand/Muth) to adjourn the meeting. The meeting was adjourned without objection at 3:30 p.m.