

COACHELLA VALLEY MOUNTAINS CONSERVANCY
REGULAR MEETING
73-710 Fred Waring Drive, Suite 115
Palm Desert, California
September 8, 2014 - 3:00 p.m.

APPROVED M I N U T E S

MEMBERS PRESENT:

John J. Benoit, Riverside County Supervisor, District IV
Jean Benson, City of Palm Desert
Buford Crites, State Assembly Appointee – (*Chairman*)
Tom Davis, Agua Caliente Band of Cahuilla Indians
Kathy Dice, California State Parks
Jim Foote, Bureau of Land Management
Patrick Kemp, Natural Resources Agency
Eddy Konno, California Department of Fish and Wildlife
John Ladley, U.S. Forest Service (Non-voting Member)
Allan Muth, University of California
Eraina Ortega, California State Department of Finance
Mary Roche, City of Indian Wells
Ellen L. Trover, Senate Rules Committee Appointee
Ted Weill, City of Rancho Mirage – (*Vice-Chairman*)

MEMBERS ABSENT:

Kathy DeRosa, City of Cathedral City
John Donnelly, Wildlife Conservation Board
Kristy Franklin, City of La Quinta
Scott Matas, City of Desert Hot Springs
Karin Messaros, National Park Service
Chris Mills, City of Palm Springs
Joan Taylor, Governor's Appointee

STAFF PRESENT:

Jim Karpiak, Executive Director
Kerrie Godfrey, Associate Director/AGPA
Diana Rosas, Staff Services Analyst

OTHERS PRESENT:

Jeff Morgan, Friends of Palm Springs Mountains
Britt Wilson, City of Rancho Mirage

- 1.0 Call to Order & Introductions
Chairman Crites declared a quorum with 12 voting members present at 3:02 p.m.
- 2.0 Approval of Minutes of July 14, 2014 meeting

Chairman Crites asked if there were any comments, additions or corrections to the minutes; there being none he asked for a motion. A motion was made and seconded (Weill/Benoit) hence Chairman Crites moved to approve the minutes as distributed.

3.0 Public Comments on Items Not on the Agenda

Jeff Morgan, Board Member of Friends of Palm Springs Mountains (FOPSM), thanked the Conservancy for its assistance in acquiring the Shadowrock properties. He stated that the FOPSM is currently planning to meet the requirement of passing the property to someone else for management but anticipates a lengthy process as there are several agencies involved.

John Benoit asked how many acres were acquired. Jeff responded that Angel Cove consisted of 210 acres and Shadowrock 352 acres (plus the adjacent 24 acres acquired with private financing), plus a few other small parcels total approximately 600 acres acquired for conservation. He pointed out that the City of Palm Springs owns approximately 1500 acres with conservation easements that are adjacent to the conservation parcels.

There were no other comments or questions.

4.0 Closed Session

Commenced closed session at 3:06 p.m. and discussed the potential litigation. Adjourned closed session at 3:13 p.m. with no reportable action.

5.0 Action Items – Public Hearing

Chairman Crites noted that there was a request to take items 5.1 and 5.2 as one item as both are grants to the Friends of the Desert Mountains. There being no objections, comments, or questions Chairman Crites moved forward with the action items as one.

5.1 Adoption of Resolution 2014-13 approving a local assistance grant to the Friends of the Desert Mountains for acquisition of approximately 5 acres in the Edom Hill Conservation Area.

Jim Karpiak reported on item 5.1 as a grant to the Friends of the Desert Mountains (FODM) for \$27,500.00 plus closing costs for the purchase of approximately 5 acres in the Edom Hill Conservation Area. He pointed out the location of the parcel as being south of 20th avenue between Bennett Road and Ford Avenue. The property is adjacent to already conserved property owned by FODM and the Bureau of Land Management (BLM) hence it is a good option for future continuity and potential transfer to BLM. The property also contains important sand transport and habitat for several endangered species and currently holds a low development potential. No questions or comments were made on this item.

5.2 Adoption of Resolution 2014-14 approving a local assistance grant to the Friends of the Desert Mountains for acquisition of approximately 5 acres in the San Jacinto/San Bernardino Mountains Wildlife Movement Corridor Area.

Jim Karpiak reported on item 5.2 as a grant to the Friends of the Desert Mountains (FODM) for \$32,500.00 plus closing costs for the purchase of approximately 5 acres in the Stubbe and Cottonwood Canyon Conservation Area and is part of the San Jacinto/San Bernardino Wildlife Management Corridor. The area has important sand source and is part of the wildlife corridor surrounded by conservation ownership, facilitating both future and habitat continuity. Acquiring the property at this reasonable price is recommended.

Chairman Crites identified the nearby Whitewater community and the previously proposed County Correctional facility on the map. No further comments or questions were made on this item.

A motion was made and seconded (Muth/Trover) to adopt Resolution 2014-13 approving a local assistance grant to the Friends of the Desert Mountains for acquisition of approximately 5 acres in the Edom Hill Conservation Area and also to adopt Resolution 2014-14 approving a local assistance grant to the Friends of the Desert Mountains for acquisition of approximately 5 acres in the Stubbe and Cottonwood Canyon Conservation Area.

5.3 Update on Proposition 1, the 2014 Water Bond and the California Water Action Plan.

Jim Karpiak gave a brief update on the status of Propositions 1 (Prop 1) water bond since the last Board meeting. The bond now placed on the November ballot by the Legislature provides \$10 million for the Conservancy; the 2009 proposed bond did not include any allocation for the Conservancy. However, Prop 1 contains far less than the \$36 Million provided to the Conservancy by the 2006 Proposition 84. Although there are similarities between the 2006 and 2014 water bonds, a very significant difference is that the 2014 bond is tied expressly to the California Water Action Plan (Plan), a comprehensive plan for addressing the long and short term needs of California's water. The Plan contains very specific action plans for important projects such as the Delta Habitat Preservation, restoration of Lake Tahoe, restoration of the Salton Sea, etc. One take away from the Plan is the focus on integration of efforts with multi-benefit projects that serve more than one objective. For example, the Plan specifically asks for partnerships among public agencies on Salton Sea projects in order to improve water quality and preservation of the habitat.

Moreover, the California Department of Natural Resources undersecretary Janelle Beland has informed Conservancy directors that each Prop 1 funding award will need to be justified by a showing that it implements the Plan. Historically, the Conservancy has tied its acquisition guidelines and priorities to

the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) which focuses on preserving endangered species and the land that supports the endangered species. Moving forward there will also need to be a focus on the fact that there are important hydrological benefits to preservation. Highlighting acquisition projects such as the Whitewater River that provides water flow into the Salton Sea and other similar projects will help tie the Conservancy to this and future water bond objectives.

In recent water bond news there was an article questioning the Conservancies' role in water policy, although the article actually detailed the Conservancies roles in water conservation and other water bond objectives. Such articles demonstrate the importance of public education and visibility in order to prevent the Conservancy from being overlooked in future funding measures. It is speculated that in 2009 Legislators did not think that there was a "sufficient nexus to water" in the valley, which again shows that not making water an important factor of the Conservancy's public discussions can continue to disadvantage the Conservancy. There is a forum that is scheduled for two weeks from Friday at the UCR, Palm Desert campus where local water districts and the Conservancy will be making presentations about the local benefits of the water bond. An email invitation will be sent out once the flyer is published.

Prop 1 requires public hearings to plan for the use of the proceeds, assuming the bond passes; staff will have an item on the November agenda for discussion. Patrick Kemp clarified that Prop 1 will not allow opportunity grants and that the use of funds will differ from previous propositions in that Conservancies will have to develop guidelines for a competitive grant process and the projects will need to have a nexus to water. Jim gave an example project with the Coachella Valley Water District that might meet all of the bond requirements and might be considered for a competitive grant. John Benoit asked for further clarification on the competitive grant process for projects funded by Prop 1. Jim explained that should the bond pass the Conservancy would receive \$10 million to grant to applicants who would need to go through a competitive process for funding assistance. The same process is applied with other proposition funds that were appropriated to the Conservancy; however, given that the use of Prop 1 funds may be more restrictive, the Conservancy may need to seek additional partners that work on water issues, such as water districts, the Salton Sea Authority, etc. Patrick Kemp concurred. Allan Muth pointed out the fact that all of the geomorphology of the desert is shaped by water which is the fundamental force that creates the desert landscapes thus easily tying acquisition projects to water issues when considering desert landscapes. Ellen Trover noted that the habitat being conserved largely provides percolation into the aquifer as opposed to the valley floor. No further comments or questions were made on this item.

5.4 Discussion of Monitoring and Enforcement Actions on Conservation Lands.

Kerrie Godfrey presented the Proposition 84 (Prop 84) signs that moving forward will be installed on acquisition lands funded by Prop 84; a requirement of the

proposition that will also need to be applied for all previous Prop 84 acquisitions. She also presented the partnership signs that will be installed on partnership acquisition properties such as Shadowrock. The signs not only present the funding sources but also promote the Conservancy and enforce the deterrence of illegal dumping.

During recent site inspections, staff has encountered problems or special situations that required local jurisdiction assistance. To better address such situations, staff is asking for local jurisdiction members to identify a main source of contact for future issues. Staff will be contacting each jurisdiction to identify such contacts. Allan Muth suggested an office visit with the local jurisdictions. Ellen Trover noted a past experience with a local jurisdiction that concluded a solution after meeting in person with several departments within the jurisdiction at one time. She further suggested for staff to use the Board members as their point of contact to the City Managers and any other individual that might need involvement in the issue. Ted Weill concurred that when the issue was addressed with all of the departments involved within the jurisdiction a solution was accomplished. Jim Foote responded that without upper level management supporting staff and prioritizing issues the staff will not be much help if contacted directly. Chairman Crites pointed out that the City of Rancho Mirage gave commitment to get issues resolved through their Board member; and he further asked for suggestions on getting assistance from the Cities of Cathedral City and Desert Hot Springs. Jim Karpiak said he would follow up with the Cities' managers, attorneys and/or Mayors. No further comments or questions were made on this item.

6.0 Reports

6.1 Written Reports from Staff.

Diana Rosas reminded the Board of the State Ethics Training Course requirement. Every two years Board members are required to participate and complete a State Ethics Training Course, new Board members are required to complete the course within 6 months of the assuming date. Local officials may have similar requirements; however, the local certifications do not satisfy the State requirements. The link to access the State's Ethics course is listed in the staff report, the course takes about one hour and upon completion participants will be able to download the certificate that is required to be submitted to the Conservancy by December 31, 2014. The link and a reminder will also be sent to each Board member by email. No comments or questions were made on this item.

6.2 Executive Director Report

- Shadowrock project status – Jim Karpiak reported that the project closed on 8/8/14, with 353 acres in conservation ownership; and that after the closing of the conservation parcels, a separate transaction

was made for the adjacent 24 acres that was funded with private funds and a \$1 million dollar loan that the Friends of Palm Springs Mountains (FOPSM) received. The long term ownership of the 353 acres however is still in question, as the FOPSM does not have the staff or funding resources to manage the property over a long period of time. Under the Acquisition Grant Agreement between FOPSM and the Conservancy, FOPSM has a deadline to produce a management plan for the property; the Wildlife Conservation Board (WCB) has the same contingency under their agreement. So staff will be following up with FOPSM for the plan and coordinating with WCB to ensure that the plan is implemented by FOPSM. One option that the FOPSM has discussed for long term ownership is transferring title to the City of Palm Springs.

Chairman Crites commented on the issue of Conservancy recognition in the newspaper articles; after the Shadowrock acquisition, *Desert Sun* articles gave all of the credit to FOPSM instead of to the funding partner agencies, especially the Conservancy, which provided significant funding and undertook substantial staff work in the acquisition. Ellen Trover responded that all agencies should work as partners from the beginning to the end of the acquisition process and concurred that the Conservancy needs more recognition; this will end future questions such as who the Conservancy is, and why we are included in such things as the water bond. Getting credit and visibility for the Conservancy's projects should help it obtain future funding. Jim noted that staff worked collaboratively with FOPSM and other funding agencies on public relations for Shadowrock, and although the Conservancy did not get top billing, it was identified as a funding partner. Nevertheless, for future acquisitions the staff plans to write and send out its own press releases. Allan Muth suggested adding a requirement in the grant resolutions to include requirements for press releases after an acquisition project. John Benoit asked if at some point there was a discussion about hiring someone on a piece mail basis for press releases. Jim responded that we would pursue hiring someone. Patrick Kemp added that he would be happy to assist in providing contact information for the person that his agency contracts with to do press releases. No further comments or questions were made on this item.

- Trails Project Planning Status – Jim Karpiak gave an update on the status of the trails with regards to construction, costs and habitat survey. The work is being done by Geary Hund, the former Associate Director of the Conservancy and author of the Trails Plan, which he is finishing up the habitat survey to determine any possibility of habitat impact from the construction of trails. The Conservancy's contribution along with contribution from the Coachella Valley Hiking Club has been the funding resources for the contract with Geary which the Friends of

the Desert Mountains (FODM) is coordinating as a cooperative project. Trail plan implementation will be a subject for the next Board meeting.

- Presentations on CVMC to Councils and Boards – Jim Karpiak extended an offer to visit each member agency with a 5 minute presentation of the Conservancy's function, projects and accomplishments.
- Conservancy Update – Jim informed everyone that the Conservancy office has moved within the same building to the first floor now located in suite 112 and invited everyone to visit and tour the new office space.

6.3 Board Member comments and reports from Conservancy member agencies.

Jim Foote, representing the Bureau of Land Management (BLM), reported receipt of the draft Environmental Impact Statement (EIS) for the proposed land exchange between BLM and the Tribe which suggests upcoming public reviews and comments. A copy of the draft EIS can be downloaded online or on a disc. BLM is also encouraging the public to visit their website for more information as well as information on where to email or mail any comments for the 90 day public comment period.

Chairman Crites pointed out the 38th year anniversary of Hurricane Kathleen that touched the valley floor in 1976.

7.0 Adjourn to the November 10, 2014 meeting

The meeting was adjourned without objection at 3:59 p.m.