

Friday, April 28, 2023 – 10:00 a.m.
Governing Board Regular Meeting
Upper Mokelumne River Watershed Authority
Pardee Lodge, Pardee Center, Valley Springs, CA 95252

Summary Minutes

ROLL CALL

Directors John Coleman, Chair, Terry Woodrow, Vice-chair, Jack Garamendi, Ed Gonzalez, Richard Farrington, Brian Oneto, and Jeff Davidson were present. Absent: Richard Blood, Calaveras Public Utility District. Also present were Executive Officer (EO) Richard Sykes, Authority Counsel Greg Gillott, Authority Secretary Lorna Barfield and 8 visitors.

PUBLIC COMMENT – Maryanne Garamendi reported to the board that six hundred children from twenty-five classrooms in Amador, Calaveras and San Joaquin Counties have participated in the Classroom Aquarium Education Program. They have recently included trout to the program which are being released in the upper Mokelumne Watershed and education focus includes forestry and water quality. She was thanked by the board for her work.

Travis Small from Calaveras Public Utility District gave an update on the current engineering and permitting status of the Jeff Davis Water Treatment Project.

AUTHORITY BUSINESS

1. Regular Meeting Minutes of January 27, 2023.

The summary minutes of the January 27, 2023, meeting were provided to the Board for review.

Motion 08-23 to approve the regular meeting minutes of January 27, 2023, was made by Director Farrington seconded by Director Gonzales and carried by voice vote: Yea 7 – Nay 0 – Abstain 0.

2. Treasurer's Report – First Quarter FY 2023

A copy of the Treasurer's Report for the First Quarter of Fiscal Year 2023, which ended December 31, 2022, was presented to the Board.

Motion 09-23 to accept the Treasurer's Report for filing was made by Director Davidson seconded by Director Woodrow and carried by voice vote: Yea 7 – Nay 0 – Abstain 0.

3. Forest Projects Report

The EO provided the Board with updates on the Authority's Forest Projects Plan (FPP) Phase 1 Implementation and Phase 2 Planning. Also presented was a brief update on the Mattley Meadow and Aspen Meadow Restoration Projects. The report concluded with a summary of UMRWA Forest Project Grants which have been awarded, not awarded, or are pending. The Board requested that the EO issue a press release based on the most recent CalFire grant award. The EO discussed a draft release which was planned with the Eldorado National Forest (ENF). The Board requested a link to the press release when it is available. Director Farrington requested that the EO investigate the Power Fire funding with the new ENF Supervisor and report back at next meeting.

With NEPA and CEQA requirements fulfilled, and the Cal Fire grant in hand, UMRWA will now begin Phase 1 implementation. Under the Cal Fire grant UMRWA must perform fuel reduction treatments (mechanical and hand) on up to 3,000 acres of Forest Service lands addressed in the FPP-Phase 1 plan and associated NEPA/CEQA documents (which cover a

total of 25,671 acres). Before contracted field treatments may begin several preliminary tasks must be completed.

Supplemental Project Agreement with Eldorado NF: Under the May 2016 USFS – UMRWA Master Stewardship Agreement (MSA) mutually agreed upon stewardship projects are to be documented through Supplemental Project Agreements (SPA). The Stanislaus National Forest (SNF) SPA was executed in 2021. The El Dorado NF SPA was recently finalized and is being processed by the NF Grants and Agreements Division. UMRWA latest discussion with the SNF indicates that the SPA should be ready to execute within 45 days.

Pre-treatment Tasks: Before treatment work actively begins two tasks must first be completed; field locating and flagging known archeological sites, and botanical field surveys.

Field flagging Archeological Sites – The firm InContext, which performed archeological survey work associated with completion of FPP-1 NEPA and CEQA reviews, has agreed to field locate and flag previously located sites. It was recommended that the UMRWA board authorize the Executive Officer to enter into an Amendment to the InContext agreement in the amount of up to \$40,000 for the flagging services. A copy of Amendment 3 to the InContext Agreement was included in the Supplemental April 28, 2023, Agenda Materials Packet.

Botanical Surveys of Treatment Areas – On March 1, 2023, staff released a Request for Proposal (RFP) for qualified Botanical consulting firms. One Proposal was received from Pyramid Botanical Consulting. Following the Authority's procurement procedure, a selection committee determined Pyramid Botanical Consulting qualified to complete this work. A contract in the amount of \$36,580, with the authorized contract ceiling of \$70,000 (for costs for Pyramid to perform surveys on additional Phase 1 acres as requested by UMRWA), with Pyramid Botanical Consulting was recommended for approval. A copy of Pyramid Botanical Consulting Agreement was included in the Supplemental April 28, 2023, Agenda Materials Packet.

RFPs for Forest Treatment Contractors: Two RFPs are planned to implement the Cal Fire Grant work, one for a mechanical treatment contractor and the other for a hand treatment contractor. The current procurement schedule anticipates RFPs will be released about June 1, contractor proposals (preceded by site visits) submitted by end of June, selection committee process completed by July 10, with contracts awarded at the July 28 Board meeting. In the event snow conditions do not permit June contractor site visits the back-up schedule delays the entire contracting process by about one month. Accordingly, staff recommended the Board reserve August 25, 2023, for a possible special Board meeting to consider forest treatment contract awards.

Implementation Work Plan next steps: Grant funding had already been awarded to UMRWA to execute treatments in Group 1 through the \$5M Cal Fire Forest Health grant. In February 2023, a second Cal Fire Forest Health grant application was submitted by UMRWA proposing \$7M in funding to implement fuels reduction within Groups 2, 3 and 4 (Roadside Fuelbreak, Summit Camp and Green Creek). In April, UMRWA staff contacted the Wildlife Conservation Board regarding the possibility of funding Phase 1 implementation and Phase 2 planning. They encouraged staff to submit a pre-application. Supervisor Oneto asked the EO to check into the group 6 and 7 projects in the Implementation Plan and confirm the location and work.

Forest Projects Plan - Phase 2 Planning:

UMRWA engaged Stantec in August 2022 to perform project management and environmental planning for the Phase 2 program. The initial Stantec agreement was in the

amount of \$50,000 with the expectation that subsequent amendments would be executed as additional grant funding became available. At the January meeting the Board approved a first amendment to the agreement to facilitate Stantec's continuing Phase 2 work through spring 2023. Funding for the \$125,000 amendment was split between an existing SNC grant (\$75,000) and UMRWA funds already approved by the board for the FPP (\$50,000).

Stantec work authorized by the first amendment included continued project management, outreach, initiation of tribal engagement, specified NEPA/CEQA planning tasks (project initiation letter, draft purpose and need, determination of NEPA approach with USFS), initiation of communication with regulatory agencies regarding listed species, and support for grant applications. While that work continues, funding to complete the several year process to complete the NEPA/CEQA compliant Phase 2 Plan must still be secured.

SNC will soon be inviting Concept Proposals for the next round of Forest Health grant funding. Another UMRWA grant proposal is recommended for additional funding needed to support UMRWA's Phase 2 planning and associated NEPA/CEQA documentation effort. The Board's authorization to submit the SNC grant proposal is required. The included Resolution 2023-05 authorizing the SNC application was recommended for Board adoption.

Motion 10-23 to (1) approve the Consulting Services Agreement Amendment 3 with the firm InContext for Forest Projects Plan Phase 1 unit flagging with a not-to-exceed fee of \$40,000, (2) approve the Consulting Services Agreement with Pyramid Botanical Consulting for Forest Projects Plan Phase 1 botanical surveys with a not-to-exceed fee of \$70,000, (3) authorize release of Requests for Proposals for Forest Projects Plan Phase 1 Mechanical and Hand Treatments, (4) reserve 10:00 a.m. August 25, 2023, for Special Board meeting, 5) adopt Resolution No. 2023-05 authorizing a Sierra Nevada Conservancy Wildfire Recovery and Forest Resilience Program grant application for FPP – Phase 2 planning and (6) authorize the Executive Officer to submit a pre-application and full application to the Wildlife Conservation Board to fund implementation of Phase 1 and continuation of the Phase 2 planning effort was made by Director Davidson seconded by Director Woodrow and carried by voice vote: Yea 7– Nay 0 – Abstain 0.

4. Status Update on IRWM Grants

The EO provided the Board with a status update on the two active Integrated Regional Water Management (IRWM) grants with the Department of Water Resources. Both grants provide implementation funding for water infrastructure projects, CCWD's West Point project, and CPUD's Jeff Davis project. Also presented was a brief update regarding the drought set-aside project status between the Sierra Institute and Amador Water Agency.

5. Fiscal Year 2024 Budget

The proposed FY 2024 budget was provided to the Board for review. The budget is organized into the Authority's two primary revenue sources, Member funding and non-Member funding (grant, USFS and other funding). The total member-supported portion of the proposed budget is \$322,486 (up from \$311,986 in the current fiscal year budget). Also provided were the member funding offsets and the Authority's work activities planned for FY 2024.

Motion 11-23 to endorse the proposed FY 2024 UMRWA budget for review purposes and authorize staff to transmit the proposed budget for Member Agency review and comment was made by Director Davidson, seconded by Director Farrington and carried by roll call vote: Yea 7 Nay 0 – Abstain 0.

6. Basic Financial Statements – Fiscal Years 2022 & 2021

East Bay Municipal Utility District, whose Finance Director serves as the Authority's Treasurer, maintains the Authority's financial records. The Authority's financial records for the year ending September 30, 2022, and 2021 have been audited by the independent accounting firm Lance, Soll & Lunghard, LLP. This year's audit is presented in the document titled Upper Mokelumne River Watershed Authority Basic Financial Statements - Fiscal Years Ending September 30, 2022, and 2021.

Motion 12-23 to accept the Financial Statements for the years ending September 30, 2022, and 2021 as submitted was made by Director Oneto, seconded by Director Woodrow and carried by voice vote: Yea 7 – Nay 0 – Abstain 0.

7. UMRWA website

A new platform for UMRWA's website has been obtained with the Sacramento based firm Streamline who specializes in website hosting and support for California special districts and is well suited to small local government applications. UMRWA members CPUD and JVID are existing subscribers. Staff had sought out alternative website host and support options following the January Board discussion concerning the Authority's ongoing web and document management needs. The switch to Streamline, which after nominal set up expenses will cost \$1,080 annually, will result in a savings of about \$9,400 per year over the prior host and support arrangement.

8. Legislative Issues Update

Executive Officer Richard Sykes shared information regarding several state bills of interest to UMRWA including SB 338 which would make specified forest health work subject to California prevailing wage law, potentially resulting in a substantial increase in cost for this type of work. SB 338 was opposed by UMRWA and vetoed by the Governor in the previous legislative session. Also discussed were several bond bills that would provide forest health and infrastructure funding.

AB 1567 would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15.1B to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

SB 638, the Climate Resiliency and Flood Protection Bond Act of 2024 would authorize \$6B in bonds mostly for flood control measures in the Central Valley but \$1B is earmarked to help local agencies fund dam repairs and improvements.

SB 867 would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access programs.

Motion 13-23 to oppose SB 338 was made by Director Davidson, seconded by Director Woodrow and carried by voice vote: Yea 7 – Nay 0 – Abstain 0.

Board Member Comments:

Director Farrington requested the Board examine the revenue reserves of the \$45M designated for the Power Fire restoration. The EO will place this item on the agenda for the next Board meeting for discussion and possible action. Director Farrington also expressed concerns that AB 1554 which would exempt CEQA requirements in wildfire fuel reduction projects was declined to be heard by the Natural Resources Committee.

Director Patterson shared that May 2023 marks the 100th anniversary of EBMUD and Director Gonzales asked about reservoir levels and the current water releases from Camanche.

Director Coleman told the Board that he may not be present at the next meeting or potential special meeting in August.

Director Davidson reported information regarding possible fire-retardant restrictions in wild and scenic designated rivers and requested the Board to discuss this topic at the next meeting.

Executive Officer Comments:

The Executive Officer reminded the Board members of the 3rd amended JPA transmittal and requested the signed document be returned. The EO also shared with the Board that the next meeting will include a Blue Forest Conservation presentation on a Forest Resilience Bond.

ADJOURNMENT: Director Coleman adjourned the meeting at 11:22 a.m. The next regular meeting will be held on July 28, 2023, at Pardee Center.

SUBMITTED BY:



Lorna Barfield, Authority Secretary



John Coleman, Chair of the Board

APPROVED: July 28, 2023