



*"To protect, enhance, and support Butte County natural resources and agriculture by working with willing landowners and citizens through education, land management, and on-the-ground projects."*

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## **BOARD OF DIRECTORS Minutes**

**Date: Tuesday, September 15, 2020**

**Time: 9:00 AM**

**Location: No physical location**

**NOTICE OF TEMPORARY PROCEDURES FOR BOARD OF DIRECTORS MEETING:** Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings

in response to the COVID-19 pandemic, the **Butte County Resource Conservation District will be closing the June 18, 2020 Board of Directors Meeting to members of the public and nonessential District staff.** Additionally, members of the Board of Directors are allowed to attend the meeting via teleconference and to the same extent as if they were present.

**Members of the public are encouraged to participate in the Board meeting in the following ways :**

### **1. Remote Viewing**

<https://zoom.us/j/321411651> (Meeting ID: 321 411 651) OR use One tap mobile: +16699006833, then enter 321411651#

### **2. Public Comment**

Public Comment can also be submitted anytime via email at [bcrd@carcd.org](mailto:bcrd@carcd.org) . Every effort will be made to provide Board Members with your comments before the agenda item is heard. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting

1) **CALL TO ORDER** – Dave Lee, President , 9:02 am

2) **WELCOME AND INTRODUCTIONS** - Directors Dave Lee (Chair), Colleen Hatfield (Treasurer), John Christofferson, Allen Harthorn (Vice Chair); Associate Director Mike Crump; AmeriCorps Member Shepard Smith; District Manager Thad Walker; Staff Tim Keeseey, Wolfy Rougle.

3) **REVISIONS TO AGENDA** (only emergency situations requiring the need to take immediate actions may be added as action items pursuant to Gov. code 549954.2(b))

### **3) PUBLIC COMMENT (on non-action items)**

(1) (3 min. limit per speaker/topic, 15 minutes/person/meeting total) (2) *Public comment is encouraged. Any member of the public may address the Board with any comment related to the Resource Conservation District's areas of concern. However, no action can be taken by the Board on such items at this current meeting. The Board may direct staff to agendaize such items for consideration at a future meeting.* (3) *\*Please note that all action items will have time set aside for public comment prior to the vote occurring. After a motion*

*is made and seconded by two BCRC D Directors, the Chair will first ask for any further discussion from the Directors and Associate Directors and then Chair will open up the item for brief public comment limited to 2 minutes/person. After the public comment period closes a vote will be held.*

4) **CONSENT AGENDA:** Project Updates (see board packet).

5) **ACTION ITEMS** – Dave Lee, President

- a) **Review and approval of the minutes of the BOD meeting held 8/20/2020** - John moved to approve, Colleen seconded, motion passed unanimously
- b) **Review and approval of the minutes of the BOD Special Meeting held 8/26/20-** John moved to approve, Allen seconded; Dave indicated that the results of closed session should be included (i.e., that the Board voted in closed session to hire a new employee, Ben Hart) and motion as amended passed unanimously.
- c) **Review and approval of accounts payable and financials-** Colleen Hatfield. John asked some questions about Accts Payable Aging Detail. Colleen observed there's some differences between what Heather the bookkeeper is seeing in QuickBooks and what RCD is seeing, and resolving these discrepancies is taking a lot of time. A meeting with Heather is needed. Colleen recommended this month the Board only approve the accts payable, not the bookkeeping reports. Other unresolved question: what accounts for the "professional fees" (as categorized by Heather) of about \$605 in August? John moved to pay the monthly expenses, Colleen seconded, motion passed unanimously.
- d) **CalRecycle Revised Board Resolution-** Thad Walker/ Shepard Smith – This renewed resolution, with updated language requested by CalRecycle, will be effective for 5 years, meaning no additional resolution will be required for future CalRecycle grants we may apply for. John moved to accept the revised resolution; Allen seconded; motion passed unanimously.
- e) **SNAP 2020-21 MOU including teleservice requirements for SNAP member-** Wolfy Rougle. Dave observed the MOU still has a line on page 7 stating "the member may not accrue hours when working from home" which will need to be removed. Colleen suggested the RCD internally place a cap or guidance of \$2,000 on what the RCD is able/willing to pay for teleservice assistance (hardware, GIS, Internet, etc.), with the understanding this cap may need to be revised. Mike Crump observed that if the RCD provides a laptop, the RCD should also design a policy stating the laptop will only be used for work purposes. Colleen moved RCD sign the MOU with the problematic line on page 7 removed, Allen seconded; motion passed unanimously.
- f) **Operating Reserves Policy-** Thad Walker – On a quarterly basis, the Board would look at an agenda item making a contribution to the operating reserves (equal to 25% of the annual operating reserves contribution goal). The Board would have the discretion each quarter to fund the reserves at a higher or lower rate. Authority to use the funds would come from an agreement between the Treasurer and Board chair. John noted that on page 2, sentence 2 ("A specific source of revenue...") should be revised to make it less confusing and clarify that the Board would only be accepting, not making, gifts or bequests. John also felt that in the 4<sup>th</sup> sentence beginning "The Board of Directors has the discretion to donate...", RCD should strike the language from "donate" to the end of the sentence and add instead "determine the percentage of funds to be transferred to the operating reserve acct". Directors agreed. John moved the policy be approved with above amendments and inserted into RCD Policies and Procedures. Colleen seconded; motion passed unanimously. Colleen noted that next month, October, would be RCD's first opportunity to make a quarterly contribution.
- g) **Dixie Road CEQA Notice of Exemption-** Thad Walker – Staff proposes an NOE based on the categorical exemptions 15301 (existing facilities), 15302 (replacement or reconstruction), and

15333 (small habitat restoration). The fee is \$71. Even though there has been significant fire suppression activity in the area which might change conditions on the ground, per our grant agreement we still need to move forward with this CEQA action.

- h) **Dixie Road 1600 Lake and Streambed Alteration Agreement-** Thad Walker There are 16 encroachments and 1 water diversion spot for a permit total of \$16,318 (which the state water board will pay; amount is pretty standard for these types of projects). Most of CDFW's concern is with the yellow-legged frogs in the area. The agreement spells out how RCD will restore habitat as we work to repair the road, and CDFW is comfortable with the work taking place under an NOE. While we may need to wait on finalizing this agreement until we hear back about what suppression work was done in the area, because conditions may be changed, it is still timely to approve this agreement in case conditions turn out to be unchanged. John objected to RCD needing to pay one state agency, CDFW, \$16K and wait 3 months (or more) to be repaid by another state agency, Water Boards. Dave agreed it wasn't ideal but observed we knew when we started this work what it's like to deal with state agency timelines. Colleen asked whether the WB could simply pay CDFW the fee directly. Thad responded he didn't think that would be supported by the agreement we signed. The other option is to ask PWA to front the money (but it would require an agreement amendment with PWA). Colleen felt we should keep this expense in-house and observed it speaks to why we need an operating reserves policy. Colleen moved RCD go forward with both NOE and 1600 permits. Allen seconded; motion passed unanimously.
- i) **BLM Agreement for Camp Fire Hazard Tree Removal-** Thad Walker. Under Good Neighbor Authority, this is a fee-for-service agreement not to exceed \$45,000. BLM will direct RCD to certain parcels or areas, RCD will then survey and mark trees, and RCD will have a contractor remove them. John moved RCD approve the contract; Allen seconded. Project likely does not require cultural resource surveys. As long as the contractor we select is in good standing, licensed etc., there should be no problems with our insurance. Motion passed unanimously. Directors observed it's great to be developing this relationship with BLM and that they probably also have lands that burned in the Bear Fire/North Complex.
- j) **Friesen Foundation Board Resolution to accept donation for trail layout/ design for the Colby Mountain Recreation Project-** Thad Walker – Donation of \$40,000 for layout of about 40 miles of trail (pre-NEPA). Will require signing a finalized agreement eventually but Foundation doesn't seem to want to take a very active role in micromanaging the project, just likes to support this type of project and the collaborative RCD has developed. This funding can be used as match against future grants and will be a great way to get this project off the ground. We already have estimates from a couple contractors who could do the work for this amount of money. Colleen moved, Allen seconded; motion to sign resolution passed unanimously.
- k) **Letter of Support for Friends of Butte Creek for Wildlife Conservation Board Wildfire Recovery and Resilience Program grant application-** Allen Harthorn. FOBC is submitting a proposal to WCB Streamflow Enhancement Program to analyze the CDFW/CSUC reserves (about 380 ac of public land, mostly highly disturbed mining tailings) with the goal of establishing a plan/blueprint to re-establish a more natural floodplain and riparian forest in the area. This would eliminate erosion threats, abate old asphalt roads, remove mining ponds, etc. (This grant only deals with the "adjudicated section" of Butte Creek, i.e. from Western Canal siphon (west of Nelson) up to Parrott-Phelan diversion in lower canyon area.) Includes no project work on private lands. Proposal is strictly planning and would contract with an engineering firm called Flow West (SF)

and with Chico State. FOBC asks for a LOS for their WCB proposal and feels it's consistent with the RCD's proposal to the same funding source for Butte House Meadow in the upper watershed. Colleen moved to send the letter, John moved, motion passed unanimously with Allen abstaining to avoid a conflict of interest. Allen also shared that FOBC has been awarded a grant through Prop 1 to acquire 5 cfs of water rights on Butte Creek; with that right in their possession, they are encouraged to further evaluate water usage at the various diversions on Butte Creek and develop more water security at key times for SRCS upmigration (May, June).

- l) **NRCS Engineering Technician Agreement Update**- Thad Walker (information only). Thad shared the 2-year budget for this part-time position. This afternoon, Dan and Thad will sit down to review past job descriptions and develop a new one.
- m) **Amendment to agreement between BCRC and BCFSC for Paradise VMP Cultural Resource Survey** – Original agreement was for record search and survey on 7,000 acres; now BCFSC would like records search on 17,000 acres and survey on the same 7,000 acres. To cover that added work, BCRC is asking for an additional \$5,000 from BCFSC. We will simply pass this money on to the archaeologist, Genesis (in the next agenda item). John moved RCD accept and sign this contract, but only after changing the “Contractor” on page 1 from “Tim Keesey” to “BCRC”. Motion passed unanimously.
- n) **Amendment to agreement between Genesis Society and BCRC for Paradise VMP Cultural Resource Survey**. This item passes that new \$5,000 over to Genesis Society. John moved, Colleen seconded to approve; motion passed unanimously.

## 6) RCD PROJECTS AND PROGRAMS

- a) Update – See staff updates in BOD packet. **Thad:** RCD has been contacted by BCPW about the possibility of doing rapid assessments and response for erosion control in the Bear Fire/North Complex footprint in Oro-Quincy Hwy area. **Tim:** Originally for the Granite Basin project, County was supposed to be CEQA lead. Given the recent disaster and other factors, the County and RCD have decided it may be best for the BCRC to be the lead agency. (Project is in Plumas County but we have an agreement with FRRCD that makes it feasible for BCRC to be lead agency). Doesn't change budget, just makes timing do-able. As far as we know, Bear Fire/North Complex has not burned the project area yet, but it still could. Tim will take the RPF exam Oct 2!

Staff and Board brainstormed the staffing needs RCD still has: part time office person; forestry technician; engineering tech; CEQA-NEPA coordinator.

The Board and staff warmly thanked Shepard Smith for his year of service to BCRC and the forested watersheds of Butte County.

## 7) PARTNERS' REPORTS ( 5 minute limit per group) - None

- a) Natural Resource Conservation Service (NRCS)
- b) Butte County departments
- c) Community groups and agencies

## **8) CLOSED SESSION – Directors only –**

- a) Personnel Discussion

## **9) BOARD OF DIRECTORS REPORTS**

- a) Butte County RCD Directors and Associate Directors are welcome to report

## **10) ADJOURNMENT**

***NOTE:** The Butte County Resources Conservation District (BCRCD) distributes its Board meeting agendas electronically at least 24 hours in advance of meetings. If you would like to be added to, or removed from, the email list, please notify the Butte County RCD at (530) 534-0112, ext. 122 or by email to: [bcrd@carcd.org](mailto:bcrd@carcd.org). The BCRCD also publicly posts notice and agenda of meetings 72 hours in advance of meetings at the Butte County RCD office located at 150 Chuck Yeager Way, Suite A, Oroville, CA. **Reasonable Accommodations:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Butte County RCD Manager at (530) 534-0112, ext. 122.*

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