

Minutes of the Sierra Nevada Conservancy  
Inaugural Meeting

Thursday, May 12, 2005

I. **Call to Order**

Resources Secretary Mike Chrisman called the first meeting of the Sierra Nevada Conservancy to order at 10:10 AM at the California Energy Commission Building, Hearing Room A, 1516 Ninth Street, Sacramento, CA 95814.

II. **Oath of Office**

Deputy Attorney General Christine Sproul administered the Oath of Office to members of the governing board. Present and taking the Oath were:

Linda Arcularius, Supervisor, Inyo County, Representing the East Sierra Subregion,

Helen Baumann, Supervisor, El Dorado County, Representing the Central Sierra Subregion,

Robert C. Campbell, Chief Deputy Director, Department of Finance,  
Mike Chrisman, Secretary, Resources Agency,

Brian Dahle, Supervisor, Lassen County, Representing the North Sierra Subregion,

Bob Kirkwood, Public Member, appointed by the Governor,

BJ Kirwan, Public Member, appointed by the Governor,

Byron Sher, Public Member, appointed by the State Senate,

Lee Stetson, Supervisor, Mariposa County, Representing the South Central Sierra Subregion,

Bob Waterston, Supervisor, Fresno County, Representing the South Sierra Subregion,

Carol Whiteside, Public Member, appointed by the Governor,

Kim Yamaguchi, Supervisor, Butte County, Representing the North Central Sierra Subregion,

Also Present but not taking the oath were Non-voting Liaison members:

Bernie Weingardt, US Forest Service, Representing the U. S. Secretary of Agriculture

Dean Swickard, U. S. Forest Service, Representing the U. S. Secretary of the Interior

At the suggestion of Ms. Sproul the board adopted Roberts Rules of Order for the way that the board would conduct its meetings.

III. **Selection of an Interim Chairperson**

After discussion about the appointment of a permanent or interim chair, on a motion of Brian Dahle, seconded by Linda Arcularius, the board unanimously choose Mike Chrisman as interim Chairperson of the board. The issue of a permanent Chair and Vice-Chair will be determined at a later date.

IV. **Presentation by Assemblyman Laird and Assemblyman Leslie**

Assembly Member Tim Leslie, co-author of AB 2600 that established the Sierra Nevada Conservancy, congratulated the board members on their appointments and talked about the challenges and opportunities before the board. He pointed out that the bill in its final form represents the best of non-partisan cooperation between members reflecting different interests, who worked diligently to craft workable solutions. He suggested that this example would serve as a good model for the work of the Conservancy.

Assemblyman Laird was unable to attend the meeting. His aide, Clyde MacDonald read aloud Mr. Laird's remarks. Mr. Laird said that the dream of a Sierra Conservancy was born in the 1970's and had lived on ever since, but that it was hard to get across the "political desert." Governor Schwarzenegger's support of a Sierra Conservancy in 2003 created an opportunity. Mr. Laird and Mr. Leslie introduced their separate bills and worked together in a respectful, polite and honorable way to find a compromise that would work for everyone. This process was facilitated by the Assembly and Assembly committees, which passed both members' bills preparing the way for the final compromise legislation,. Mr. Laird closed by asking the Board to "make us proud."

V. **Welcome by Governor's Representative**

Mike Chrisman, Secretary for Resources, welcomed the members on behalf of the Governor and reiterated the Governor's support of the principles and programs of the board.

VI. **Information Reports**

a. **Deputy Attorney General's Report**

Deputy Attorney General Christine Sproul briefed the members on the Bagley-Keene Open Meeting Act and conflict of interest requirements. She provided the members with copies of publications by the Attorney General's office in both of these areas and discussed the conflict of Interest forms that the members must complete and submit as part of process of assuming their office.

**b. AB 2600 and State Conservancy Programs**

John Gussman, Staff Counsel for the California Tahoe Conservancy briefed the members on state conservancy mandates, roles and programs in general, and on the Sierra Nevada Conservancy legislation in particular, noting the elements of the legislation which set the Sierra Nevada Conservancy apart from earlier State Conservancies.

**c. Proposed Outreach Activities**

Ray Lacey of the California Tahoe Conservancy briefed the board on data collection and other organizational activities that have been completed to date by staff and non-profits. Mr. Lacey then stated that staff is hoping to schedule public forums, or workshops, in each of the six sub-regions within the Sierra Nevada Conservancy service area, and that these meetings would likely take place over the course of the summer. Forums are to be jointly hosted by sub-regional representatives and staff from the Resources Agency. They are intended to provide basic information about the new conservancy, as well as to provide a local venue for individuals and constituencies to begin a dialogue on issues, needs, etc. within their respective sub-regions. He noted that, with the board's concurrence, staff would be prepared to schedule the first forum, in the Eastern Sierra sub-region as early as late June.

**d. Initial Organizational activities**

Don Wallace, Assistant Secretary for Administration and Finance of the Resources Agency, briefed the board on what has been done to date in the areas of budget, personnel, accounting needs, and possible office locations. Mr. Wallace explained that the Conservancy has no budget at the present time. Several state agencies and many people have underwritten the costs of getting the board to its current position.

- The Resources Agency got things started and has devoted staff to the various organizational activities.
- The Attorney General is assisting with legal start-up procedures.

- Other departments include the Department of Forestry and Fire Protection, the Department of General Services, and the Energy Commission.
- In particular the Executive Officer and staff of the Tahoe Conservancy have done substantial work.

Mr. Wallace emphasized that all the work done to date has been undertaken with the clear idea that the Conservancy Board and its staff, that will be crafting the final work-plan for the Conservancy. All arrangements are subject to the Conservancy Board's review and consent.

He stated that the Governor's Budget contains funding for the Conservancy in the 2005-06 fiscal year. The source of funds is the Environmental License Plate Fund or (ELPF). There are no General Funds allocated to the Conservancy. He then gave a brief overview of what is contained in the budget.

He pointed out that the board packet included the narrative justification for the Conservancy funding. In addition it included the write-up prepared by the Legislative Analyst for consideration by the legislature during budget hearings and questions raised by committee staff and the responses provided to those questions.

He stated that the Assembly has approved the budget with some reporting requirements and that he anticipated the Senate to do the same next week.

He stated that the Department of General Services (DGS) operates a unit that provides administrative support such as full accounting, personnel and procurement functions to small organizations that cannot justify a complete accounting or personnel office and that the budget contemplates that these services will be provided to the Conservancy in this way and that preliminary discussions are underway with the various offices of DGS.

He pointed out that the state has rules on how departments determine the kinds of personnel classifications that they will establish to undertake their workload and that the BCP has proposed certain classifications, but it will be up to the Department of Personnel Administration and the State Personnel Board to concur in the classifications and management structure. He stated that Resources staff intend to begin some of this work before the budget is passed in order to save time for the new director in hiring the staff. Actual hiring will be the job of the new director.

He mentioned that one of the early decisions facing the board will be choosing a location for the Conservancy headquarters. The

Department of General Services has the state mandate to negotiate leases for facilities for state agencies. The Board will decide the community in which they would prefer the headquarters to be located. The staff will work with DGS to see what space is available at the best price for the state.

**VII. Ratification of the Proposed 2005-06 Budget Request for the Conservancy**

Staff presented a proposed resolution for the board to adopted the budget prepared resources Agency and now before the Legislature. Staff recommended that the Conservancy adopt the following resolution, pursuant to Public Resources Code sections 33300 et seq., 33330, and 33335:

"The Sierra Nevada Conservancy hereby ratifies the proposed 2005-06 fiscal year budget, as set forth in the materials presented by staff; and authorizes staff to take necessary steps for its adoption."

Upon the motion of Carol Whiteside, seconded by Lee Stetson the board unanimously adopted the resolution.

**VIII. Action to Initiate a Recruitment and Selection Process for the Executive Officer Position**

Staff discussed the Executive Officer duties and the recruitment/selection process and suggested the authorization for an advisory committee of the board, assisted by staff, to carry out recruitment and screening of candidates for the Executive Officer position.

Staff recommended that the Conservancy adopt the following resolution, pursuant to Public Resources Code section 33328:

"The California Sierra Nevada Conservancy hereby authorizes an advisory committee of the board, to be designated by the board concurrently with this resolution ("the Search Committee"), with the assistance of staff, to carry out recruitment and screening of candidates for the position of Executive Officer, with such guidance as the board may hereafter provide.

"The Search Committee shall recommend to the board the desirable criteria for filling the Executive Officer position, together with the recruitment plan and application and interviewing

procedures. The Search Committee shall report to the board periodically regarding the progress and results of the recruitment process. The Search Committee shall also make recommendations to the board regarding the desirable salary for the position.”

Kim Yamaguchi suggested that Linda Arcularius be on member of the Search Committee and Chairman Chrisman suggested that Bob Kirkwood be second member.

Upon the motion of Mr. Yamaguchi, seconded by several members, the board unanimously adopted the resolution including designating the two suggested members to serve on the committee.

**IX. Action to Authorize the Resources Agency to Perform Operational and Administrative Actions**

Staffed discussed and recommended the Board authorize the Resources Agency to carry out necessary operational and administrative functions pending hiring of Conservancy staff.

Staff recommends that the Conservancy adopt the following resolution, pursuant to Public Resources Code sections 33300 et seq. and 33328:

“The Sierra Nevada Conservancy hereby authorizes the Resources Agency, to carry out necessary operational and administrative functions on behalf of the Conservancy, pending the appointment of an Executive Officer and other staff for the Conservancy.

“The functions to be carried out by the Resources Agency shall include:

- organizing places, dates, and times of Conservancy board meetings, in consultation with the board;
- preparing and disseminating board meeting notices and agendas, in compliance with the Bagley Keene Open Meeting Act (Government Code section 11120 et seq.);
- preparation of minutes of Conservancy board meetings, as well as copies of the board's official resolutions for certification by the Chair;
- assistance in the recruitment and screening of candidates for the position of Executive Officer;

- initial and preparatory steps for the hiring of other staff, including preparation of duty statements, establishment of hiring lists, and the like;
- legislative budget liaison in connection with the Conservancy's 2005-06 fiscal year budget;
- organizing public outreach activities within the Conservancy's six subregions, for the purpose of publicizing the inception of the Conservancy and soliciting the public's ideas and comments;
- processing of travel claims and per diem requests; and
- such other activities as may be necessary and incidental to the activation of the Conservancy and do not conflict with the board's decision making prerogatives.

"The Resources Agency shall report to the Conservancy at each meeting of the board on the progress of the above activities."

Upon a motion made and duly seconded by \_\_\_\_\_ the board unanimously adopted the resolution.

#### **X. Board Member Comments**

**Carol Whiteside** – I want to thank the Assembly, the Senate, the Governor and the Resources Agency for establishing this organization. It is long overdue. There are few resources that have as many who work and live within it, and who periodically enjoy it for recreation. It is a treasure. It is appropriate to use a new model, because old role of command and control, where we had the ability to make decisions unilaterally, is not always cooperative and collaborative and does not work in 21<sup>st</sup> century. The purposes not only preserve communities and economic interests and values, but preserves this treasure for all California.

**Lee Stetson** – I want to echo Carol's statements. I am pleased to be part of this effort, along with these caring and dedicated people. I am pleased with the proposed outreach, bringing about trusting relationships between economic and environmental concerns. I want to thank all the people who have contributed.

**Linda Arcularius** – I remember when Lucy Blake and I met at the Sierra Summit and thought about concept. I want to thank John Hoffman, of RCRC, and Brent Harrington, also of RCRC. Many principles that we discussed at these early meetings are encompassed

in this legislation. It is amazing legislation, which took a while, but it was time well spent. This legislation provides for a successful and sustaining model. It is a privilege to be here.

**Bob Kirkwood** – I was not involved early on, but I believe that it will function best through a series of joint ventures, both state and local, and public and private. We will be carrying out projects with strong environmental elements, substantial scale, including an active consideration of economic interests. I'm glad to be here, and want to thank the Governor, for his appointment.

**Bernie Weingardt** - The Forest Service is very pleased to be part of this board in an advisory capacity. We fully embrace the purposes contained in this legislation and look forward to collaborative working relationships. The purposes outlined earlier, are completely consistent with national forest lands goals. I see nothing but hope for forest management - protecting and enhancing the resources, protecting the communities, the cultures, and entire ecosystems.

**Deane Swickard** - The fundamental purpose of bill is to promote land management in a culture of courtesy, cooperation and respect. I am looking forward to the potential that this new culture holds. I look forward to carrying through with public involvement, to develop constituencies and coalitions necessary to make the changes we are looking for. BLM will contribute whatever we can to this effort.

**Brian Dahle** – Speaking from the perspective of the county supervisors' level, I am excited to be on Board. We are used to reacting to legislation, now we are participating in the process where the rubber meets the road. I am looking forward to this collaboration.

**Byron Sher** – I am pleased to be part of this great venture, in order to protect and preserve the wonderful Sierra Nevada Regions. I authored legislation to create a bay area conservancy, introduced because I thought equity required that all voters and taxpayers in Bay area should receive a fair share of funding made available by bond issues approved by voters. I supported the establishment of the Sierra Nevada Conservancy and carried AB 2600 on floor of Senate.

**Bob Waterston** – I reiterate what everyone has said. Fresno County struggles with air quality because of growth and tourism. I look forward to working with other counties to solve the area's problems. We have a little problem with pine needles – we're not allowed to burn them anymore.

**Kim Yamaguchi** - I want to thank everyone. I have enjoyed the comments made previously. I am most pleased that SNC is the first conservancy to have local elected officials as part of the board – I want to thank the authors for including us. I don't want to forget to thank other individuals and other elected county supervisors who are not on the Board. In our sub-region, there is a very active group who is anxious to participate. In my community, and throughout the region, we are part of the interface and we're anxious to get to work. I look forward to working with other supervisors.

**Robert Campbell** - Dept. of Finance (sat in for Tom Campbell) – On behalf of Tom Campbell, we are looking forward to participating with distinguished board and carrying out and implementing the purposes and objectives of this legislation.

**Helen Baumann** – It is refreshing to talk about something besides asbestos. My fellow supervisors have articulated my feelings. I'm proud to be here with them. We have a committed group of elected supervisors. My personal commitment is to Assemblyman Leslie. My promise to him is that this will be a collaborative process by all.

**B.J. Kirwan** – I am humbled by the long and deep record of involvement by all Board members. I truly believe in goals and purposes, and will be immersing myself in local issues.

#### **XI. Public Comments**

**Steve Frisch**, Sierra Business Council. Applauds the new Sierra Nevada Conservancy board for its service to the region. Look at the diversity in the room here today! Environment and Economy must work in balance in the 21<sup>st</sup> Century. Government must be collaborative. This is an investment in our future. Let's all acknowledge the efforts of Dennis Machida in getting us here today.

**Elizabeth (Izzy) Martin**, Sierra Fund, and former Nevada County Supervisor. Start writing the book now. We all support you in your upcoming challenges. Let's all work toward the Sierra Nevada License Plate.

**Dave Sutton**, Northern California Director, Trust for Public Land. This is a conservancy for the new millennium. Thanks to Assemblyman Leslie, Assemblyman Laird, Jedd Medefind and Dennis Machida. Can't even begin to imagine what the future contributions of this agency will be.

**Lisa Wallace**, Truckee River Watershed Council. Has over 83-project list. Please don't forget the east side of the Sierra.

**Craig Threshie**, Mayor, Town of Truckee. With both the Sierra Business Council and the Truckee Donner Land Trust headquartered in Truckee. We feel that town would also be a suitable site for the Sierra Nevada Conservancy offices.

**J. Reed**. Spoke to the value and importance of recreating in the Sierra. Please don't overlook people of color in your planning and outreach efforts. Sierra Nevada Conservancy needs to reflect all the people of California.

**John Falk**, Tahoe-Sierra Board of Realtors. TSBR has been and will be following the Sierra Nevada Conservancy closely. There has been an important evolution in thinking, and TSBR is now more supportive of the SNC. TSBR had questions about Assemblyman Leslie's original bill and opposed the original Laird bill. TSBR did, ultimately, support the final bill. Affordable housing is a critical, region-wide issue. Fuels and wildfire prevention important.

**Chuck Peck**, Sierra Cascade Land Trust Council. Welcome and congratulations to all. SNC has the potential to make an enormous, positive difference in the region. SCLTC will assist in any way that they can.

**Joan Clayburgh**, Executive Director of the Sierra Nevada Alliance. Sierra Nevada Alliance is composed of 65 member groups (e.g. Mono Lake Committee). We encourage you to take advantage of our resources. We want to assist in any way.

**Conley Weaver**, Mayor, Nevada City. Nevada City endorses the Sierra Nevada Conservancy, and would like to be considered as a suitable site for its offices.

XII. Administrative Matters

Staff informed board members that staff were available after the meeting to help with necessary paperwork and travel claims.

XIII. Scheduling of the Next Meeting

The Chairman announced that the next meeting had been scheduled for Thursday, June 30 at 10:00 AM, in Sacramento. There was no objection to that date.

#### XIV. Adjournment

At the suggestion of Linda Arcularius the first meeting of the Sierra Nevada Conservancy was adjourned at 12:45 PM in memory of Dennis T. Machida, late Executive Officer of the Tahoe Conservancy and one of the major contributors to the formation of the Sierra Nevada Conservancy.