



# Upper Mokelumne River Watershed Authority

Governing Board Meeting

## Agenda

Friday, July 22, 2022 – 10:00 a.m.

**NOTE: Meeting location will return to EBMUD's McLean Hall Pardee Center, Sandretto Road, Valley Springs, CA 95252 with a Zoom option for those unable to attend in person**

### ROLL CALL

### PLEDGE OF ALLEGIANCE

**PUBLIC COMMENT:** When responding to a matter not on the agenda, state law limits a Board member to providing a brief response, asking clarifying questions, and/or referring it to staff.

### AUTHORITY BUSINESS:

<u>AUTHORITY BUSINESS:</u>	<u>Recommended Action</u>
1. Board Meeting Minutes of April 22, 2022	Approve by Motion
2. Treasurer's Report – Second Quarter FY 2022	Accept for Filing
3. Pardee Reservoir Water Quality Monitoring	Discussion/Possible Action
4. Forest Projects Report	Approve by Motion
5. Fiscal Year 2023 Budget	Approve by Motion
6. Consulting Agreements for UMRWA Support Personnel	Approve by Motion
7. Status of IRWM Grant Applications	Discussion/Possible Action
8. Ad Hoc Committee to Review Joint Powers Agreement	Discussion/Possible Action
9. Legislative Issues Update	Discussion/Possible Action

### BOARD MEMBER COMMENTS:

10. Board Member Comments

### EXECUTIVE OFFICER REPORT:

11. Executive Officer's Oral Report

### ADJOURNMENT:

- **Next Regular Board Meeting: October 7, 2022, at 10:00 a.m. Pardee Lodge, Pardee Center**

*Requests for disability-related modification or accommodation, including auxiliary aids or services, or to attend the meeting in person at a physical location, may be made to Lisa Stuart at 209.772.8261 or [lisa.stuart@ebmud.com](mailto:lisa.stuart@ebmud.com) no later than 24 hours before the meeting.*



# Upper Mokelumne River Watershed Authority

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Agenda No: **1**

Meeting Date: April 22, 2022

Title:

Meeting Minutes of April 22, 2022

Recommended Action:

Approve the meeting minutes of April 22, 2022.

Summary:

The summary minutes of the April 22, 2022 meeting are included for Board review and approval.

*Summary Minutes*

**ROLL CALL**

Directors John Coleman, Chair, Terry Woodrow, Vice-chair, Jack Garamendi, Richard Farrington, Richard Blood, and Ed Gonzalez were present at the beginning of the meeting. Director Jeff Davidson joined after agenda item 2. Absent: Brian Oneto, Amador County. Also present were Executive Officer (EO) Richard Sykes, Authority Counsel Greg Gillott, Administrative Officer Rob Alcott, Authority Secretary Lisa (Stuart) Gualco, and 23 visitors and presenters.

**PUBLIC COMMENT** – none.

**AUTHORITY BUSINESS**

**1. Regular Meeting Minutes of January 28, 2022**

The summary minutes of the January 28, 2022 meeting were provided to the Board for review.

**Motion 05-22** to approve the regular meeting minutes of January 28, 2022 was made by Director Woodrow, seconded by Director Farrington and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

**2. Treasurer’s Report –First Quarter FY 2022**

A copy of the Treasurer’s Report for the First Quarter of fiscal year 2022, which ended December 31, 2021, was presented to the Board.

**Motion 06-22** to accept the Treasurer’s Report for filing was made by Director Farrington, seconded by Director Blood and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

Director Davidson joined the meeting, changing the vote count to 7 for the remainder of the meeting.

**3. Patrick Wright Presentation**

Mr. Wright had a scheduling conflict and was unable to present at this meeting. This presentation will be rescheduled.

[Note: Due to scheduling issues, the presentations in agenda items 4 and 5 were changed in order. John Buckley provided his presentation as described in agenda item 5 first, followed by the Blue Forest Conservation presentation as described in agenda item 4.]

**4. Blue Forest Finance Presentation**

At the April 2021 meeting the Board approved a Memorandum of Understanding with Blue Forest Finance. The MOU anticipates the preparation of a Forest Resilience Bond (FRB) Feasibility Study that explores options for financing forest health projects in the Upper Mokelumne River watershed.

Blue Forest Conservation’s team including Matt Sjolholm, Phil Saksa and Nick Wobbrock presented information regarding potential projects, partners and project benefits that have

been identified in conjunction with the preparation of the draft Feasibility Study and responded to Board member questions. As a next step Blue Forest will be contacting individual UMRWA member agencies to discuss the value of potential benefits.

## 5. John Buckley Presentation

Mr. Buckley, Executive Director of the Central Sierra Environmental Resource Center, was invited to share his insights regarding the recent process to complete the Social and Ecological Resilience Across the Landscape (SERAL) project for the Stanislaus National Forest. The draft Final Environmental Impact Statement (FEIS) for the project was released for public review and comment in February 2022. The goals and scope of the SERAL Project are viewed to be very similar to the Forest Projects Plan – Phase 2 that UMRWA will soon pursue in collaboration with the Eldorado and Stanislaus National Forests, the ACCG and others.

Mr. Buckley highlighted several points including 1) that as the size of the project area increases, so does the complexity and controversy of the planning process, 2) the cost of implementation on SERAL is immense and far higher than the \$55 million earmarked in the current infrastructure bill, and 3) the consensus-based approach used in the planning and environmental documentation was essential to success and future funding.

Finally, Mr. Buckley noted that a SERAL-like project in the Mokelumne Watershed would likely take two or more years to complete.

John Coleman requested that John Buckley be invited to EBMUD's Pardee BBQ.

## 6. Forest Projects Report

This Forest Projects Report included an update on the Authority's Forest Projects Plan initiative, Phases 1 and 2. In addition, a summary status of each of the Authority's three pending grant applications was provided to the Board. The report concluded with a summarization of awarded and executed grants, along with grants UMRWA has applied for and others of potential interest.

**Motion 07-22** to 1) authorize staff to retain a qualified consultant or consulting firm to lead the FPP – Phase 2 planning effort and authorize the Executive Officer to execute an agreement for these services for an amount up to \$20,000 to initiate the planning process, 2) authorize the Executive Officer to execute the Wildlife Conservation Board's awarded Forest Conservation Program grant agreement in the amount of approximately \$650,000, 3) authorize the Executive Officer to execute the Sierra Nevada Conservancy's Regional Forest and Fire Capacity Program grant agreement in the amount of approximately \$355,000, 4) authorize the Executive Officer to execute the Cal Fire Forest Health Program grant, if awarded, in an amount up to \$5 million, 5) authorize staff to identify, evaluate, select, and retain a qualified consultant for archeological surveys and reporting as required for the FPP – Phase 1 effort, and authorize the Executive Officer to execute an agreement for these services for an amount up to \$110,000 was made by Director Davidson, seconded by Director Farrington and carried by roll call vote: Yea 7 – Nay 0 – Abstain 0.

## 7. Status of IRWM Grant Applications

On January 28, the Board authorized submittal of grants under two DWR programs: the IRWM Proposition 1 Round 2 Funding Program and the 2022 Multi-benefit Drought Funding Program. The Board received an update noting that the IRWM Round 2 solicitation notice has not yet been issued by DWR and the Drought Funding Program grant agreement is being developed by the primary grantee, Sierra Institute.

## 8. Fiscal Year 2023 Budget

The proposed FY 2023 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 \$302,725 (identical to the current fiscal year budget). Also provided were the member funding offsets and the Authority's work activities planned for FY 2023.

**Motion 08-22** to endorse the proposed FY 2023 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 Gonzalez and carried by roll call vote: Yea 7 – Nay 0 – Abstain 0.

## 9. Ad Hoc Committee to Review Joint Powers Agreement

At the January 2022 meeting Board members expressed an interest in reviewing the JPA to determine if an update is needed. The agreement was last updated in 2008. Directors Coleman, Garamendi and Gonzalez volunteered to form an ad hoc committee to review and recommend updates to the JPA and requested an item be included on this meeting agenda to create such a committee. As was requested at the January meeting, the Board was provided with information that the maximum number of board members that can be on an ad hoc committee is four (4), as well as information on whether UMRWA may perform or fund work outside of the UMRWA boundary for UMRWA related work. Director Farrington volunteered for this committee.

**Motion 09-22** to approve creation of an ad hoc committee to review the UMRWA joint powers agreement (JPA) and report the committee's findings and any recommended amendments at the October 2022 Board meeting, and to select and appoint these four Directors (noted here) to serve on the Ad Hoc JPA Review Committee was made by Director Davidson, seconded by Director Gonzalez and carried by roll call vote: Yea 7 – Nay 0 – Abstain 0.

## 10. Mattley Meadows Restoration Project – UMRWA Cost Share Agreement with Plumas Corporation

At its July 23, 2021 meeting, the UMRWA Board of Directors voted unanimously to approve a \$10,000 cost share contribution to the Mattley Meadows Restoration Project to support the Plumas Corporation's grant application to the Wildlife Conservation Board. The WCB awarded the grant to Plumas Corporation and the project is proceeding. The UMRWA contribution will allow planning to be completed and construction initiated. The proposed agreement includes provisions for UMRWA payments, contract term, and standard language for hold harmless, non-discrimination and assignment.

**Motion 10-22** to authorize the Executive Officer to execute an agreement with Plumas Corporation to facilitate UMRWA's \$10,000 cost share contribution for the Mattley Meadows Restoration Project was made by Director Farrington, seconded by Director Davidson and carried by roll call vote: Yea 7 – Nay 0 – Abstain 0.

## 11. Legislative Issues Update

No legislative report was included in this agenda package and the EO had not received any additional information to present at this meeting.

Director Farrington would like the July agenda to include discussion of the H. R. 6903 (McClintock) bill currently in front of Congress and Calaveras County Water District

General Manager Michael Minkler asked that the Board review and discuss its position on AB 1717 at the July meeting, as well.

**Board Member Comments:**

Director Farrington mentioned the new strategic plan published by the CA Wildfire Resilience Task Force for Expanding the Use of Beneficial Fire which includes pilot projects and a key action item (7.1) to acquire funding.

Director Blood requested information on hydraulic and water quality monitoring in the watershed, including amount of rainfall and water quality based on quantity of rainfall. East Bay Municipal Utility District's Michael Tognolini noted that EBMUD samples watershed water quality regularly. He will provide information at the July Board meeting regarding their agency's sampling above Pardee reservoir including sampling locations, frequency, trends, etc.

**Executive Officer Comments:**

The Executive Officer stated that the Vets Hall in Valley Springs would be booked so that the next UMRWA Board meeting could be held in person there unless Pardee's McLean Hall opens back up for hosting meetings. He stated that he would provide a brief review of the DAC needs assessment report at the July meeting.

**ADJOURNMENT:** Director Coleman adjourned the meeting at 12:12 p.m. The next regular meeting will be held on July 22, 2022, with the location to be determined.

**SUBMITTED BY:**

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Lisa Stuart, Authority Secretary

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John Coleman, Chair of the Board  
APPROVED: July 22, 2022



# Upper Mokelumne River Watershed Authority

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Agenda No: **2**

Meeting Date: July 22, 2022

Title:

Treasurer's Report – Second Quarter FY 2022

Recommended Actions:

Accept for filing.

Summary:

A copy of the Treasurer's Report for the Second Quarter of fiscal year 2022, which ended March 31, 2022, is included here and will be presented at the Board meeting.

**UPPER MOKELUMNE RIVER WATERSHED AUTHORITY  
TREASURER'S REPORT  
STATEMENT FOR THE PERIOD ENDING MARCH 31, 2022**

<i>Fiscal Year 2022 (begining Oct. 1, 2021)</i>	Assessment, Grants & USFS	Budget FY 2022	Actual		
			Current Quarter	YTD	YTD %
<b><u>General Assessments &amp; Operating Revenue</u></b>					
Amador Agencies Funding	51,044	51,044	4,604	51,044	100%
Calaveras Agencies Funding	57,546	57,546	-	57,546	100%
EBMUD Funding	129,910	129,910	-	129,910	100%
Member Agencies Contribution	238,500	238,500	4,604	238,500	100%
Prior Year Unspent/Carry forward	81,815	81,815	-	-	0%
Indirect Fee Revenues (Collected FY2021)	15,000	15,000	-	-	0%
Interest/Misc income	-	-	37	42	
Operating Reserve (Bal. \$453,826)	100,000	100,000	-	-	0%
Misc Revenue	196,815	196,815	37	42	0%
<b>Total Assessments &amp; Operations Funding</b>	<b>435,315</b>	<b>435,315</b>	<b>4,641</b>	<b>238,542</b>	<b>55%</b>
<b><u>IRWM Grant Funding</u></b>					
CCWD - West Point WTP (Prop 1)	554,562	554,562	47,733	(1,792)	0%
<b><u>Forestry/Watershed Funding</u></b>					
US Forest Service (West Calaveras Thin)	21,718	21,718	-	2,588	12%
US Forest Service (Cabbage Patch)	1,919	1,919	-	1,495	78%
Sierra Nevada Conservancy Grant 2 (Cabbage Patch)	-	-	-	49,892	
Sierra Nevada Conservancy Grant 3 (Black Springs w/ WCT)	76,963	76,963	169,251	169,251	220%
Sierra Nevada Conservancy Mapping Tool Grant	-	-	10,779	10,779	
Sierra Nevada Conservancy - Forest Projects Plan	181,508	181,508	12,737	23,279	13%
NFWF (Eldorado NF Culvert Upgrades)	116,594	116,594	116,594	116,594	100%
<b>Total Grants and Other Funding</b>	<b>953,264</b>	<b>953,264</b>	<b>357,094</b>	<b>372,086</b>	<b>39%</b>
<b>TOTAL REVENUES &amp; FUNDING</b>	<b>1,388,579</b>	<b>1,388,579</b>	<b>361,735</b>	<b>610,628</b>	<b>44%</b>
<b><u>ASSESSMENT EXPENDITURES</u></b>					
<b><u>General Assessment (Administration)</u></b>					
Executive Officer		50,000	10,734	18,692	37%
Administrative Officer		50,000	13,650	23,041	46%
Website Support (Woodard & Curran) (w/\$9,700 carry forward)		21,700	1,750	1,750	8%
<b><u>General Assessment (Operations)</u></b>					
Plumas Corp - Mattley Meadow (w/\$10,000 carry-forward)		10,000	-	-	0%
MLLT - STE Watershed Program CY 2021/22 (w/\$8,663 carry forward)		25,163	-	-	0%
Inter-agency Liaison & Board Support (LEI, Inc)		10,000	210	2,519	25%
Forest-related Grant Applications/Project Development (LEI, Inc)		40,000	20,861	26,857	67%
Forest Projects Plan (LEI, Inc) (w/\$40,770 carry forward)		190,770	-	-	0%
IRWM Grant Application/Project Development		25,000	-	-	0%
MAC Projects Update 2020 (Woodard & Curran) (w/\$12,682 carry forward)		12,682	7,415	7,415	58%
<b>TOTAL ASSESSMENT EXPENDITURES</b>		<b>435,315</b>	<b>54,620</b>	<b>80,274</b>	<b>18%</b>
<b><u>GRANT and FORESTRY/WATERSHED FUNDING EXPENDITURES</u></b>					
<b><u>DWR Prop 1 Implementation Grant</u></b>					
CCWD - West Point WTP		527,287	-	-	0%
Woodard & Curran - invoicing & reporting		20,892	2,018	2,018	10%
WRA - agreement administration		4,000	-	-	0%
<b><u>Cabbage Patch Restoration Project</u></b>					
Landmark Environmental Inc.		1,919	10,215	11,575	603%
<b><u>Black Springs Restoration Project</u></b>					
Landmark Environmental Inc.		2,181	5,556	9,909	454%
Contractor (incl GV Conservation Corp)		65,069	32,692	56,252	86%
<b><u>NFWF - Culvert Upgrade Project</u></b>					
Landmark Environmental Inc.		16,513	-	16,513	100%
<b><u>West Calaveras Thin/Bailey Project</u></b>					
Landmark Environmental, Inc.		1,000	-	2,262	226%
Contactior		20,718	-	-	0%
<b><u>SNC - Mapping Tool Project</u></b>					
Landmark Environmental Inc.		-	-	-	
<b><u>SNC - Forest Projects Plan</u></b>					
Landmark Environmental Inc.		181,508	18,213	25,669	14%
<b>TOTAL GRANT EXPENDITURES</b>		<b>841,087</b>	<b>68,694</b>	<b>124,198</b>	<b>15%</b>
<b>Total Project Expenses</b>		<b>1,276,402</b>	<b>123,314</b>	<b>204,472</b>	<b>16%</b>



# Upper Mokelumne River Watershed Authority

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Agenda No: **3**

Meeting Date: July 22, 2022

Title:

Pardee Reservoir Water Quality Monitoring

Recommended Actions:

Discussion/Possible Action

Summary:

At the last meeting the Board requested a presentation on water quality monitoring performed by East Bay Municipal Utility District at Pardee Reservoir. Mr. Roberto Cortez, P.E., Manager of Water Supply at EBMUD, will provide an overview of the District's monitoring program at this meeting.

Title:

Forest Projects Report

Recommended Actions:

1. Increase to \$50,000 the amount the Executive Officer is authorized to obligate when executing the consulting services agreement with the firm selected to lead the FPP - Phase 2 planning effort.
2. Approve and authorize the Executive Officer to execute agreements with Landmark Environmental Inc. and the Institute for Bird Populations for Aspen Meadow Restoration work funded by the Wildlife Conservation Board.
3. Adopt Resolution 2022-01 related to Cal Fire's award of the \$5 million Forest Health Grant awarded to UMRWA.
4. Approve Amendment 1 to the agreement with InContext Cultural Resource Solutions to perform additional archeological surveys on approximately 2,795 acres of Phase 1 lands and increase the maximum contract amount from \$110,000 to \$160,000.
5. Authorize staff to submit 2 grant concept proposals to Sierra Nevada Conservancy, one to fund Phase 1 implementation projects (plus other small treatment areas outside of the Phase 1 boundary), the second for Phase 2 planning funds.

Summary:

This Forest Projects Report includes an update on the Authority's Forest Projects Plan initiative, Phases 1 and 2. Also presented are updates and recommended actions related to Cal Fire's \$5 million grant to UMRWA, completing an additional 2,795 acres of archeological surveys on Phase 1 lands, and the preparation and submittal of two new SNC grant applications. The report concludes with a table entitled 'UMRWA Forest Project Grants' which summarizes grants awarded, grants pending, and grants proposed.

Forest Projects Plan:

UMRWA is leading the development of a Forest Projects Plan (FPP) for a large area of the Upper Mokelumne River Watershed. This major planning initiative is being conducted in two phases. Phase 1 is focused on broadly acceptable ladder fuels treatments and forest management actions in the Eldorado National Forest (ENF) that are supported by the Amador Calaveras Consensus Group (ACCG). Coverage for Phase 1 will be approximately 25,500 acres and will address all required NEPA/CEQA actions. The Phase 2 plan is expected to cover about 200,000 acres and will take several years to complete the plan and associated NEPA/CEQA documentation.

UMRWA staff meet with ENF Forest Supervisor Jeff Marsolais on July 1 to review the status of the FPP - Phase 1 plan and expectations for the Phase 2 effort. The need for a Supplemental Project Agreement (SPA) with ENF was also discussed. UMRWA executed a SPA with the Calaveras National Forest for the FPP project late last year.

### *Phase 1 Status –*

FPP - Phase 1 Plan Public Scoping period closed May 15. Three comment letters were submitted (from CSERC, Foothill Conservancy, AWA) and responses are being prepared. The NEPA proposed action remains at about 25,500 acres of mechanical treatments, prescribed burning and hand treatments.

- The Forest Service Regional Office has concurred that the NEPA Categorical Exclusion (CE)/Decision Memo (DM) for wildlife habitat improvement activities may be used. CEQA compliance will be completed under a statutory exemption.
- With SNC and Cal Fire grant funding available for cultural and biological surveys, we expect to maximize the number of acres of mechanical treatments/mastication (which is more effective and strongly preferred over hand treatments).
- A team of biologists is currently completing USFWS consultation, Wildlife/Botanical Biological Evaluations. A team of archaeologists (InContext) is conducting field surveys on some 2,800 acres of lands included in the Phase 1 Plan.
- We are on track, on schedule and on budget for execution of the NEPA Decision Memo by the end of the year.
- A presentation on Phase 1 will be made at the ACCG general meeting on September 21.

### *Phase 2 Status –*

FPP - Phase 2 will address a much larger landscape (potentially up to 220,000 acres) and include Stanislaus and Eldorado NF lands within and adjacent to the Mokelumne Watershed. In addition to the far larger scale, this second phase will consider forestry activities that are not included in Phase 1 due to their potential for more significant environmental impact. For comparison, it is expected to be similar in scope and complexity to the Stanislaus NF's SERAL Project.

Funding required to complete Phase 2 will be substantial. UMRWA staff will be working with USFS and others to identify and apply for grants and other funding sources such that the work can proceed as quickly as possible. (See Proposed SNC Grant Proposals, below). The Calaveras Ranger District (CRD) has already identified approximately \$280,000 of USFS funding for the effort. Additionally, the Amador Ranger District expects to add staff to support this project.

At the last meeting, the Board authorized staff to retain a qualified consulting firm to lead the FPP – Phase 2 effort and to execute an agreement for these services in an amount up to \$20,000. A Request for Proposals was issued on July 1 for these services (RFP No. 22-02: Forest Projects Plan, Phase 2 - Project Management and Environmental Planning Services). Based on the final scope of work as specified in the RFP, and the costs for comparable work performed in other Sierra national forests, staff anticipates the contract amount could be as high as \$50,000. UMRWA funding is set aside in the current budget for this work. Accordingly, it is recommended the Board increase to \$50,000 the amount the Executive Officer is authorized to obligate when executing the consulting services agreement with the firm selected to lead the FPP - Phase 2 planning effort. Proposals are due by 3:00 pm, August 1 and shortly thereafter the selection review committee will complete its assessment and recommend the most qualified proposer to the Executive Officer. An agreement is expected to be executed by mid-August.

### Aspen Meadow Restoration Project:

The Board approved an UMRWA application for Wildlife Conservation Board (WCB) grant funding in July 2021 and authorized the Executive Officer to execute a grant agreement

with the WCB at the April 22, 2022 meeting. The \$649,400 WCB grant agreement was fully executed on June 10.

The scope of work funded by WCB requires UMRWA to plan, design, and permit an effective and comprehensive project for aspen restoration on lands within the Stanislaus and Eldorado National Forests and provide the NEPA/CEQA clearance needed for implementation. The project includes the following key tasks:

- Map and assess the condition of existing aspen stands utilizing USFS Region 5 aspen monitoring protocol and common stand exam protocols and prioritize aspen stands for restoration
- Complete NEPA/CEQA for 300 acres of prioritized aspen stand restoration work
- Design and implement NEPA/CEQA ready plans to restore 300 acres of priority aspen stands

The WCB funded work will be completed by Landmark Environmental Inc. (LEI) and Institute for Bird Populations (IBP) under contract to UMRWA. This work will be completed over the next three years. Agreements with LEI and IBP are recommended for Board approval. A copy of each agreement is included in the *Supplemental July 22, 2022 Agenda Materials Packet*.

#### Cal Fire Grant:

Cal Fire has awarded UMRWA a \$4,999,992 grant to complete fuel reduction projects included in FPP - Phase 1. Mechanical and hand treatments on a minimum 3,000 acres are targeted for areas along the Highway 88 corridor and within the Amador Ranger District not being treated by other projects.

The Cal Fire grant agreement is nearly ready for execution. One remaining requirement UMRWA must fulfill prior to execution is submittal of a Board resolution that fully conforms to Cal Fire's requirements. The Board is asked to adopt that resolution today. A copy is attached as the last page to this agenda item. A copy of the grant agreement is included in the *Supplemental July 22, 2022 Agenda Materials Packet*.

#### Archeological Survey Work:

At the April meeting the Board authorized staff to select and retain a qualified consultant to perform cultural surveys and related documentation on lands planned for mechanical fuels treatments in FPP – Phase 1. At that time, there were an estimated 4,200 acres of USFS lands potentially suitable for mechanical treatments in the Phase 1 Plan – provided that archeological surveys could be performed on those lands. The Board authorized a fee amount of up to \$110,000 using SNC grant funding budgeted for this work.

In early May, UMRWA issued RFP No. 22-01 'FPP Phase 1 Archeological Field Surveys and Report' to fourteen (14) cultural resource firms with experience doing archeological surveys in California. InContext Cultural Resource Solutions was selected as the best qualified firm for performing the required work. An agreement with InContext dated June 8 in the amount of \$58,099 was executed by the Executive Officer and field surveys began shortly thereafter. A total of 1,499 acres will be surveyed and documented under this agreement.

The approved \$5 million Cal Fire grant also includes funding for cultural and biological surveys necessary to perform Phase 1 mechanical treatments. With that grant in-hand it is recommended that an amendment to the InContext agreement be approved to survey the remaining 2,795 acres of Phase 1 un-surveyed areas. The estimated cost to survey these additional acres is up to \$90,000 (ground-truthing will be required to determine the actual number of acres; areas with slopes greater than 30% will not be surveyed). Staff

recommends increasing the authorized contract cost ceiling from \$110,000 to \$160,000 to complete all archeological survey work for Phase 1.

Two Proposed SNC Grant Applications:

Two new SNC grant proposals are recommended to further advance UMRWA’s efforts to implement FPP - Phase 1 projects and develop the Phase 2 Plan and associated NEPA/CEQA documentation. The two recommended grant proposals are:

- Funding (up to \$5 million) to complete a FPP - Phase 1 Implementation Plan and implement fuels treatments. This plan will prioritize Phase 1 work and allow coordination with other agencies and private landowners that are also planning to do fuels reduction projects in and adjacent to the watershed. Additionally, the grant will seek funding to complete fuels treatment work on 2,000 to 3,000 acres of lands covered by the Phase 1 plan and associated NEPA/CEQA documents. Some additional small areas (Bloods Ridge Fuel Break at approximately 40 acres) may be included in this grant application even though it is outside of the Phase 1 footprint.
- Funding (up to \$1 million) to complete the FPP - Phase 2 Plan. The planning effort will span up to 220,000 acres in two National Forests and consider a variety of fuels treatment and forest management activities that will be complex and potentially controversial.

UMRWA Forest Project Grants:

UMRWA presently has two active SNC grants and one active Wildlife Conservation Board grant, one pending Cal Fire Forest Health Grant, and the two proposed SNC grant applications. These grants are shown in summary fashion in the table below.

**UMRWA FOREST PROJECT GRANTS**

Approved		Pending		Proposed
Grant	Source	\$ Amount	Tasks/Deliverables	Key Dates
Forest and Watershed Health (# 1280)	SNC	\$200,000 (w/13% indirect, \$26,000)	- FPP Phase 1 – NEPA analysis - CEQA analysis - NEPA/CEQA documents	Execute: 6/22/21 Complete: 2/15/27 Expire: 5/1/27
WIP Capacity Program– Early Action Subgrant (# 969-RFFCP)	SNC	\$354,944 (w/10% indirect, \$32,268)	- NEPA documents >10k acres - Non- and Tribal outreach - ACCG consultation - Decision Memo	Execute: 5/23/22 Complete: 12/1/24 Expire: 2/15/25
Wildlife Conservation Board– Prop 68 (# WC-2262CR)	WCB	\$649,400 (w/5.6% indirect, \$36,400)	- Aspen inventory/Assess design - Restoration design priorities - Prioritization/design plan - Environmental compliance	Execute: 6/10/22 NOP: 6/10/22 Complete: 3/31/25 Expire: Unspecified
State Greenhouse Gas Reduction	Cal Fire	\$4,999,992	- NEPA/CEQA clearance - Fuel treatments >2,255 acres	Execute: July 2022 Complete: 2026 Expire: TBD
Wildfire Recovery & Forest Resilience (Implementation)	SNC	Concept application due July 29 (Target– Up to \$5M)	Develop FPP Phase 1 Projects Implementation Plan and implement fuels treatments on ~ 2,500 acres	Due: July 29, 2022 Full Ap: Oct 28 Awards: > Feb 2023

Wildfire Recovery & Forest Resilience <i>(Planning)</i>	SNC	Concept application due July 29 (Target - \$1M)	Develop FPP Phase 2 including NEPA/CEQA documentation	Due: July 29, 2022 Full Ap: Oct 28 Awards: > Feb 2023
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**UPPER MOKELUMNE RIVER WATERSHED AUTHORITY**

**RESOLUTION 2022-01**

**RESOLUTION OF THE BOARD OF DIRECTORS  
FOR FUNDING FROM THE FOREST HEALTH GRANT PROGRAM  
AS PROVIDED THROUGH THE GREENHOUSE GAS REDUCTION FUND**

WHEREAS, the Governor of the State of California in cooperation with the California State Legislature has enacted State of California Greenhouse Gas Reduction Funding, which provides funds to the State of California and its political subdivisions for forest health programs; and

WHEREAS, the State Department of Forestry and Fire Protection has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies, non-profit organizations, and others under the program; and

WHEREAS, said procedures established by the State Department of Forestry and Fire Protection require the applicant to certify by resolution the approval of application before submission of said application to the State; and

WHEREAS, the applicant will enter into an agreement with the State of California to carry out a forest health project;

NOW, THEREFORE, BE IT RESOLVED that the Upper Mokelumne River Watershed Authority (UMRWA) Board of Directors:

1. Approved the filing of an application for “State Greenhouse Gas Reduction Funding” forest health grant program funds; and
2. Certifies that applicant UMRWA has sufficient funds to operate and maintain the project; and
3. Certifies that funds under the jurisdiction of this Board of Directors are available to begin the project, and
4. Certifies that said applicant will expend grant funds prior to March 31, 2026, and
5. Appoints the UMRWA Executive Officer, or his designee, as agent of the UMRWA Board of Directors to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Approved and adopted by unanimous vote of the Board of Directors this 22nd day of July 2022.

\_\_\_\_\_  
John Coleman, Board Chairperson

Attest:

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Lisa Gualco, Authority Secretary



# Upper Mokelumne River Watershed Authority

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Agenda No: 5

Meeting Date: July 22, 2022

Title:

Fiscal Year 2023 Budget

Recommended Action:

Approve the FY 2023 UMRWA budget and authorize staff to transmit invoices to Member Agencies requesting payment of FY 2023 assessments by October 31, 2022.

Summary:

The Board, on April 22, reviewed the proposed FY 2023 Budget and directed staff to transmit the proposed budget to Member Agencies for review and comment. A memorandum presenting the proposed FY 2023 budget and agency assessments was sent in May to Member Agency General Managers and County Administrative Officers with copies to each Member Agency's UMRWA Board director. EBMUD commented favorably on the proposed budget; no other comments were received.

Discussion:

The proposed FY 2023 budget is presented in Table 1. Budgeted expenditures in FY 2023 are identical to the current fiscal year budget. As shown in Table 2 the total member-supported portion of the proposed budget is \$311,986. This represents a \$9,261 increase over the current year and is due to increased member agency in-kind costs. In addition to the in-kind contributions by Amador County and EBMUD, and anticipated indirect revenues associated with USFS and grant funding, the budget also includes an \$66,806 allocation from UMRWA Reserves. The resulting Member Agency funding allocations and associated FY 2023 assessment amounts are shown in Table 3.

The budget is organized into the Authority's two primary revenue sources, Member funding and non-Member funding (grant and USFS funding). The Authority's work activities planned for FY 2023 are summarized below.

**For the Member-funded portion** of the FY 2023 budget the following activities and associated funding requirements are assumed:

- 1) Maintain \$112,000 funding for Board and Authority administration. This includes funding for the Executive Officer and Administrative Officer positions and the Woodard & Curran contract for website technical support.
- 2) Maintain \$16,500 funding support for the local school watershed education program.
- 3) Maintain at \$100,000 the funding level for costs associated with the forest health program, including funds for UMRWA's Forest Projects Plan – Phase 2.
- 4) Maintain (unchanged) at \$25,000 the funding for IRWM-related tasks requiring Member funding (e.g., possible Prop 1 Implementation Grant application).

**For the non-Member funded portions of the budget**, grant and other funding associated with SNC, USFS and other potential sources for FY 2023 will be determined in September 2022, the final month of UMRWA's fiscal year. Awarded but uncollected FY 2022 funds will be carried forward to FY 2023. Those amounts will be determined based on the September 30, 2022, end of fiscal year Treasurer's Report.

**Table 1 – PROPOSED FY 2023 BUDGET**

Programs	Categories	Member Funds	Other Funds (DWR, USFS, SNC)	Total Member Funded Program Budgets
Board and Authority Admin.	Executive Officer	50,000		112,000
	Administrative Officer	50,000		
	Web technical support	12,000		
Watershed Ed.	Public school program (STE)	16,500		16,500
Forest Health	Forest Projects Plan – Phase 1	0		100,000
	Forest Projects Plan – Phase 2	50,000		
	Forest-related Grant Applications	40,000		
	Inter-agency liaison & Board support	10,000		
IRWM	Grant applications	25,000		25,000
Grant Pass-through	West Point Water Reliability Project	0	\$527,287	0
	UMRWA administration	0	\$29,160	
<b>TOTAL BUDGET</b>		<b>\$253,500</b>	Carry forward	<b>\$253,500</b>

Actual carry forward amounts to be determined at end of fiscal year, Sept. 30, 2022

**Table 2 – FY 2023 MEMBER AGENCY FUNDING OFFSETS**

Member assessments	As required by the above Proposed Fiscal Year Budget	\$253,500
Off budget <i>In-kind</i> contributions*	Authority Legal Counsel \$6,500 (Amador County) Accounting (\$28,746), annual audit (\$5,240) and Authority Secretary (\$18,000) (EBMUD)	\$58,486*
	<b>TOTAL MEMBER SUPPORTED BUDGET =</b>	<b>\$311,986</b>
Indirect Fees	Estimated SNC and USFS indirect revenues	(\$15,000)
Reserves	Credit 50% surplus Reserves balance as budget off-set	(\$66,806)
	<b>TOTAL REQUIRED MEMBER FUNDING =</b>	<b>\$230,180</b>

\* In-kind labor costs are Member-provided estimates of prior year work performed in support of UMRWA.

**Table 3 – FY 2023 MEMBER FUNDING ALLOCATIONS & ASSESSMENTS**

Formula % Share	Member Agency %	FY 2023 Allocation	In-Kind Credit	FY 2023 Assessment	FY 2022 Assessment
Amador Entities 20%	Amador County – 9.2%	21,177	(6,500)	14,677	19,970
	Amador Water Agency – 9.2%	21,177	0	21,177	26,470
	Jackson Valley ID – 1.6%	3,683	0	3,683	4,604
Calaveras Entities 20%	Calaveras County – 6.0%	13,810	0	13,810	17,264
	Calaveras County WD – 9.6%	22,097	0	22,097	27,622
	Calaveras PUD – 4.4%	10,128	0	10,128	12,660
EBMUD	EBMUD – 60%	138,108	(51,986)	86,122	129,910
<b>TOTAL</b>		<b>\$230,180</b>	<b>\$58,486</b>	<b>\$171,694</b>	<b>\$238,500</b>



# Upper Mokelumne River Watershed Authority

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Agenda No: **6**

Meeting Date: July 22, 2022

Title:

Consulting Agreements for UMRWA Support Personnel

Recommended Action:

1. Approve an agreement with Richard Sykes to serve as the Authority's Executive Officer for the period October 1, 2022 through October 31, 2024; and authorize the Board Chair to sign the agreement.
2. Waive the standard 'additional insured' automobile insurance requirement and approve an agreement with Rob Alcott to serve as Authority Administrative Officer for the period October 1, 2022 through October 31, 2024; and authorize the Executive Officer to sign the agreement.
3. Waive the standard 'additional insured' automobile insurance requirement and approve the consulting services agreement with Landmark Environmental Inc. to provide services for the period October 1, 2022 through October 31, 2024 and authorize the Executive Officer to sign the agreement.

Discussion:

The recommended two-year agreements with Richard Sykes and Rob Alcott provide for the continuation of Executive Officer and Administrative Officer services for the two-year period coinciding with the Authority's next two fiscal years beginning October 1, 2022. The two agreements (copies included in the separately provided Supplemental July 22, 2022 Agenda Materials Packet) increase existing hourly rates to \$170 and \$160 respectively (from \$150 and \$140). Both agreements specify that Member Funded compensation shall not exceed funding allocated in the annual UMRWA budget. Also, as in past years, Grant Funded compensation is to be paid by grant funds specifically allocated for grant-funded work tasks.

The recommended consulting services agreement with Landmark Environmental Inc. (LEI) (also separately provided) will continue LEI's professional and administrative support to UMRWA's forestry program for another two years. Karen Quidachay and her complement of professional staff have largely been responsible for the forestry work UMRWA has completed over the past five years in partnership with the USFS, SNC and others. The recommended agreement with LEI will ensure the firm's essential support of UMRWA's forestry-related projects and programs and their continued success.

As in the current agreement, LEI's Member-funded costs are not to exceed the Board approved Member budget with all work to be authorized by Task Order issued by the Executive Officer. As in the prior agreements, grant-related work costs will not exceed the funding budgeted for and available to Landmark Environmental under applicable grants nor exceed the amount authorized by the Authority's Executive Officer.

### Additional Insured Waiver:

UMRWA's standard consulting services agreement includes a provision that requires the contractor to add UMRWA as an 'additional insured' to the contractor's automobile policy. Staff has consulted with Authority Counsel who has advised the Board may waive this requirement. The requested waivers have been made necessary because the insurance carriers for Ms. Quidachay and Mr. Alcott will not provide the requested endorsement. In direct inquires with both carriers their responses have been that, as an adopted business practice, they do not provide endorsements to personal automobile policies. Two of Ms. Quidachay's existing clients (Eldorado Irrigation District and Placer County Water Agency) have waived this requirement from the LEI agreements with those water agencies.

Authority Counsel has explained that everyone under contract with UMRWA is contractually obligated to indemnify the Authority to hold it harmless for claims and damages caused by them. But, sometimes, contractors dispute that obligation or simply refuse to comply, which could necessitate further litigation over that issue (in addition to whatever the underlying action is). When UMRWA is an additional insured, that issue can be avoided because the Authority has a direct right to insurance coverage against whatever the underlying claim is, regardless of the contractor's conduct in acknowledging the indemnity obligation. For the Authority, it's sort of a belt and suspenders approach to avoiding risk. Without being an additional insured, that extra layer of protection is not available.

*Copies of the three recommended Consulting Services Agreements are included in the Supplemental July 22, 2022 Agenda Materials Packet.*



# Upper Mokelumne River Watershed Authority

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Agenda No: **7**

Meeting Date: July 22, 2022

Title:

Status of IRWM Grant Applications

Recommended Action:

For discussion and possible action.

Background:

The Board, on January 28, 2022, authorized staff to develop and submit applications for DWR Prop 1 funding for 1) the Calaveras Public Utility District Jeff Davis Water Treatment Plant Backwash Recycle Project for the IRWM Round 2 Grant solicitation, and 2) the AWA Lake Camanche Water Service Replacement Phase IV and the Foothill Conservancy (FC) Amador Household Water Efficiency Project for the Small Community Drought Funding Program.

Summary:

An application for Round 2 funding for CPUD's Jeff Davis WTP project is being prepared by CPUD and Woodard & Curran and will be submitted by the August 19 deadline. UMRWA is in the non-competitive Mountain Counties Funding Area and as a result UMRWA's application will not be scored by DWR because our application will confirm that the CPUD Jeff Davis WTP project was vetted and selected via UMRWA's stakeholder RPC committee process that conforms to Proposition 1's project selection requirements.

The Drought Funding Program grant process for the Mountain Counties is being administered by the Sierra Institute for Community and Environment. The Sierra Institute is coordinating the Disadvantaged Community and Tribal Involvement Program (DACTIP) for the Mountain Counties Funding Area (MCFA), a region that includes nine Regional Water Management Groups (RWMGs) covering most of the Sierra Nevada. UMRWA (or AWA and Foothill Conservancy) will be a sub-grantee to the Sierra Institute who will serve as the prime grantee with DWR.



# Upper Mokelumne River Watershed Authority

Agenda No: **8**

Meeting Date: July 22, 2022

Title:

Ad Hoc Committee to Review Joint Powers Agreement

Recommended Action:

For discussion and possible action.

Summary:

The current UMRWA joint powers agreement (the Second Amended Joint Exercise of Powers Agreement) was established on June 6, 2008. At the April 2022 meeting, the Board established an Ad Hoc committee to review the UMRWA Joint Powers Agreement to determine if updates are needed. Directors Coleman, Garamendi, Gonzalez and Farrington were appointed to serve on that committee.

The committee conducted a Zoom meeting on July 6. Topics of focus were:

- The UMRWA boundary map
- Additions and revisions to the Authority's goal and purpose provisions
- Clarification of the Authority's broader interest in water supplies beyond just domestic supply
- Simplify current references to potential interests in PG&E's Project 137

The Ad Hoc Committee plans to meet again in September and will report again to the full Board at the October 7 meeting.



# Upper Mokelumne River Watershed Authority

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Agenda No: 9

Meeting Date: July 22, 2022

Title:

Legislative Issues Update

Recommended Action:

For discussion and possible action.

Summary:

The following legislative matters may be of potential interest to UMRWA:

**HR 6903 McClintock  
Introduced 3/2/2022**

**Status:** In Subcommittee on Conservation and Forestry for duration determined by the Speaker

**Summary:** This very concise bill has 5 main provisions as follows

- Chief of the Forest Service shall a) take fire suppression efforts within 24 hours of detection of a fire on National Forest Lands, b) Immediately suppress any prescribed fire that exceeds its prescription, and c) Not inhibit authorized state or local jurisdictions who are suppressing wildfire on National Forest Lands
- Chief of the Forest Service may a) only use fire as a management tool if it is prescribed and complies with applicable laws, b) may only initiate backfire on a wildfire if authorized by the incident commander, and c) any backfire shall be controlled until extinguished
- Any person injured by backfire actions may bring a civil suit to recover all costs incurred

**Discussion:** This legislation would constrain Cal Fire's suppression efforts as they would be unable to let some wildfires burn even if those fires did not pose a risk to the public or the forest. This is inconsistent with the principles of pyrosilviculture.

**AB 1717 Aguiar-Curry  
Introduced 1/27/2022, amended 5/19/2022**

**Status:** In Senate appropriations committee which placed it in suspense file.

**Summary:** This bill would amend the definition of public works under CA state law to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project. This could therefore increase the costs of some of the forest health work done by UMRWA and others as this work would now be subject to CA prevailing wage law.

**Discussion:** The Rural County Representatives of California has opposed the bill because they believe it would raise costs of fuel mitigation work and therefore slow the pace of this much needed work. Unions are supporting this bill. This bill would increase the costs of UMRWA's forest health implementation contracts.

**AB 267 Valladares****Introduced 1/15/2022, amended 6/30/2022**

**Status:** Being re-referred to Senate appropriations committee after amendments.

**Summary:** This bill would extend the SB 901 exemption from CEQA to January 1, 2026. The bill would additionally require that a project's significant impacts identified in an environmental impact statement prepared pursuant to the federal National Environmental Policy Act of 1969 are avoided or mitigated in order for the exemption to apply. The bill would require the lead agency, if it determines that the exemption applies and determines to approve or carry the project, to file a notice of exemption with the Office of Planning and Research and the county clerk of the county in which the project is located.

**Discussion:** This bill is opposed by the Sierra Club and Center for Biological Diversity. The bill has many supporters including groups such as the Nature Conservancy, Save the Redwoods League, RCRC and the Environmental Defense Fund. The bill would benefit UMRWA as it would provide a CEQA exemption for most of the work being planned under Phase 1 of the Forest Projects Plan.

**Proposed Budget Trailer Bill Language****Introduced by Gov. Newsom on 5/31/22**

**Status:** Pending next budget trailer bill.

**Summary:** This Governor's proposed trailer bill language would make the SB 901 CEQA exemption for forest thinning, prescribed fire, and fuel reduction actions permanent. It would also add reforestation, habitat restoration and related activities included in the exemption. The language would eliminate the existing reporting requirement, expand the exemption to state, tribal and private lands where NEPA has been completed, eliminate the need for the CNRA Secretary to certify the exemption, and create an exemption for tribal programs.

**Discussion:** A first budget trailer bill, AB 203 has already been signed by the governor, but it did not include the exemption language. Additional trailer bills are anticipated.