

**Energy & Environmental Resources Committee
Meeting Minutes
October 9, 2008**

1. CALL TO ORDER

The meeting of the Energy and Environmental Resources Committee was called to order by Chair Ben Godfrey at 12:38 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Ben Godfrey led in the Pledge of Allegiance.

3. ROLL CALL

Roll call was taken and it was determined that a quorum was present.

Members Present

Mayor Eduardo Garcia
Councilmember Al Schmidt
Mayor Pro Tem Larry Spicer
Councilmember Ben Godfrey
Councilmember Stanley Sniff
Councilmember Cindy Finerty
Mayor Steve Pougnet
Mayor Pro Tem Gordon Moller
Supervisor Roy Wilson

Agency

City of Coachella
City of Desert Hot Springs
City of Indian Wells
City of Indio
City of La Quinta
City of Palm Desert
City of Palm Springs
City of Rancho Mirage
County of Riverside – 4th District

Members Absent

Vice Mayor Beverly Mays
Mayor Pro Tem Bud England

Agency

City of Blythe
City of Cathedral City

Others Present

Emily Nelson
Rosanna Contreras
Steven Hernandez
Nancy Wright
Steve Walker
Mary Justice

Consultant
Assemblywoman Bonnie Garcia's Office
Riverside County
Mission Springs Water District
City of Indio
Landowner

CVAG Staff

John Wohlmuth
Katie Barrows
Jim Sullivan
Aurora Wilson
Linda Rogers

4. FINALIZATION OF AGENDA & ADDITIONS & REVISIONS

Katie Barrows advised the committee that there were no additions or changes.

5. **PUBLIC COMMENTS**

None.

5. **COMMITTEE MEMBER & DIRECTOR COMMENTS**

Mayor Steve Pougnet addressed his concerns regarding a huge environmental issue, namely the Salton Sea. Despite local and state efforts, this issue could become a potential environmental catastrophe. Mayor Pougnet urged the committee to come together as a community to do some brainstorming to figure out some opportunities for dealing with the Salton Sea, including financing. As a valley this is a critical issue and awareness needs to be raised. Supervisor Wilson stated that there is a group of private citizens that are coming together to try and push this agenda. It was suggested that this group be contacted and be put on the agenda for the next meeting to let them explain what they are doing. There is an ability to set up a finance district around the sea much like a redevelopment agency. There needs to be community support. Patrick Swarhout is involved in the new citizen's group and it was recommended that he be contacted for the name of the citizen's group. There was discussion about what CVAG's role should be in this issue. Supervisor Wilson commented that the best role is the citizen's role. There are many people who own a lot of land around the area of the Salton Sea. Mayor Pro Tem Moller asked if we could really expect help from anybody to fund the Salton Sea improvements given the current state of the economy. Further discussion ensued about the economic situation with the State of California. It was recommended that this item be brought back at a future time to discuss along with air quality impacts of the Salton Sea.

6. **CORRESPONDENCE**

Article from the Desert Sun's website regarding 27 endangered species get help dated October 2, 2008.

A handout was distributed to committee members announcing Palm Desert's Energy Independence Program regarding AB 811.

There is a Desert Garden Community Day on October 11, 2008 being held at the Palm Desert Visitor Center.

8. **UPDATE ON LANDSCAPE-RELATED BUSINESS RESEEDING ALTERNATIVE CERTIFICATION COURSE**

Aurora Wilson gave an update on the implementation of the Landscape-related Business Ordinance. The ordinance, adopted by all of the cities with the exception of La Quinta, went into affect on September 1, 2008. It mandates that all landscape related businesses take a two-hour certified course on the reseeding alternative before they can apply or renew their business license. Aurora Wilson reported that the courses began in June with classes offered both in English and Spanish. An outline of the classes was discussed to include: an opening on air quality, reseeding alternative presentation, water conservation and composting, information regarding green waste sources and outlets provided. The staff report includes a class schedule in both English and Spanish.

The committee was informed that meetings were coordinated with city business license staff before the ordinance was put into effect. Meetings will be held with city staff next month to see what type of feedback they are getting, and how to make this process smoother. Due to the increased staff time, College of the Desert (COD) has been asked to submit a proposal to take over the staff support component and to move the location. COD can hold classes at the Palm Desert Mall. CVAG will continue to maintain oversight of the program and the instructors. As a result of the classes, there has been a marked reduction in scalping and the amount of dust has been reported by our instructors and the AQMD instructor. Attendees have been thanking the instructors and staff for providing them with the information. Many attendees were not aware of the health impacts and how important their contribution is to air quality. Committee members were urged to coordinate with city staff and work with subcontractors who reseed the parks, the medians and other public areas to implement the alternate method or at least dampen the grass before it is mowed. Residents are complaining that the cities are the culprits and need to follow their own ordinances. Further discussion ensued regarding how staff perceived the program to be progressing. Staff commented that the program appears to be going amazingly well.

This item was received as an informational item by the committee.

9. AMENDMENT TWO TO AB 2776 MEMORANDUM OF UNDERSTANDING

Aurora Wilson requested that the staff recommendation be approved to amend the MOU CVAG has with the cities and continue the contribution of 45% of the allocation of the AB 2766 funds to CVAG for one more year. In 2004, CVAG increased city contributions of AB 2766 funds to CVAG from 33% to 45%. The increase was to help meet the local match required with the CMAQ federal funds we were using to operate the Regional PM10 Street Sweeping Program. Further discussion ensued regarding how CVAG needed to meet the local match using a different local source. Amendment One to the MOU was approved by the Executive Committee in September 2007 extending the percentage for another year ending June 2008. Discussion ensued as to why Amendment One was needed to meet the local match requirement for CMAQ funds. The current contract with CleanStreet no longer uses federal funds, but uses grants awarded to different agencies. Staff explained that because grants are not a steady revenue stream, CVAG is concerned about taking the percentage back down to 33% and how this will impact CVAG's Air Quality Programs. Discussion ensued regarding AB 2766 fund projections for 2008-2009 as per the attachment in the agenda packet. CVAG will need as much funding in place to maintain the Street Sweeping Program to its full capacity and to continue current contracts and staff time over these projects. John Wohlmuth addressed the 1988 Measure A Program and funding which will be available after July 1, 2009, and the potential to use a portion of that funding. This is a discussion for the future but it is not available now or this fiscal year.

It was moved by Councilmember Sniff and seconded by Mayor Pougnet that the Energy & Environmental Resources Committee recommend that the Executive Committee approve Amendment Two to the AB 2766 Memorandum of Understanding between CVAG and member jurisdictions and direct staff to distribute Amendment Two to the member jurisdictions for review and action.

The motion carried.

10. **ACCEPTANCE OF PERMIT FOR THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN AND SCHEDULE FOR SIGNING CEREMONY**

Katie Barrows reported that the Final Permit was received for the CVMSHCP from the U.S. Fish & Wildlife Service. Thanks were extended to the committee for their efforts over the years in making this happen. Now, with the Plan approval and the permits issued, the Plan is effectively now in place and the measures are now in effect. Katie Barrows explained the implementation elements of the Plan are in place. We are now collecting the Local Development Mitigation Fee (LDMF) and staff has been working with all of the jurisdictions and staff to train them in terms of how the fees are being collected properly. Funds will now be coming in from a variety of sources that will provide us funding; i.e., mitigation fee, and other sources to acquire land and manage and monitor the reserves. The Land Acquisition contract with the Coachella Valley Mountains Conservancy is already in place. The federal permit was officially received on October 1, 2008 and now has been distributed to all of the Permittees via the City Managers. Staff discussed a couple of permit conditions referenced in the letter from the U.S. Fish & Wildlife Service:

- (a) Property owned by Century Crowell
- (b) Desert Tortoise Notification

Staff indicated that planning is underway to prepare for a celebration event. The committee will be contacted to determine availability. We are also inviting the dignitaries from Washington, D.C. from the Secretary of Interior's Office as well as officials from Sacramento to join in this event. Discussion ensued regarding a minor adjustment to the staff recommendation and a copy was distributed to committee members. Rather than "accepting" the permit, staff is requesting that the committee "acknowledge" acceptance of the permit issuance and ratify implementation of the permit.

It was moved by Supervisor Wilson and seconded by Councilmember Sniff that the Energy and Environmental Resources Committee recommend the Executive Committee acknowledge issuance of the state and federal permits, and ratify implementation of the Coachella Valley Multiple Species Habitat Conservation Plan.

The motion carried.

11. **MEMORANDUM OF UNDERSTANDING WITH IMPERIAL IRRIGATION DISTRICT (IID) FOR PARTICIPATION OF ENERGY AND ENVIRONMENTAL RESOURCES COMMITTEE (E & E)**

John Wohlmuth reported that he was directed to draft an MOU with IID for voting membership at Energy and Environment Committee (E&E), and attached to the staff report is a copy of the MOU. If approved, IID would be a voting member of the Energy & Environmental Resources Committee, a policy advisory committee. All

actions of this body go up to the Executive Committee. As voting members, the IID representative would also receive a per diem remuneration for attending the meeting. John Wohlmuth further discussed IID's participation and contributions to the E&E Committee.

John Wohlmuth added that in addition to this MOU, there has been an interest from other water districts. He suggested that this MOU might be a potential template for coordination of environmental issues in the Coachella Valley. John Wohlmuth explained that the elements and differences of the JPA agreements in terms of public agencies and private sector agencies are significant. Private sector agencies cannot become member of this organization.

Katie Barrows acknowledged and welcomed Board Member Nancy Wright with Mission Springs Water District. Ms. Wright will be attending future E&E meetings as a representative from Mission Springs Water District.

It was moved by Mayor Pougnet and seconded by Councilmember Sniff that the Energy and Environmental Resources Committee recommend the Executive Committee enter into a Memorandum of Understanding (MOU) between CVAG and the Imperial Irrigation District (IID) to allow IID's voting participation on the CVAG Energy and Environmental Resources Committee (E&E).

The motion carried.

12. UPDATE ON DESERT CITIES ENERGY EFFICIENCY PARTNERSHIP

Katie Barrows stated that work is continuing work with SCE and IID in cooperation with the Gas Company on the Desert Cities Energy Partnership. There is a proposal before the PUC that the cities under SCE's jurisdiction be identified and funded for this energy partnership. It is anticipated that a decision will be reached sometime in January. The City of Palm Springs will be individually working on that partnership as well as all of our other desert cities. This is all in coordination with IID for the cities served by IID. It is anticipated that the kickoff for the energy partnership will occur in January 2009. SCE will be meeting with city staff over the next month or so and IID will be meeting with their cities to discuss what the partnership offers.

The focus of the funding is actually an incentive program for the jurisdictions and the focus will be on municipal facilities. The funding that would come through the partnership would also provide funds for offering workshops to planning and building departments staff. CVAG will also be receiving funds to help support that program. Katie Barrows added that it is hoped to broaden the program by incorporating residents into the program. Further discussion ensued regarding the incentives available. Every indication has been given that the Desert Cities will be included in this partnership and the utilities have indicated that they will operate under this assumption.

13. LEGISLATIVE UPDATES

Katie Barrows indicated that this will just be a placeholder on the agenda. We are looking at the November meeting to bring back more discussion on the AB 32, the Greenhouse Gas Reduction Act as well as recently signed legislation SB 375 regarding greenhouse gas reduction and ties into land use and transportation. There is a potential to have a representative make a presentation from the Air Quality Management District (AQMD) to provide the committee with more information on the programs.

14. CONSENT CALENDAR

Approval

14A Approve Minutes of the September 11, 2008 Energy and Environmental Resources Committee.

It was moved by Councilmember Sniff and seconded by Mayor Pro Tem Spicer that the Minutes of the September 11, 2008 Energy & Environmental Resources Committee be approved.

The motion carried.

Information

14B Energy & Environmental Resources Committee Attendance Roster

The attendance roster was received by the committee as an information item.

15. ANNOUNCEMENTS

- The next meeting of the *Energy & Environmental Resources Committee* is scheduled for **November 13, 2008** at noon.
- The next meeting of the *Energy & Water Conservation Subcommittee* is scheduled for **October 16, 2008** at 8:00 a.m.
- The next meeting of the *Executive Committee* is scheduled for October 27, 2008 at 6:00 p.m.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 1:15 p.m.

Respectfully submitted,

Linda Rogers
Program Assistant II