

**Minutes of a Regular Meeting of the Board of Directors of  
Bear Yuba Land Trust  
Tuesday, October 25th, 2016, 5:00 p.m.  
North Star House, Grass Valley, California**

**Call to Order:** A regular meeting of the Board of Directors of Bear Yuba Land Trust (“BYLT”) was held on Tuesday, October 25<sup>th</sup>, 2016 at 5:00 p.m. PDT. President Terry Hundemer called the meeting to order at 5:08 p.m. PDT and verified the presence of a quorum.

1. **Roll Call:** The first item of business was the roll call of board members. Present and participating in the meeting were the following: Terry Hundemer, President; Fran Cole, Vice President; Art Thielen, Treasurer; Andy Cassano; Brent Fraser; Letty Litchfield; Bill Stewart (via teleconference); and Bill Trabucco. Board members absent included: Michael Smiley, Secretary; and Rebecca Coffman. Guests present: Rick Berry and Oscar Perez of 4 Elements Earth Education (4EEE); John Bilheimer and Allan Haley, Attorneys. Also present were the following staff members: Marty Coleman-Hunt, Executive Director; Erin Tarr, Stewardship Director; Jean Gilbert, Operations Manager; Shaun Clarke, Land Access Manager; Bill Haire, Trails Coordinator; Mariah Simpson, Administrative Assistant and Official Clerk of the Board; and Annette Glabe, Outreach Assistant.

2. **Approval of Consent Agenda:**

Consent Agenda - The next item of business was the approval of the Consent Agenda, which consisted of the approval of the August and September minutes. **Upon motions duly made and seconded, the list of items in the consent agenda and the consent agenda were approved.**

3. **Guest Presentation by 4EEE:**

In response to a question from Terry, Rick responded that he and his wife Lisa have been tenants at Burton Homestead for approximately ten years. Rick stated that 4EEE is a nonprofit organization, founded in 2009, and gained its tax-exempt status in 2010. Oscar stated that 4EEE offers a variety of programs, some of which occur at Burton, including Fox Walkers which has occurred on the property for the past seven years. Their programs offer opportunities for children to have direct experiences in nature.

Oscar stated that Burton and 4EEE have become synonymous for many members of the community. 4EEE has begun a legacy of caretaking the land at Burton with the guidance of Tsi-Akim member Grayson Coney. 4EEE would like to pursue Burton as a permanent location for their programs. Rick stated that 4EEE is capable of carrying out Francis Burton’s original intent for the property. 4EEE would like BYLT to retain a conservation easement (CE) and trail easement at Burton. 4EEE would purchase the yurt and would agree to uphold existing agreements with the current tenants. 4EEE intends to develop a three-year plan, budget, fundraising plan, and land management plan.

In response to a question from Terry, Rick responded that the organization may be ready to acquire the property in a few years. In response to a question from Bill Trabucco, Rick responded that all overnight campouts have a ten o'clock quiet-time and that 4EEE has not received any complaints. Rick stated that the property will be used primarily for day programs. Oscar stated that there are other locations 4EEE uses for overnight campouts. Marty suggested speaking with the county regarding the permitting process for the property, as well as keeping the county informed throughout the transfer process.

#### 4. **Staff Reports:**

Land Acquisition – Marty stated that the UC Berkeley/Grouse Ridge PG&E property will be closing escrow on December 14<sup>th</sup>, 2016, rather than spring of 2017. BYLT is currently in the process of closing seven additional PG&E properties. Marty stated that she and Jean will be traveling to Oakland to complete the closing process. Marty reported that Lindsey Lakes will be closing near the beginning of next year, which is also sooner than anticipated.

Marty reported that the Black Swan Lot 6 property will also be closing escrow soon. Marty reported that the Dover 3 property will be closing escrow, as well as Nina Allen's property.

Marty stated that there are a large volume of inquiries coming in and BYLT is analyzing each one to see if they meet land acquisition requirements.

Land Stewardship – Erin reported that the Stewardship Team has been performing baseline studies, and that the final baseline for the Camp 19 PG&E property will be completed next week. Erin stated that Cathy Shirley, Stewardship Associate, resigned in August. Erin stated that the Stewardship Team is learning to be more efficient. Erin reported that Elias has been hosting weekly volunteer workdays for various preserves on Wednesdays. Elias has also taken responsibility for easement monitoring while Erin has focused on stewardship of the preserves. Erin reported that the Dover baseline will be completed soon. She also reported that the Rice's Crossing Grant Agreement has been edited and should be signed and returned to BYLT soon. Erin stated that she will attend the Land Trust Alliance Rally this year and that she is leaving tomorrow.

Trails – Shaun stated that he has accepted the promotion to Land Access Manager. Erin will be the direct supervisor for that position. These changes have created more cohesion between the Lands and Trails departments. Shaun reported that he is working to update the adopt-a-trail agreement for volunteer groups and individuals. Shaun stated that trail adopters will now be asked to complete monitoring reports. Shaun reported that trail workdays for volunteers are held frequently. BYLT has been collaborating with Sierra Streams Institute, Sierra Harvest, other nonprofit groups, the City of Nevada City, and the City of Grass Valley on various trail projects. Shaun reported

that BYLT recently installed a pay box at Rice's Crossing Preserve.

Bill reported that he has been in regular contact with the City of Grass Valley and that they are enthused about developing a trail along Wolf Creek. The city intends to take ownership of the Schwab property along Wolf Creek as part of the project. Bill stated that he has been working with the city and Wolf Creek Lodge Cohousing to develop the trail. Bill stated that the city is also interested in working with BYLT to develop side trails, branching off from the main trail. The city would like to establish a trail in compliance with the Americans with Disabilities Act (ADA) standards. Andy reported that he will be walking the Schwab property with the city's engineering department to discuss the development of the trail.

Bill stated that BYLT is moving forward with Sugarloaf Trail. BYLT has presented a proposal to the City of Nevada City, which the planning department is reviewing. The planning commission has scheduled a workshop for next week to discuss the three possible routes BYLT has presented. Community members are welcome to attend the workshop and discuss each option. Bill stated that he and volunteer Greg Archbald will give a presentation during the workshop. Bill reported that Greg has done an incredible job putting the project together and moving the project forward. Bill stated that two trail easements have not yet been recorded with the County of Nevada. Bill detailed the route of the proposed trail. In response to a question from Andy, Bill replied that trail grade would be reasonable considering the topography. Bill stated that a historian examined the trail project for signs of mining and concluded that there is no sign of any mining that would have generated toxic waste materials. **Upon motion duly made and seconded, the Board adopted the following resolution:**

**RESOLVED THAT, the Trail Easement Deed for Gary and Patricia Tintle and the Trail Easement Deed for the Linda Sutter Family Trust are approved and may be submitted to the County of Nevada.**

Outreach – Marty reported that Laura has been working on the next newsletter which will be mailed out next week. Dave Palley has generously donated copies of a CD he produced, with all original music, to be sold or given as gifts. Ales for Trails yesterday was a very successful event. Marty reported that BYLT's anonymous donor presented a very steep challenge to raise \$60,000 for the Trails Appeal but BYLT will scale it back next year to be closer to the donation capacity of the community.

Fundraising – Marty stated that November 17<sup>th</sup> will be the donor Holiday Party at Artworks Gallery on Mill Street in Grass Valley. Invitations will be mailed out this week.

Administration - Marty reported that North Star Historic Conservancy has paid off their promissory note. In response to a question from Terry, Marty responded that the money will be put in a Projects and Operations savings account.

Jean reported that BYLT has completed some technology upgrades recently. BYLT is waiting for the outcome of the capacity grant submitted to the Stewardship Council regarding an office remodel. Jean reported that she and Erin wrote a grant proposal to the Bella Vista Foundation for irrigation development and a grazing plan at Garden Bar Preserve, which was awarded for \$50,000.

**5. Financial Report:**

Q3 Financials and Outlook – Art reported that the “Statement of Activities Restricted” report shows an unrestricted loss of \$123,272 and a temporarily restricted profit of \$206,356. These two items amount to a profit of \$83,048. The table of “Investment Balances” shows decreases in unrestricted funds, which funded the losses and increases in funding restricted PG&E transfers which funded the profits.

2015 Audit – Art reported that in the 2015 audit, the unrestricted loss of \$83,716 creates a deficit of \$16,948. Art reported that the temporarily restricted (non-cash) loss of \$703,417 was primarily due to the transfer of the North Star House property. This was the result of the completion of a successful transaction to transfer ownership of the property. The “Audit Communication Management” letter has two points regarding lack of approval and filing of a few invoices. Marty has implemented procedures to reduce the likelihood of these issues in the future. Art stated that these are considered housekeeping items and not a material weakness.

**6. Strategic Discussion:**

Strategic Projects -

- a. Bear River Conservation Area – Marty reported that she and Erin recently met with Placer Land Trust (PLT) to create a proposal to present to the Wildlife Conservation Board (WCB) and Sierra Nevada Conservancy (SNC). BYLT has worked successfully with PLT and Trust for Public Land in the past to conserve eight miles of river corridor and eleven miles of oak woodlands, which serve as a wildlife migration corridor. The California Department of Fish and Wildlife has tracked migration patterns, which line up directly with that conserved land. This data supports the conservation goals that WCB and SNC have and the two land trusts will present the data to them along with a proposal to complete additional projects. BYLT has received letters of intent, or other expressions of interest, from property owners stating a desire for BYLT to acquire conservation easements (CEs) on their properties. This would add another 6,500 acres to the existing migration corridor. Marty stated that the Board will discuss conservation priorities at the Board Retreat.
- b. Pines to Mines Trail – Marty stated that the Pines to Mines Trail will be an 82 mile trail from Truckee to Nevada City. Marty stated that all but fourteen miles are existing trails on National Forest Service land and on PG&E lands which have CEs on them. BYLT intends to connect the CEs with some funding from PG&E. This plan will be presented to PG&E. Bill Haire has contacted staff at PG&E to

gain their endorsement of the project. The proposed trail will require two bridges; one at Fordyce Creek and one across a spillway at Fuller Lake. The proposed trail will also go under a pipe and requires a tunnel to be built to allow equestrian access. Supervisor Richard Anderson is driving the project. Gold Country Trails Council, Truckee Trails Foundation, Bicyclists of Nevada County, BYLT, the National Forest Service, and the County of Nevada are collaborating on the project. Truckee Trails Foundation's Executive Director is taking the lead on the project and has secured a grant to help fund some trail engineering work.

Strategic Plan: Progress Report, Business Model, and Mission Discussion – Marty stated that during the Board Retreat she will give a detailed update regarding progress made by the Strategic Planning Committee. BYLT's Board and staff would like to consider regional benefits and take on projects that have regional impact. The committee is still determining how that will impact project selection criteria. The committee is also discussing BYLT's mission, funding strategies, and mitigation projects. There is general agreement that land conservation should be at the core of BYLT's mission. At the last Strategic Planning Board Workshop, the Board requested an analysis of financial impact and requested that the committee include sustainability in the strategic plan. Art, Lynette, and Marty summarized those two topics and included their analysis in the Board packet.

Sierra Consortium – Marty reported that the Sierra Consortium is making a lot of progress. Nevada Irrigation District and Placer County Water Agency have joined, as well as two other water agencies, and a few other land trusts.

7. **Executive Session: Upon motion duly made and seconded, the Board entered into Executive Session to discuss the Woodpecker Lawsuit and the Nevada County Community Foundation and Medical Marijuana Dispensary Ordinances at 7:13 pm. Upon motion duly made and seconded, the Board exited Executive Session at 8:30 pm.**
8. **Adjournment:** There being no further business, the meeting was adjourned at 8:30 p.m. PDT.

Respectfully submitted,

Mariah Simpson, Secretary Pro Tem