



Midpeninsula Regional
Open Space District

January 22, 2020
Board Meeting 20-02

REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, January 22, 2020

DRAFT MINUTES

REGULAR MEETING

President Holman called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:04 p.m.

ROLL CALL

Members Present: Jed Cyr, Larry Hassett, Karen Holman, Zoe Kersteen-Tucker, and Curt Riffle

Members Absent: Yoriko Kishimoto and Pete Siemens

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Natural Resources Manager Kirk Lenington, Rangeland Ecologist/Botanist Lewis Reed, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi, Planning Manager Jane Mark

ORAL COMMUNICATIONS

Melanie Moore with the Friends of Bear Creek Stables reported on recent activities at the Stables, including clearing for wildfire safety.

ADOPTION OF AGENDA

Motion: Director Cyr moved, and Director Hassett seconded the motion to adopt the agenda.

VOTE: 5-0-0 (Directors Kishimoto and Siemens absent)

CONSENT CALENDAR

Director Riffle pulled item 4 from the Consent Calendar.

Motion: Director Cyr moved, and Director Hassett seconded the motion to approve the Consent Calendar including the amended January 8, 2020 minutes, except for item 4.

ROLL CALL VOTE: 5-0-0 (Directors Kishimoto and Siemens absent)

1. Approve December 9, 2019, December 11, 2019, December 18, 2019 and January 8, 2020 Minutes

Director Riffle commented that the vote for Item 5 for the January 8, 2020 minutes was incorrect, and he voted against the motion.

District Clerk Jennifer Woodworth reported she will correct the minutes.

2. Claims Report

Director Hassett spoke in favor of purchasing vehicles within the District's boundaries.

Assistant General Manager Brian Malone provided additional information regarding the District's use of the California state bidding process, which affects where the vehicles are purchased.

3. Appointment of Board of Directors Standing Committee Members and Representatives to Various Bodies, Including the Governing Board of the Midpeninsula Regional Open Space District Financing Authority, for Calendar Year 2020 (R-20-02)

Board President's Recommendation: Approve the Board President's appointments to the Board Standing Committees and other bodies, including the Governing Board of the Midpeninsula Regional Open Space District Financing Authority, and determine the compensable status for attendance at these meetings.

4. Adopt an Addendum to the Mindego Hill Ranch Grazing Management Plan as an amendment to the Russian Ridge Use and Management Plan that adds the south pasture as part of the conservation grazing area on the property, and approve an Addendum to the Mitigated Negative Declaration for the Mindego Ranch Use and Management Plan (R-20-10)

General Manager's Recommendation:

1. Adopt a Resolution approving an Addendum to the Mitigated Negative Declaration for the Russian Ridge Use and Management Plan, in accordance with the California Environmental Quality Act, to add the south pasture as part of the conservation grazing area on the property.
2. Approve Addendum #1 to the Mindego Hill Ranch Grazing Plan to guide management in the south pasture expansion area.
3. Amend the Russian Ridge Use and Management Plan for the south pasture expansion to reflect the approval of Addendum #1 to the Mindego Hill Ranch Grazing Plan.

Item 4 was heard before the Consent Calendar.

Public comment opened at 7:07 p.m.

Denise Bolbol spoke against grazing on the Mindego property and installing fencing and water piping on the property.

Pat Caviello spoke in opposition to allowing livestock grazing on District lands stating it is not supported by the District's original mission.

Mary Rubin spoke in opposition to allowing livestock grazing on District lands stating that grazing accelerates climate change. Ms. Rubin spoke in favor of wildlife living on the land over livestock.

Mohan Gurunathan spoke regarding the District's original mission and spoke against the District's Coastside mission stating that the Coastside mission is in opposition to the District's original mission. Mr. Gurunathan spoke in opposition to using public lands to support grazing.

Craig Dremann stated that it is illegal to use grazing or fire for grassland management. Mr. Dremann spoke regarding his company's ability to restore native grasslands with minimal herbicide use and without grazing or fires.

Public comment closed at 7:19 p.m.

General Counsel Hilary Stevenson reported the District completed a California Environmental Quality Act (CEQA) analysis for the Mindego property in 2013 and the proposed action for Board consideration is an addendum to the original CEQA document.

General Manager Ana Ruiz reported that when the District acquired the property in 2008, there was pre-existing active cattle grazing on the property. The property also contains the endangered San Francisco garter snake, which has flourished in the grasslands that have been actively managed through grazing activities.

Natural Resources Manager Kirk Lenington reported the San Francisco garter snake and endangered California red-legged frog are known to exist in the areas adjacent to the proposed expansion. The proposed infrastructure will replace existing infrastructure, supporting the grazing expansion to improve grassland conditions that are favorable for the garter snake and frog. The fencing proposed is wildlife-friendly and standard for District projects.

Rangeland Ecologist/Botanist Lewis Reed reported the infrastructure will also support conservation goals by properly dispersing livestock and directing cattle away from sensitive resources sites.

Director Hassett commented on the use of grazing to reduce wildfire fuel load in the area. Director Hassett also commented on the Science Advisory Panel's study of the grazing topic, which will help further inform District decisions on grazing activities.

Director Riffle inquired how staff manages grasslands in different Coastal areas.

Mr. Reed provided information on how the District uses various options to effectively manage grasslands to restore native wildflowers and grasses, and provide habitat for endangered species. Additionally, throughout California, studies show that grazing can be used to support native grasslands.

Director Riffle asked staff to comment on the District's Coastside mission.

Ms. Ruiz commented on coastside community concerns about the loss of open space to development in the 1990s. As a result, citizens sought to preserve the open space lands in perpetuity. A majority of residents in the area, through an advisory vote, demonstrated support for open space preservation and for the preservation of the rural character and agricultural heritage of the area. That rural character is partially based on historic agricultural uses and a desire for family-owned agricultural businesses to continue in the area, many of which have operated on the Coast for several family generations. As part of the District's expansion into the Coast, the mission for the coastside includes preserving important agricultural lands, preserving rural character, and encouraging viable agricultural use of land resources.

Director Kersteen-Tucker provided comments emphasizing the environmental impacts and risks associated with the development of the coastal areas in the 1990s and the desire of residents to protect open space and working lands. The use of conservation grazing helps the District fulfill the need to protect native grasslands and wildlife and provide fire protection. The District will continue to study the scientific basis for conservation grazing and implement improvements where needed.

President Holman provided comments related to the upcoming study of how the District can use grazing as a land management tool and to look at other possible land management tools.

Director Cyr commented on the thorough nature of the documents drafted by staff.

Motion: Director Riffle moved, and Director Kersteen-Tucker seconded the motion to approve the General Manager's recommendation.

5. Annual Dedication Report of Certain Lands of the Midpeninsula Regional Open Space District (R-20-11)

General Manager's Recommendation: Accept the annual report on the status of dedicated interests in lands of the Midpeninsula Regional Open Space District held for public open space purposes.

6. Resolution to Accept Grant Funding from the State Coastal Conservancy for the Purisima-to-the-Sea Trail and Parking Area Feasibility and Planning Project (R-20-12)

General Manager's Recommendation: Adopt a resolution authorizing the General Manager to execute a grant agreement with the State Coastal Conservancy to receive \$301,000 for the preparation of preliminary planning documents for a seven-mile extension of the proposed Purisima-to-the-Sea Trail and related parking area to be located on the San Mateo County coast.

BOARD BUSINESS**7. Proposed purchase of the Tabachnik Trust Property as an addition to Tunitas Creek Open Space Preserve in unincorporated San Mateo County (Assessor's Parcel Numbers 066-300-010 (portion) and 066-300-020) (R-20-13)**

Senior Real Property Agent Allen Ishibashi provided the staff presentation describing the Tabachnik property, geographical features of the area, habitat and resource values of the property, and reasons for the proposed purchase. The proposed purchase is included in Measure AA portfolio 15 to support drainage for salmon fisheries and regional redwoods. Mr. Ishibashi described access routes to the property and a potential trail route through the property to connect Tunitas Creek Open Space Preserve and Purisima Creek Redwoods Open Space Preserve. Finally, Mr. Ishibashi outlined the terms and conditions of the proposed purchase and described the process being used to seek a land division with San Mateo County through a zoning amendment. The proposed purchase is contingent on successful completion of the land division.

Ms. Ruiz commented on the more than 11,000 acres the District has preserved in the Coastside area to date, a direct public benefit result from having the District expand its boundaries to the Pacific Ocean in San Mateo County.

Director Riffle commented on the importance of linking the Tunitas Creek Open Space Preserve and Purisima Creek Redwoods Open Space Preserve.

Director Riffle inquired how the District determines how to maintain the grasslands when purchasing a property.

Mr. Lenington stated staff would survey the property to determine if any unique plant areas still exist. If none exist, then the property would not be a high priority for grassland management.

Director Riffle inquired regarding the public access planning process.

Planning Manager Jane Mark reported that staff would first determine the possibility for trail connections and then assess District and staff resources to determine the project's priority for public access.

Public comments opened at 8:21 p.m.

Denise Bolbol spoke against purchase of the Tabachnik property with the intent to introduce grazing to the property. Ms. Bolbol spoke in support of protecting coyote brush to protect wildlife habitats. Ms. Bolbol spoke regarding the District's management of wildfire threats on the peninsula without grazing.

Pat Caviello spoke against allowing grazing on District property. Mr. Caviello spoke about the contradiction of the District's original and Coastside missions. Mr. Caviello stated that grasslands do not need to be managed through grazing and it creates an artificial habitat for wildlife.

Mary Rubin spoke against the District's Coastside mission stating that there cannot be "viable agricultural use of land resources." Ms. Rubin spoke against the reintroduction of grazing to the property.

Mr. Ishibashi reported the property is proposed to be purchased for public access and connectivity purposes. It is likely infeasible and economically unviable to graze the property given the overgrowth and extensive encroachment of coyote brush.

Mohan Gurunathan inquired how the District manages 55,000 acres of land without grazing. Mr. Gurunathan spoke in favor of allowing habitats to naturally be managed without active land management.

Craig Dremann inquired if his company's process for grassland management will be evaluated as part of the Scientific Advisory Panel's study of grazing. Mr. Dremann spoke against grazing as a land management tool stating that grazing makes the habitats uninhabitable for native grasses and wildlife.

Kathleen Yoon spoke against livestock grazing on the property proposed for purchase. Ms. Yoon spoke about ranchers only being a small percentage of the taxpayers represented by the Board, and the Board should consider the other tax payers they represent.

Public comments closed at 8:38 p.m.

Director Hassett spoke in favor of the General Manager's recommendation.

Director Kersteen-Tucker spoke in favor of the General Manager's recommendation and the ability to connect two preserves.

Director Riffle inquired regarding land management possibilities for the Tabachnik property.

Mr. Lenington reported that staff will prioritize supporting riparian and fisheries habitats on the property because of the overgrowth of coyote brush on the property, the lack of infrastructure, and steepness of the property.

Director Riffle inquired regarding the District's requirement to consult with the San Mateo Farm Bureau regarding proposed land purchases.

Mr. Ishibashi reported the District consults with the Farm Bureau, who support agricultural uses on properties, including grazing. However, the property owners are not interested in grazing the property.

Mr. Malone commented that any introduction of cattle grazing would require Board approval and associated public meetings to amend the use and management plan, adopt a rangeland management plan, and approve a grazing lease.

President Holman requested staff provide additional clarification regarding the Coastside Protection Area Fiscal Considerations for future acquisitions in the Coastal area.

Director Kersteen-Tucker requested staff respond to Mr. Gurunathan's questions regarding land management throughout the District.

Motion: Director Hassett moved, and Director Riffle seconded the motion to:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the staff report.
2. Adopt a Resolution authorizing the purchase of the Tabachnik Trust Property and amending the Fiscal Year 2019-20 budget accordingly.
3. Adopt a Preliminary Use and Management Plan, as set out in the staff report.
4. Withhold dedication of the property as public open space at this time.

VOTE: 5-0-0 (Directors Kishimoto and Siemens absent)

INFORMATIONAL REPORTS

A. Committee Reports

Director Cyr reported the Planning and Natural Resources Committee met on January 14, 2020 to visit the former Beatty property and provide feedback to staff regarding public access plans for the site.

B. Staff Reports

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak reported the District will be receiving another award for the District's Project Central website built by District staff.

Ms. Ruiz reported the District entered into a nonbinding letter of agreement with San Jose Water Company (SJWC) regarding shared property interests. Ms. Ruiz reported she and President Holman met with San Mateo County Supervisor Don Horsley to discuss current District projects. Ms. Ruiz reported staff met with the Peninsula Conservation Coalition and discussed various District programs, including conservation grazing.

C. Director Reports

The Board members submitted their compensatory reports.

Director Cyr reported he attended a meeting of the Santa Clara Valley Water District's Water Commission.

President Holman commented that the Santa Clara County State of the County event is on January 29, 2020. The District will be presenting to the Menlo Park City Council on January 28, 2020 and is tentatively scheduled to present to the East Palo Alto City Council on February 4, 2020.

ADJOURNMENT

President Holman adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:05 p.m.

Jennifer Woodworth, MMC
District Clerk