



SAN MATEO COUNTY

RESOURCE
CONSERVATION
DISTRICT

PHONE: 650.712.7765

625 Miramontes Street, Ste.103, Half Moon Bay, CA 94019
www.sanmateoRCD.org

Regular Meeting of the Board of Directors

November 22, 2016

4:00 pm – 6:00 pm

Location: RCD Office

1. Call to Order
2. Introduction of Guests and Staff
3. Public Comment- The Board will hear comments on items that are not on the agenda. Comments are limited to three minutes per person. The Board cannot take action on an item unless it is an emergency as defined under Government code Sec. 54954.2.
4. Approval of Agenda
5. Consent Agenda 5.1. October 20, 2016 Draft Regular Meeting Minutes 5.2. September 2016 Draft Financial Statements 5.3. October 2016 Draft Financial Statements
6. Discussion Items 6.1. Executive Director Report 6.2. Directors' Reports 6.3. What the Election Means for the RCD on the Federal, State and Local Levels.
7. Action Items 7.1. Board will Determine Contribution to 401K by RCD for Employees Eligible in Calendar Year 2015.
8. Closed Session 8.1. Discuss Performance Evaluation of Executive Director
9. Adjourn

Public records that relate to any item on the open session agenda for a regular board meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the San Mateo RCD office, located at the address above, for the purpose of making those public records available for inspection.

Minutes of the Regular Meeting of the Board of Directors
November 22nd 2016
Location: RCD Office

Directors present: TJ Gauthier, Neal Kramer, Barbara Kossy, Jim Reynolds, Kevin Watt

Staff present: RCD – Kellyx Nelson, Adria Arko, Renee Moldovan

NRCS – Jim Howard

Guests: Barbara Dye

1 Call to Order

- Gauthier called meeting to order at 4:03pm

[Agenda items 2, Introduction of Guests and Staff, and 3, Public Comment, were conducted after items 4 and 5.]

4 Approval of Agenda

- Reynolds moved to approve the agenda, Kossy seconded. Unanimous approval of agenda.

5 Consent Agenda

- Gauthier commented on his review of the financial statements and the value of additional perspective or context. He asked about the RCD's financial health.
- Moldovan commented that the RCD is financially healthy. This is partly because we have been invoicing more regularly. The difference between September and October financial statements are mostly because of invoicing and receiving some payments for previous invoices. The RCD is expecting over a million dollars in receivables. Accounts Receivable increased by almost \$400,000 between September and October, and Accounts Payables didn't increase at the same rate.
- Gauthier asked if the funding agencies were paying us on time. Moldovan and Nelson noted a lower dependence currently on funders that take longer to pay. The typical wait time now, once invoices are sent, is around six weeks. The Integrated Regional Water Management Plan funding from the Department of Water Resources for our Drought Relief Program is still very slow. It took nearly two years to be paid for the work at the start of the program. The bridge funds we have received are very helpful for this program in particular.
- Gauthier asked how the current financials align with the annual budget. Moldovan said that the finances actually look better than expected. The RCD has not yet completed the first quarter budget review because of her medical leave. The RCD is also in middle of the FY2015 audit.
- Kossy would like the financial statements to be reformatted to make them easier to read. She suggested gridlines as well. Moldovan will determine whether or not QuickBooks can print gridlines.

- Directors Reynolds and Watt are attending a workshop in December with Nelson about finances for non-profits. Following that, they will work with Gauthier and Moldovan to revise financial statements.

5.1 October 20, 2016 Draft Regular Meeting Minutes

- Kramer requested a correction to the October minutes regarding his comments on the Weed Symposium.

5.2 September 2016 Draft Financial Statements

5.3 October 2016 Draft Financial Statements

- Kramer moved to approve the Consent Agenda with the revisions to the October 2016 meeting minutes. Kossy seconded. Unanimous approval of the consent agenda.

2 Introduction of Guests and Staff

3 Public Comment

- Dye commented that RCD does great things and that she has been pleased to be a part of it when she has the time to volunteer. Nelson thanked her for her favorable public comments at a recent meeting of the Granada Community Services District.

6 Discussion Items

6.1 Executive Director Report – Kellyx Nelson

- Nelson shared her Executive Director Report [ATTACHED]
- Reynolds asked how the Cloverdale Gully project was looking. Nelson said that the project was nearing completion and that work was on hold until the rains eased up and the site was dry enough. Howard said that he had the opportunity to visit the site and that it looks good. He said that it was a technically challenging project and that a few issues have arisen with species compliance, soil compaction, and drainage. Thinks they did very good job so far and they have been innovative in finding solutions. Nelson recommended that the Board view the time-lapse video of the project that is on the RCD Facebook page.
- There was discussion regarding cannabis production and related resource concerns. Cannabis growers would not be eligible for Farm Bill monies through the NRCS because it is federally illegal. San Mateo County is looking at local ordinances passed by other counties. San Mateo County is mostly considering public health and safety, etc.
- Nelson submitted a letter to Department of Conservation regarding the RCD Accreditation Program [ATTACHED]. Nelson wrote the letter with DOC staff, and many other RCDs signed on. This was submitted during a public comment period that closed November 21st. Gauthier said that some of comments were very specific and thanked Nelson for writing the letter.
- Howard asked about community response to the toilet rebate program and why people felt they were conserving enough water. There was discussion about demand for the program.

6.2 Directors' Reports

- Watt enjoyed the CARCD conference. He attended last year as well. As TomKat Ranch staff, his primary interest has been in the carbon farm planning and sees it as a great tool for RCDs to have sustained relevance in future. He noticed an increase in offering and interest in the

topic between last year and this year. He said it was an optimistic conference, given the uncertainty about future of funding. There was a good focus on practical but large programs with co-benefits. He attended the CARCD Board meeting too. He voted as suggested on the resolutions, and offered the comment on 2016-03 to make sure that CARCD doesn't compete for funding with RCDs. All of the resolutions carried unanimously. The CARCD president was very positive. CARCD has been happy with Conservation Strategy Group. CARCD may need to alter their dues structure which hasn't changed in 20 years. The work between CARCD and National Association of Conservation District has been productive. They are putting in recommendations for the next farm bill. Next year's meeting will be in Redding, and possibly San Diego for 2018.

- Nelson reminded the Board that the CARCD conference is always week before Thanksgiving.
- Kossy went to the California Invasive Plant Consortium meeting. She attended both as a member of the Weed Management Area and an RCD Board member, which she felt was a good way to engage with people. The main message was biodiversity and cultural diversity.
- Reynolds attended the most recent Pescadero Municipal Advisory Council meeting. They discussed the fish kill. Supervisor Don Horsley will be at the next meeting. The road improvement project is moving forward. There have been recent issues with people racing high performance cars in the south coast and getting injured or killed and it is noisy.
 - Gauthier asked Reynolds about attitudes regarding the RCD at PMAC. Reynolds said it is favorable. He said that PMAC is important because it helps our RCD projects, and encouraged Nelson attend as often as she can.
- Kramer said that he got to visit the Butano Floodplain Restoration project and got to help at POST's volunteer day planting willow stakes. He was impressed with the project, and is looking forward to see it progress in the future. He gave kudos to Irina Kogan, RCD Program Manager. The project's grant manager from Department of Water Resources was there and was very positive about the project and said he was looking forward to working with the RCD in the future.
- Gauthier said that he enjoyed seeing the Pilarcitos Rural Road and Butano Creek Floodplain Restoration projects. He hopes that the Board can also visit projects in the next year. He said that he saw photos of the Memorial Park Fish Passage project in the San Mateo County Parks Foundation newsletter.

6.3 What the Election Means for the RCD on the Federal, State and Local Levels

- The RCD has many federal partners, including United States Department of Agriculture (NRCS), the Department of the Interior (US Fish and Wildlife Service), NOAA, and more. The voluntary conservation work they are doing with us is not their core function and may be affected if funding is cut or these areas are no longer a priority. Alternately, the new administration may favor non-regulatory voluntary approaches with financial leverage. NRCS, USFWS, and NOAA are currently funders and resources for the RCD's programs. The federal funding future is very uncertain right now.
- The RCD has four project areas: climate, agriculture, water, and wildlife.
 - Climate: President-elect Trump has indicated that he believes climate change to be a hoax, so we don't know what that means for federal support. In California, AB32 will

continue to fund climate related work. The current carbon farming projects of the RCD are funded through the NRCS, and have already been approved so they will likely not be jeopardized.

- Agriculture: The president-elect has expressed support for farmers and agriculture
- Water supply: The president-elect has stated that there is no drought in California. Much of our program currently revolves around drought relief, but it is primarily funded through the State of California
- Water quality: The president-elect has stated his desire to dismantle the Environmental Protection Agency, which the RCD anticipated would be the likely funding source for much of our sediment-related work where the TMDL is being developed in the Pescadero-Butano watershed addressing rural roads, gullies, streambank erosion, and other sources of sediment. We will continue to pay close attention to that.
- Wildlife: Based on statements by the president-elect and appointments to his transition team, we anticipate potential cuts to federal funding for endangered species work. The RCD also depends on partners in federal agencies as technical advisors, for permitting assistance, etc. The Fisheries Restoration Grant Program, a significant RCD funder, is administered by the State but is funded with federal monies from NOAA. We will be watching this closely.
- In the State, there has been a shift in leadership to a mostly urban southern California focus, which may reinforce climate work being viewed in terms of urban impact and transportation projects. We will want to make sure that our soil work, and other rural climate work, remains part of the solution to climate change. Conservation Strategy Group has informed RCDs that several of the more moderate democrats that were elected may not have the same support of issues as their predecessors.
- Locally, Mark Berman won Rich Gordon's State Assembly seat. He has some familiarity with the RCD's work and identifies as an environmental candidate. Jerry Hill kept his seat. He has been supportive of the RCD's work.
- Measure K passed will continue a sales tax. The revenues from the tax have supported some of our work
- Ed Larenas was elected to the San Mateo County Harbor Commission. The RCD has worked with him through his leadership role at Surfrider for many years and expects that he will bring his understanding of our water quality program to our existing partnership with the Harbor District.
- Kossy expressed an interest in a more diverse RCD Board to empower the community and broader participation on this government body. Gauthier said that he and Nelson have been talking about ways to do this and see this as part of the upcoming strategic planning process as well.
- Gauthier suggested that federal funding in the near future may support infrastructure projects and that staff should track those opportunities. He said they will likely prioritize shovel ready projects. He said we may also see streamlined or simpler permitting. He expects to know more in the next meeting.

7.1 Board will Determine Contribution to 401K by RCD for Employees Eligible in Calendar Year 2015.

- Moldovan explained that the RCD has a profit sharing program because the RCD cannot guarantee a certain contribution without knowing what the budget will be from year to year. This allows the organization to offer something to employees.
- Watt asked about the current 401k program. Moldovan said that all eligible employees could make contributions. The RCD does not match the contributions. We contribute based on the budget of the organization at year's end.
- Gauthier asked what the RCD did last year. Moldovan said it was a 5% contribution that was based on only a certain portion of the year and was adjusted later for a slight increase.
- Gauthier would like to find ways to improve the benefits program. Nelson shared the same desire and hoped to find the financial stability to offer more.
- Watt asked if there were any training opportunities to go along with the 401k program. He said that since the staff is young, they could benefit from learning how to maximize the program. Nelson said that they don't offer ongoing training, but have done it in the past. Moldovan explained that the staff are provided literature on how to choose a plan, and a phone number at Fidelity if they have questions. Moldovan has suggested a financial planner to staff but she is not legally allowed to give advice.
- Watt asked about the provider. Moldovan said it was through PayChex and Fidelity.
- Watt said he is personally interested in providing staff training and volunteered to help with it.
- Nelson said she is going to propose including an attractive workplace as a goal in the strategic plan, and that the Board may want to engage in the benefits discussion through that process.
- Gauthier asked if the current program is better than a matching program. Moldovan said staff can get a contribution regardless of whether they contributed.
- Kramer asked for clarification on numbers. Moldovan said that it was a percent of the staff persons' salary.
- Gauthier asked if we can afford the 5% contribution. Moldovan said we could. Nelson noted that this determination is in a vacuum and doesn't also consider what we want to do in terms of staff salary adjustments, reducing staff billable hours, and developing cash reserves.
- Watt moved to approve a five percent contribution to the 401k for the 2016 fiscal year. Kramer seconded the motion and it passed unanimously.

8 Closed Session

8.1 Discuss Performance Evaluation of Executive Director.

- No action was taken.

9 Adjourn

The meeting adjourned at 6:30 pm.

Executive Director Report
November 22, 2016

Program and Project Updates

- Construction has been completed on three of five restoration projects:
 - Improved habitat at 13 sites in San Gregorio Creek for Coho salmon and steelhead trout.
 - Repaired three miles of rural roads to reduce sedimentation into Pilarcitos Creek and protect safe access for the road users.
 - Restored over 100 acres of the historic floodplain along 1 mile of Butano Creek, improving habitat for multiple protected species and holding back 150,000 tons (500,000 cubic yards) of sediment from filling Pescadero Marsh.
- Construction is still underway for two projects:
 - Expanding a farm pond on lower San Gregorio Creek from 8.5 acre-feet to 20 acre-feet to improve the farmer's water security and protect streamflows. Two or three more weeks of work are required and work cannot be done until rains clear up and the site dries out. Check out the video from the construction site on our YouTube channel at <https://www.youtube.com/watch?v=rQmFJOHPUME>.
 - Completing repairs to a gully along Cloverdale Road that opened up in less than 48 hours in March, delivering 4,000 cubic yards of sediment to Butano Creek. Since the last report, all permits were secured, funding agreements were secured, and construction began and was nearly completed. Two or three more days work is needed at the site and cannot happen until the site is dry enough.
- The toilet rebate program has had very low demand. We are hearing from residents that they are already using low flush toilets and conserving water. We are talking with the County about expanding the area of eligibility.
- A number of projects are in planning, design, or permitting phases. A goal is for future Executive Director Reports to include a project tracker that updates the status of RCD projects and ties them to Strategic Plan goals and objectives.

Outreach and Communication

This was a month of high visibility and sharing of ideas.

- Brittani Bohlke presented at the CARCD conference about her work with cemeteries on irrigation efficiency and our work with homeowners near Fitzgerald Marine Reserve to install Best Management Practices for stormwater management and to reduce pollution from the landscape.
- Brittani presented to San Mateo County Parks Dog Management Committee about what we know about water quality impacts and best management practices pertaining to pets
- Kathleen Dickey presented at the CARCD conference about the slender false brome eradication project, highlighting our partnership with MROSD.
- Kathleen presented with staff from MROSD at the California Invasive Plant Council Symposium about the MROSD- RCD partnership to control invasive weeds at a landscape level.
- I presented at the CARCD conference about developing County support for local RCDs.
- The RCD partnered with the NRCS and TomKat Ranch to present a Water for Wildlife workshop.

- We sent our digital newsletter in October to 1,449 subscribers. 665 people opened the newsletter, a 46% open rate (compared to a 19.8% industry average). It resulted in 104 clicks on our web page or social media, a 7% click rate (compared to a 2.1% industry average).
- Staff is planning a Blue Circle event about climate solutions in rural and agricultural areas.

Administration, Communication, and Operations

- We will be sending our annual appeal next week. This fundraising is essential to our having an operating base . Please forward it to others. Directors will also be given some hard copies as well.
- We have been focusing on staff safety in the field, particularly for when a staff member is alone and not within cell phone range. We established a field safety policy and procedures, and have provided training and equipment.

Beyond our RCD

- Proposition 64 passed in California, legalizing recreational marijuana. San Mateo County has set a study session to consider the issue. It is scheduled during the Board of Supervisors meeting on Tuesday, December 6 at 9:30 am.
- Greater Farallones National Marine Sanctuary has been exploring overflight regulations to minimize impacts to seabirds from aircrafts. Kossy asked about regulations for low flying over Fitzgerald Marine Reserve. Nelson said she would connect Kossy with the GFNMS working group.

November 21, 2016

David Thesell
801 K Street MS 14-15
Sacramento, CA 95814

RE: Comments on Draft Regulations for RCD Accreditation Program

Dear Mr. Thesell,

Thank you for the opportunity to comment on the Draft Regulations for the Resource Conservation District Accreditation Program. We are grateful for the countless ways the Department of Conservation helps RCDs deliver critically needed services to our communities and to the State of California. Thank you specifically for stepping up as an invaluable partner to create an accreditation program that will help RCDs ensure that our Vision and Standards become a reality. This program and the Department's website promise to provide credible and visible venues for demonstrating the good governance of RCDs in California.

In this light, we offer comments on the Draft Regulations to ensure that (1) the vision and history of RCDs' statewide efforts towards good governance are adequately reflected, (2) the integrity of the original accreditation concept is ensured, and (3) unintended policy consequences are avoided.

Comment 1: Serious consideration needs to be given to Tier 1 requirements that are not mandated by law and requirements that may call for a qualitative evaluation. While the Department, RCDs and the Association are developing the accreditation program with the best of intentions, unintentional policy consequences may create *de facto* regulations for RCDs that do not currently exist in Division 9 or other government codes. We recommend the following changes to the proposed regulations: (1) identify a role for the Association or a committee of RCDs in determining whether a requirement has been met when it calls for qualitative evaluation; and (2) include explicit language in the regulation that this is not intended to have the consequence of increasing regulation of Districts.

Comment 2: The Policy Statement Overview suggests that the statewide effort to set goals and standards is based solely on the Association President's site visits from 2011 to 2013. This does not acknowledge the work done by Districts across the state to bring the issue to the attention of the Association and request its assistance, or Districts' grassroots efforts to address gaps in capacity.

Comment 3: The Policy Statement Overview and the Initial Statement of Reasons focus on Districts as problems rather than as unique assets and opportunities. Accreditation must focus on the Districts' vision. The capacity building process was intended to do more than address shortcomings; it strove to develop a vision for Districts to be relevant, visible, and excellent in service to our communities and the State of California. Participants in the process were forward-thinking to unify as a statewide entity to be better positioned for State level opportunities for the conservation of our natural resources. The history of this visionary effort should not be limited to a statement of our shortcomings. It is also important that accreditation not focus entirely on addressing a problem so that the program continues to be relevant when Districts achieve their collective vision in the future, and so that accreditation is relevant to Districts that do not identify as "a problem," as well as Districts that do not struggle with capacity or need to "come into compliance."

Comment 4: The Policy Statement Overview states that the accreditation program was intended to incentivize RCDs to achieve goals. Per comments 2 and 3, this does not fully or accurately capture how

the accreditation program came about or the vision with which it was created. Accreditation was not intended merely to be an incentive program. We had a vision to demonstrate the value of RCDs to the State and our communities and to provide continuity of services as well as a shared vision and brand.

Comment 5: Pertaining to §3206, the Department, the Association, and Districts should decide how the Department will determine if an application is complete if any qualitative evaluation is required, particularly for standards that are not statutorily required. Please clarify the role for the Association and Districts in establishing criteria for making those determinations. There is nothing in the proposed rule that would prevent a future situation, for example, in which the Department would determine whether or not a District had submitted a long range plan that considered its County's resource needs or whether a submitted document is acceptable as a budget.

Comment 6: Please include language in §3209 that protects the intent of the accreditation program to provide opportunities for Districts, focusing on its positive vision and minimizing pathways to punitive withholding of funding without accreditation.

Comment 7: The Anticipated Benefits section of §3209 reinforces the deficit mentality commented on above. It focuses on RCDs needing improvement. Please focus on the vision and opportunity.

Comment 8: Please delete the statement, "Other governmental and non-governmental organizations could also use the proposed accreditation program as one method to evaluate Districts for financial assistance." RCDs need to remove barriers to funding wherever possible. The accreditation program should focus on being positive and minimize its potential to be punitive, similar to SDRMA accreditation for special districts. It is a badge of honor but not used to limit funding opportunities.

Thank you for your time and the opportunity to comment on the proposed regulation. We look forward to our continued and fruitful partnership.

Sincerely,

Cachuma RCD	Western Shasta RCD
Coachella Valley RCD	*Marin RCD?
Del Norte RCD	*Contra Costa RCD?
Dixon RCD	*Inland Empire RCD?
Gold Ridge RCD	*Glenn County?
Guadalupe Coyote RCD	*Coastal San Luis RCD
Loma Prieta RCD	
Mendocino County RCD	
Napa RCD	
RCD of Greater San Diego County	
RCD of Monterey County	
RCD of Santa Cruz County	
RCD of Tehama County	
San Mateo County RCD	
Shasta Valley RCD	
Solano RCD	
Sonoma RCD	
Upper Salinas- Las Tablas RCD	
Ventura County RCD	



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