

**Minutes of the Regular Meeting of the Board of Directors
December 20, 2018
4:00 pm – 6:00 pm
Location: RCD Office**

Directors present: Neal Kramer, TJ Glauthier, Jim Reynolds, Barbara Kossy

RCD staff present: Kellyx Nelson, Lau Hodges, Joe Issel, Jarrad Fisher

NRCS staff present: Jim Howard

Guests: Fred Crowder, Karen Moty, Mike Silva, Scott Morrow, Matt Clifford, David Hines, Joel Casagrande, Lennie Roberts, Ryan Casey, BJ Burns, Ron Sturgeon, Peter Marchi, Kerry Burke, Sally Liu, Casey D., Aaron Hebert, Jess Brown, Jose Ramirez, Ben Cerney, Dee Harley

1. Call to Order

Meeting was called to order at 4:02 p.m.

2. Introduction of Guests and Staff

All in attendance introduced themselves.

3. Approval Agenda

- Glauthier pulled agenda items 7 and 8.
- Reynolds moved to approve the agenda, Kramer seconded. Motion passed unanimously.

4. Public Comment

No public comment.

5. Consent Agenda

Reynolds moved to approve the consent agenda, Kossy seconded. Motion passed unanimously.

6. Regular Agenda

6.1 Study session on ponds program (up to 60 minutes)- Jarrad Fisher, Senior Project Manager

- RCD staff presented the attached PowerPoint
- Kossy stated that she was excited that so many members of the community and RCD constituents were in attendance. Nelson agreed.
- Kossy asked about the status of the Butano Pond Project was at. Fisher replied that it was in construction and holding water.
- Issel noted that a weather station had been placed on Harley Farms to better gather information and increase the accuracy of the RCD's data.
- Glauthier asked if the electrical component had been addressed at Harley Farms. Fisher confirmed that it had; it took about a year because it was hard to find a labor compliant contractor willing to take on such a small job.
- Howard noted, regarding the site selection at Harley Farms, that the RCD and NRCS had wanted to build a larger pond however the breach hazard analysis limited the size. Fisher stated that the water table was too high to build a larger pond and Issel

explained that a pond cannot be lower than the water table or the water will push up and crack the liner.

- Nelson noted that Fisher's presentation highlighted a few representative issues for each pond but that there are typically many more, as pond construction is complex in coastal San Mateo County.
- Marchi asked why the RCD didn't keep the old reservoir at Blue House Farms. Issel said it would take up too much space to build a second pond side by side with the old one. He and Ryan Casey further noted that the old reservoir was leaking/ failing, was filled with sediment, and was in a poor location.
- Marchi stated that government agencies wouldn't let him include a spillway on a manmade embankment. Marchi asked Issel if he had installed a trickle tube. Burns replied to Marchi had he needed one because his pond captured runoff.
- Nelson stated that it was very challenging to get planning money and that no two pond projects are the same; different funders and permitting agencies each have their own requirements and sometimes they contradict. She stated that State funders are increasingly restricting the RCDs inability to recoup overhead, which was less of an issue with the federal government. Pond projects can require multiple local, state and/ or federal permits per project. Synchronizing timelines for permits, funding, landowner or agricultural operation needs, and resource protection/ allowable construction window as well as weather and the unexpected can be very complex. She also discussed that it is sometimes cheaper and less complex to build a new pond then repair an existing one.
- Marchi stated that environmental groups protested his pond 30 years ago and asked if that had been an issue for the RCD. Nelson answered that it had not been an issue; the RCD had been in communication with several environmental groups and always made sure to use best practices. Issel stated that from the early planning stages RCD ponds addressed environmental issues. Clifford stated that there has been a change in thinking over the past 30 years.
- Burns stated, on behalf of the Farm Bureau, that they liked to see ponds developed but were concerned about the California State Water Code which implied it was illegal to store water until the water right had been approved, and the RCD was building ponds before the water right was approved. Issel explained the RCD was in compliance because: 1) each site so far has pre-1914 water rights 2) the State Water Resources Control Board (SWRCB) has given the RCD permission to fill the ponds because they have been engaged all along, are supportive of the projects, and their backlog is extensive and 3) the permit is above and beyond. Clifford, a water rights attorney, stated that for every pond the RCD built all appropriate permits were applied for; it took at minimum 14 – 16 months to obtain permits and the SWRCB understood the constraints of funding agreements. Clifford stated that most ponds had pre-1914 rights and if they do not it is a matter of filing for a permit.
- Burns asked what protected land managers if they were caught pumping and someone turned them in to the state. Clifford explained he should point to the application on file at the SWRCB.
- Burke asked what the ongoing obligation was considering the amount of public money. Issel explained it was maintaining the structure and pipes of the pond for 20 years but that there was no requirement for an easement

- Fisher explained that water rights were not lost if a land manager was not pumping. Burns asked what would happen if someone didn't pump for five years and Clifford explained that the RCD's water rights applications exercised section 1707 of the California Water Code, including water for fish and habitat as part of the water right.
- Marchi inquired if the forbearance agreement was for 20 years of not pumping during the three low months. Clifford explained 20 years was the life expectancy of the pond. Fisher stated that there are exceptions, for example, if CalFire drained a pond to fight fires. Nelson explained that over the 20 years of the forbearance agreement land managers were still required to renew their 1600 permits.
- Morrow stated how impressed he was with the program and thanked the RCD, stating that these ponds would not be constructed without the leadership and expertise of the District. He asked if cash flow was an issue. There was discussion of the impacts of late payments from State funding agencies on contractors and RCD operations and payroll. Fisher stated that certain grants withhold 10% retention for for years. Glauthier stated that RCDs are working together and hope for legislation to try and improve the issue of prompt payments.
- Burke asked if the presentation would be online; Nelson replied it would be in the minutes and on the project page of the RCD's website.
- Casey thanked the RCD for his new pond at Blue House Farms.
- Nelson thanked the RCD's Board of Directors who were willing to take on the risk and liability to get these important projects done. She thanked Issel, Fisher and their team for all their hard work and she also thanked the RCD's partners, such as NRCS, Trout Unlimited and all the farmers and land owners who welcome the RCD onto their properties.
- Clifford stated that the RCD in San Mateo County is on the cutting edge of this kind of work statewide, and that the SWRCB and others regarded the RCD as leaders in the field.
- Harley thanked the RCD for her pond and said it was a pleasure working with RCD staff at Harley Farms.
- Moty stated that she didn't have a pond yet but had being trying to get one since 1988; in 1997 the SWRCB said she could build one if she could fund a study of the entire San Gregorio watershed. She explained she was aware of the red tape surrounding these projects. She thanked the RCD for dealing with the red tape and building her a pond soon.
- Glauthier thanked Nelson for her leadership spearheading the program.
- Burns stated he had not been aware of the pre-1914 water right loophole; Glauthier stated he looked forward to Burns encouraging members of the Farm Bureau to seek help from the RCD.

6.2 Directors' reports

- Kossy briefed the group on changes in funding for Weed Management Areas. Crowder noted that the governor has signed AB 2740 the Pest Exclusion Bill which the California Invasive Plant Council (CalIPC) had done significant work on. He noted that the bill earmarked \$1.5 million in funding for Weed Management Area's projects around the state. Glauthier asked if they would be submitting proposals; Kossy responded they would be and offered to provide an update and a future meeting.

- Kossy stated that she and Kramer, had attended the CalIPC conference in Monterey and overheard many positive mentions of RCDs. Kramer stated he was impressed with an Equity, Diversity and Inclusion session he had attended at the conference. The session focused on unconscious biases such as ‘community scientist’ versus ‘citizen scientists’.
- Reynolds stated he was proud of the RCD and proud to be a part of it.
- Glauthier stated he enjoyed the California Association of RCDs (CARCD) conference and reported on the following:
 - Four resolutions passed, and one did not regarding the structure of the CARCD Board. Those that passed were: 1) Allow up to 3 strategic partners to serve on the CARCD Board 2) Create three new seats on the CARCD Board, represented by each region, to be filled by RCD District Managers/Executive Directors elected by their peers 3) Allow RCD District Managers/Executive Directors to serve as a Regional Chair if no RCD Director is willing to serve but without a vote on the Board and 4) the CARCD Executive Director now had a seat on the Board but would not be allowed to vote on policy. The resolution that did not pass was to substitute three RCD Directors, elected at large, for the current ten Regional Chairs serving on the CARCD Board.
 - He expressed interest in the RCD participating in the Speakoff program. Nelson confirmed the RCD had moved forward with it.
 - He liked an idea of encouraging plein air artists/photographers to create art focusing on the RCD’s work.
 - He noted that CARCD’s lobbyist in Sacramento, Tasha Newman, expressed interest in prompt payments. Nelson stated that she had put her recent effort into permitting and planned to start working on payments.
 - CARCD Central Coast Region (the RCD’s region) needs a Chair.
 - He enjoyed the Brown Act seminar he sat in on with Hodges.
- Glauthier felt an RCD champion was needed in Sacramento and he expressed interest in working on it.
- Crowder asked if the federal payment system was working; Howard thought yes.

6.4 Board will consider contracting with K&D Landscaping, Inc. for installation of the new irrigation system at Carpy Ranch.

- Kramer motioned to contract with K & D Landscaping, Inc. for installation of the new irrigation system at Carpy Ranch; Kossy seconded. Motion passed unanimously.

9. Adjourn Meeting

Meeting adjourned at 6:02 p.m.

WATER FOR FARMS, FISH AND PEOPLE

DECEMBER 20, 2018



SAN MATEO
RESOURCE
CONSERVATION
DISTRICT





REASON FOR PROGRAM

- State and Federal priorities
 - Recovery Plans for coho and steelhead
 - State Water Action Plan
- Ag Summit
- County Board of Supervisors
- Food System Alliance
- Requests from constituents
- Previous ponds program

PROGRAM GOALS

- ▶ Use **less water** through conservation
- ▶ **Minimize impacts** of water diversions by changing when water is taken and how fast
- ▶ Improve **water security** for farms, fish and people



PROJECT PLANNING & MEASURING BENEFITS

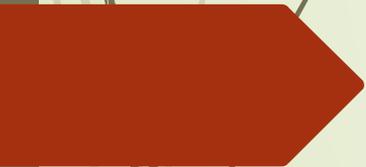
- ❖ Irrigation evaluations
- ❖ Water demand analysis
- ❖ Identify opportunities
 - ❖ Water system
 - ❖ Pond size
 - ❖ Forbearance agreement
 - ❖ Timing and rate of diversions
- ❖ Evaluate alternatives



Total ETo for HMB *	39
Peak Month ETo **	5.1
April ETo	3.9
May ETo	4.65
June ETo	5.1
July ETo	4.96
August ETo	4.65
September ETo	3.9
October ETo	2.79
Crop K for Veggies and Mint ^	0.35
Crop K for Berries ^	0.5
Crop K for Pasture ^	0.6



Annual						Adjusted Water Requirement	Adjusted Water Requirement	Total Water need on ranch (acre/feet)	Total Water need on ranch (acre/feet)
Farmed Acres on Ranch	Crop	Irrigation Type	Crop Water Requirement (inches)	Current DU	Target DU	Current DU (inches)	Target DU (inches)	Target DU	Current DU
52.5	Veggies	Sprinkler	13.65	53%	80%	25.75	17.06	74.65	112.68
								74.65	112.68



	(19.4 max)	Amount pumped in per month (Need + Evap)	Crop water need	Approx. Loss to evaporation	Amount left in pond
April	19.4	4.57	4.27	0.3	19.4
May	19.4	5.45	5.09	0.36	19.4
June	19.4	6.09	5.58	0.51	18.91
July	18.91	5.93	5.43	0.5	18.91
Aug	18.91	0 (forbearance)	5.09	0.48	12.82
Sept	12.82	0 (forbearance)	4.26	0.38	7.56
Oct	7.56	0 (forbearance)	3.06	0.25	3.5

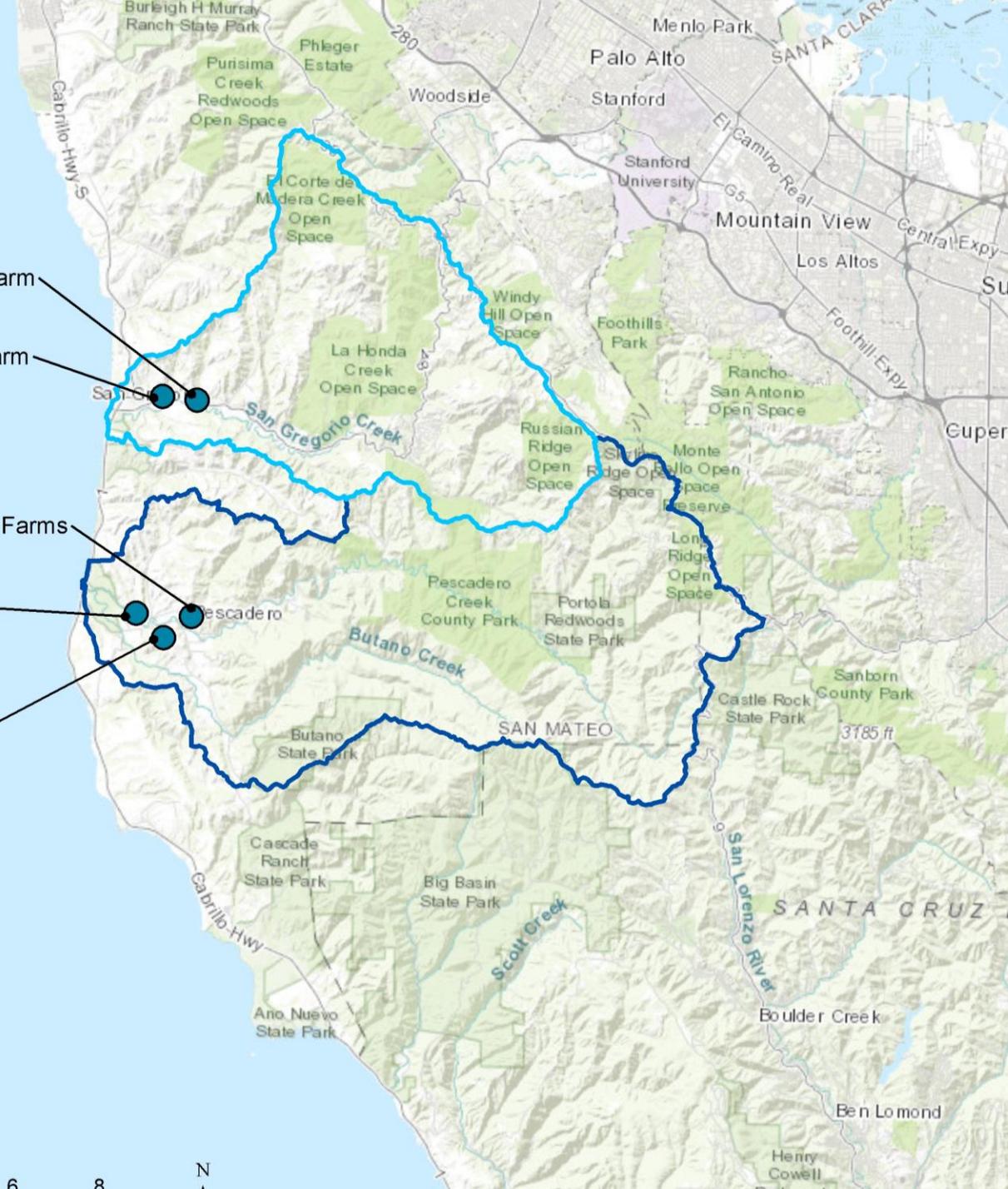


	Location 1: (300 > 70)	Location 2: (300 > 70)	Location 3: (140 > 70)	Location 4: (350 > 70)	Total benefit to flow (cfs)
Apr	0.51	0.51	0.25	0.62	1.89
May	0.51	0.51	0.25	0.62	1.89
Jun	0.51	0.51	0.25	0.62	1.89
Jul	0.51	0.51	0.25	0.62	1.89
Aug	0.22	0.51	0.4	0.62	1.75
Sept	0.22	0.22	0.4	0.62	1.46
Oct	0.22	0.22	0.4	0.62	1.46
Flow Benefit, Jun - Oct	1.68	1.97	1.7	3.1	8.45
Flow Benefit, Apr - Oct	2.7	2.99	2.2	4.34	12.23
Flow Benefit, Aug - Oct	0.66	0.95	1.2	1.86	4.67

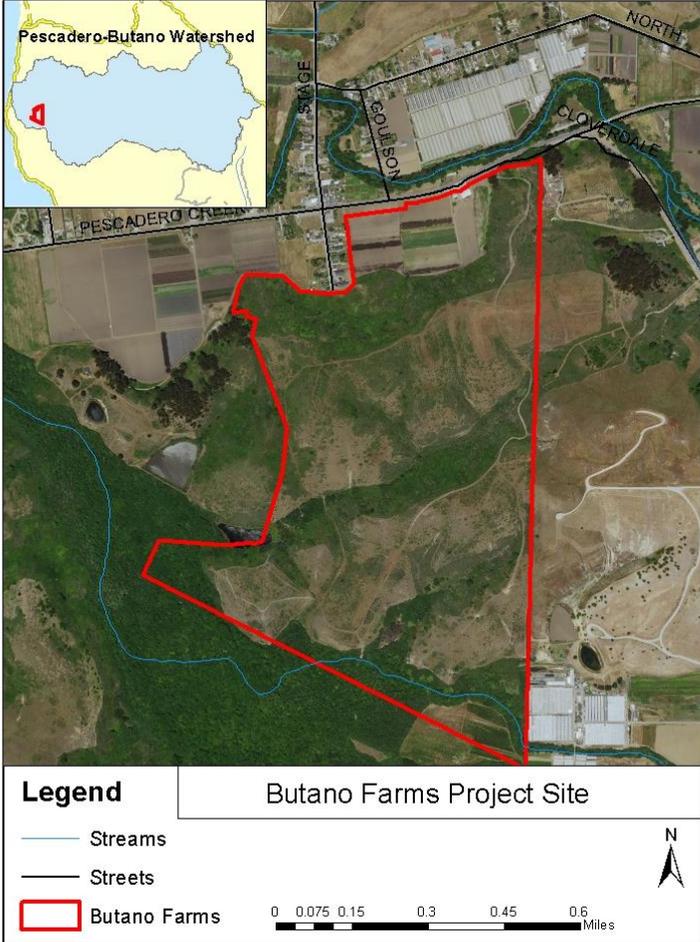


HIGHLIGHTED PROJECTS

- Repetto Farm
- Blue House Farm
- Harley Farms
- Carpy Ranch
- Butano Farm



BUTANO FARM

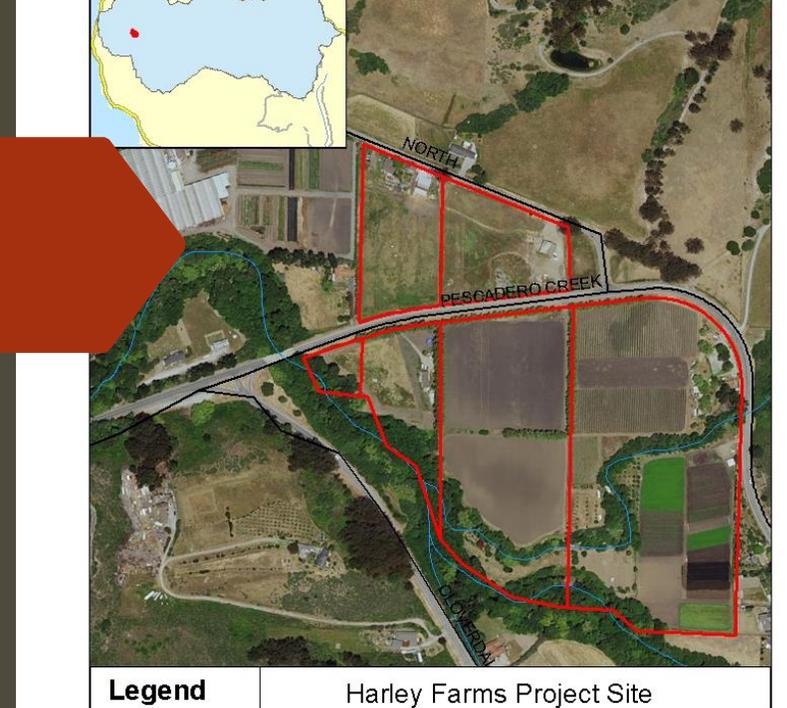


❖ Highlighted issue: Site selection



HARLEY FARMS

- ▶ Highlighted issues
 - ▶ Site selection
 - ▶ Highlighted issue: electrical permits



CARPY RANCH



- ❖ Highlighted Issues:
 - ❖ Tradeoffs between production and water storage
 - ❖ Gullies and erosion threats
 - ❖ Multiple uses of property



BLUE HOUSE FARM

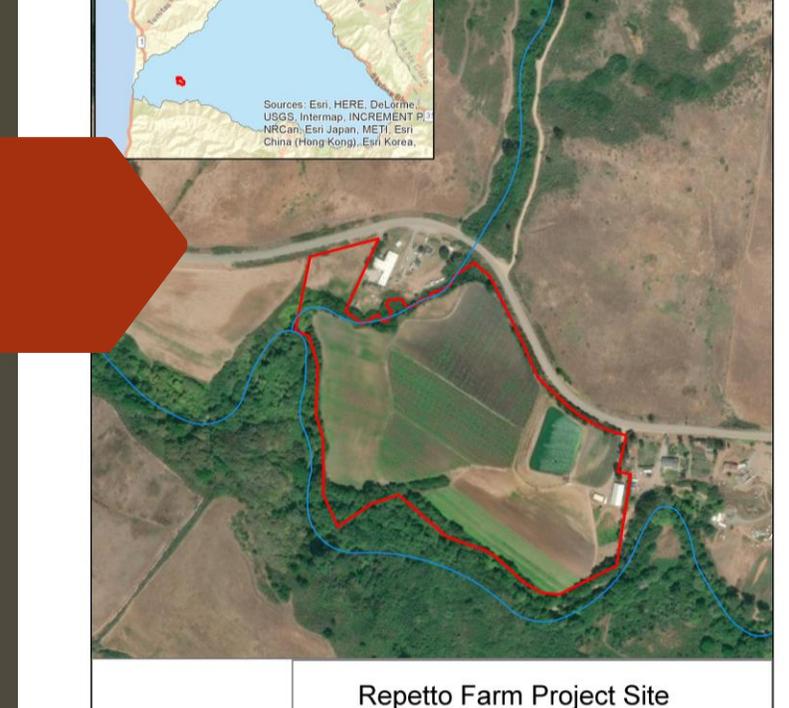


- ❖ Highlighted Issues:
 - ❖ Existing habitat and phasing of project
 - ❖ Managing water for existing operation



REPETTO FARM

- ▶ Highlighted issue:
 - ▶ Challenges during construction

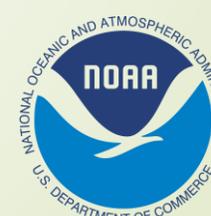


CHALLENGES: FUNDING

❖ Funding

- Uncertain because grant dependent
- Cost to apply for grants
- Grantees can wait for over a year until funding is awarded
- Planning vs construction
- Some funders can bring complexity and new requirements to project design and permitting
- Lengthy delays in grant payments
- Onerous administrative requirements

Funding Source	Total Amount	Number of Projects
Department of Water Resources	\$3,250,000	25
Wildlife Conservation Board	\$886,590	1
NOAA	\$421,764	1
Coastal Conservancy	\$344,552	1
NRCS	\$281,753	On-going
CDFW	\$19,,350	1
USFWS	\$5,000	1
SVCF	\$40,000	1
Total	\$5,249,009	



CHALLENGES: PERMITTING

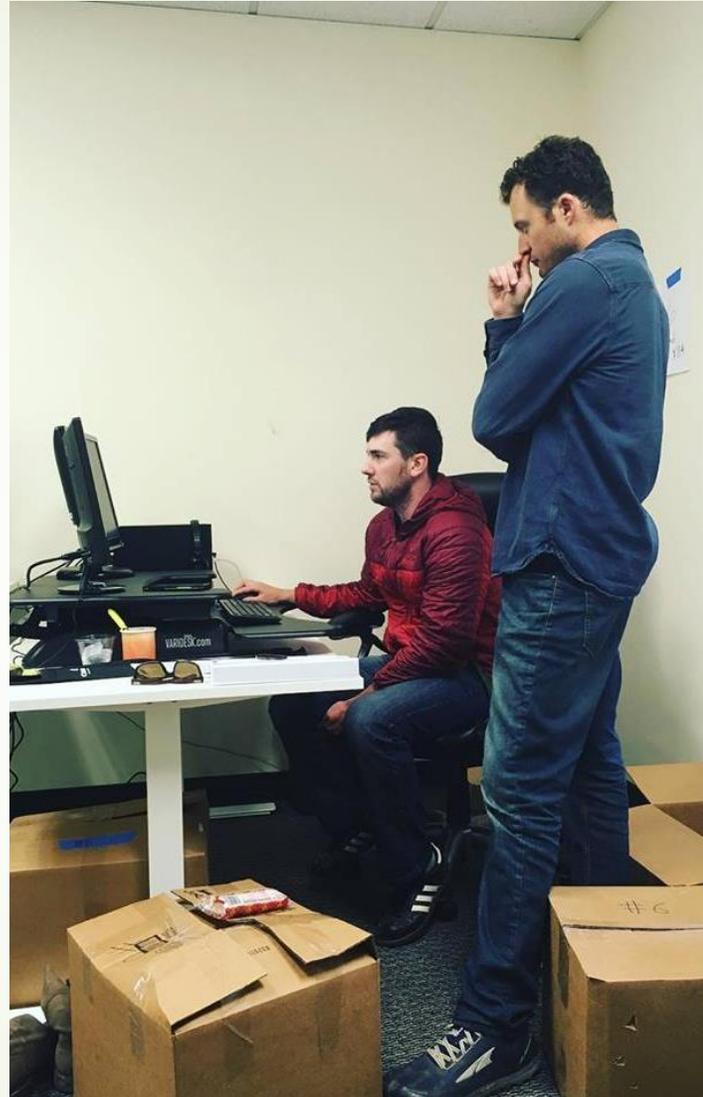
- ❖ Complex permit requirements
- ❖ Costs of permitting
- ❖ Length of time to get permits (sequenced with funding timeline and construction windows and agricultural operations)
- ❖ Existing ponds can be habitat for protected species

	Agency	Permit
State	SWRCB	1707
State	CDFW	1600
Federal	NOAA	Section 7
Federal	USFWS	BO
Local	County	Encroachment
Local	County	Grading Exemption
State	Clearing House	CEQA
County/State	Coastal Commission	Coastal Development



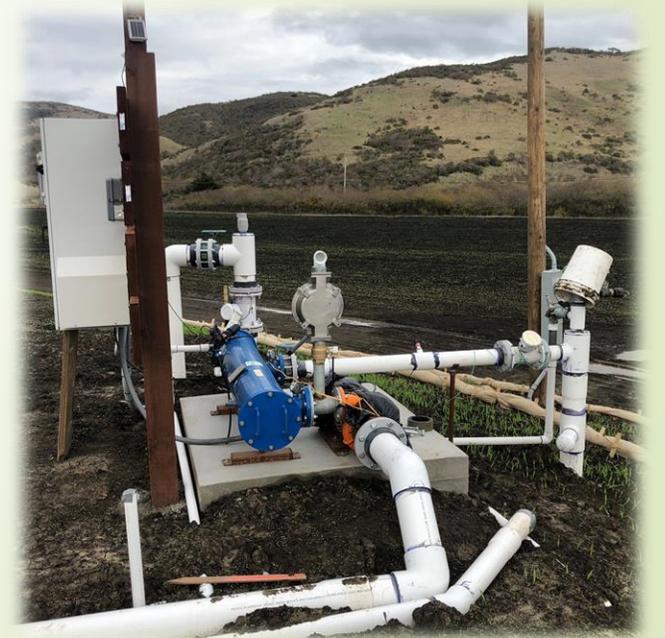
ADDITIONAL CHALLENGES

- ▶ Tradeoffs between water storage and land for production
- ▶ Aligning timelines of funding, permits, construction season, contractor availability, landowner needs, tenant needs, weather
- ▶ Unfunded monitoring requirements
- ▶ Tradeoffs in project benefits, i.e. each pond cannot be designed for maximum frog habitat, maximum instream flow, and maximum ag viability- vocal stakeholders for each



ACCOMPLISHMENTS

- ❖ 25 farms received technical assistance
- ❖ 12 farms have improved water conservation
 - 8 more are planned
- ❖ 7 farms have added water storage
 - 9 more are in planning and funding stages
- ❖ 26 million gallons of new local water storage built
 - 22 million gallons of additional storage planned
- ❖ 51 million gallons per year of water conserved





Questions for the Team?