SAN MATEO RESOURCE CONSERVATION DISTRICT

PHONE: 650.712.7765

80 STONE PINE ROAD, SUITE 100
HALF MOON BAY, CA 94019

SANMATEORCD.ORG

Regular Meeting of the Board of Directors
December 17, 2020
4:00 pm – 6:00 pm, via Zoom teleconference

If you are using a computer to join the meeting please click this link[1]. A computer video camera is not required to participate. If you do not have access to a computer or internet during this meeting, or if your computer does not have audio, you can call in by phone: (669) 900-6833 and enter the meeting ID 896 7573 3636 when prompted. If participating by phone only, you will not be able to see presentations or other participants. The teleconference will begin 10 minutes before the meeting is scheduled to begin for those who may need assistance or orientation to the technology.

1. Call to Order

2. Approval of Agenda

3. Introduction of Guests and Staff

4. Public Comment- The Board will hear comments on items that are not on the agenda. The Board cannot act on an item unless it is an emergency as defined under Government Code Sec. 54954.2.

5. Consent Agenda

The Board of Directors approves:

5.1. September 17, 2020 Draft Regular Meeting Minutes

5.2. November 19, 2020 Draft Regular Meeting Minutes

The Board of Directors receives into record:

5.3. September 29, 2020 Cal Matters article: *Agencies that help us recover from wildfires and prepare our lands*

5.4. November 19, 2020 Half Moon Bay Review article: *Coho salmon released into Pescadero Creek*

5.5. November 17, 2020 CBS television news report on salmon release

5.6. November 2020 report co-authored by Kellyx Nelson, *Cutting Green Tape: Regulatory Efficiencies for a Resilient Environment*

5.7. December 1, 2020 RCD letter providing comments on Pillar Point Harbor and Venice Beach Total Daily Maximum Load – October 13, 2020 Draft Staff Report

6. Regular Agenda

6.1. Discussion of draft strategic plan

6.2. Executive Director's report

6.3. NRCS report

6.4. Directors' reports

7. Adjourn Meeting

The next Regular Meeting of the Board of Directors will be January 21, 2021

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.

[1] https://us02web.zoom.us/j/89675733636

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Minutes of the Regular Meeting of the Board of Directors
December 17, 2020
4:00 pm – 6:00 pm
via Zoom teleconference

Directors present: Barbara Kossy, TJ Glauthier, Adrienne Etherton
RCD staff present: Kellyx Nelson, Lau Hodges, Noah Katz, Cleopatra Tuday, Sheena Sidhu
Guests present: Debbie Montana, Brett Hanshew

1. Call to Order

Kossy called the meeting to order at 4:04 p.m.

2. Approval of Agenda

Glauthier moved to approve the agenda, Etherton seconded. Motion passed unanimously.

3. Introductions of Guests and Staff

All in attendance introduced themselves.

4. Public Comment

There was no public comment.

5. Consent Agenda

- Glauthier pulled agenda item 5.6 for discussion.
- Etherton noted an error in the November 19, 2020 Draft Regular meeting Minutes; agenda item 6.8 stated that Gauthier moved and seconded the motion. Reynolds had seconded it.
- Glauthier moved to approve the consent agenda, as amended, Etherton seconded. Motion passed unanimously.

6. Regular Agenda

5.6 November 2020 report co-authored by Kellyx Nelson, *Cutting Green Tape: Regulatory Efficiencies for a Resilient Environment*

- Report reflects a yearlong effort involving approximately 150 people, now published, offers recommendations to streamline implementation of projects that protect natural resources.
- Nelson thanked the Board for allowing her to work 10% of her time with Wade Crowfoot, California's Secretary for Natural Resources.
- Glauthier thanked her for taking on the project and noted it would pay dividends for the state.
- Montana noted that it was important that it not be a document that collects dust; Nelson discussed implementation plan.

6.1 Discussion of draft strategic plan

- There was discussion about the process, status and timeline, themes that have come up, and integration of the plan into budgeting, communications, performance evaluations, project development, etc.
- Goal is to bring Plan to Board for approval at the January 2021 meeting.

6.2 Executive Director's Report (see attached)

- Welcomed two new staff, David Cowman and Erica Harris, who have joined Sheena Sidhu in the Forest Health and Fire Resiliency Program.
- Sidhu discussed her involvement in the California Association of RCDs Black, Indigenous, and People of Color group.
- Monarch butterflies were being considered for endangered species listing; they are 8th on the list of 160 species and would not be put on the list at this time. Tuday explained that the Western Monarch count had taken place on Thanksgiving and approximately 2,000 were found. Etherton noted an article in Bay Nature Magazine stating that, in the Bay Area, eucalyptus was not good habitat for monarch butterflies; the issue lies in the fracturing of habitat.
- Katz updated about First Rain AKA First Flush. He hoped to have results in January. Also conduced monitoring for First Rain in Pescadero on December 11, focused on where fire retardant had been dropped during the CZU Fire.
- Closing out $11.6M in Department of Water Resources funding for Water for Farms Fish and People program. Two grants, spanning 5 years, helped 25 farms and 6 domestic water systems under excellent leadership by Jarrad Fisher on staff.

6.3 NRCS report

Jim Howard was unable to attend the meeting therefore no report was given.

6.4 Directors' reports

- Glauthier reported:
  - He was pleased to see how much press the salmon release got and enjoyed the opportunity to attend.
  - He also requested Nelson send the presentation she'd given to the San Mateo County Harbor District to the Board.
  - He noted that the Human Resources (HR) Committee should begin work on Nelson's annual review; he asked Etherton if she would be willing to join that committee. She confirmed she would.
- Etherton reported:
  - She had joined Coastside Families Taking Action
  - She noted she was impressed with Doug Silverstein's, of Thrive Alliance, work on plastic solutions, specifically on advocating towards banning single use plastics. The ban would potentially go into effect, in the City of Brisbane, in March 2022. Nelson noted that Silverstein would be presenting to the Board in January.

- Kossy reported:
  - She had taken a seminar, hosted by Puente de la Costa Sur, facilitated by Circle Up about implicit bias.
  - She had met with Lightbox Collaborative who would be facilitating the RCD's Coommunication Plan.
  - She had attended CARCD's 2020 Conference and appreciated the breadth of DEI sessions.
  - She noted a host of monarchs had implanted themselves in Caledonia, Spain.

7 <u>Adjourn Meeting</u>

- Kossy adjourned the meeting at 5:30 p.m.

https://www.hmbreview.com/news/coho-salmon-released-into-pescadero-creek/article_244e958a-29d4-11eb-8cc9-4f6707b8b85c.html

Pescadero Creek

Juvenile Coho Salmon are released into Pescadero Creek in Memorial Park in Loma Mar on Tuesday, Nov. 17, 2020. Adam Pardee / Re

Coho salmon are set to make a comeback on the South Coast. This week, 10,000 of the young fish were released into Pescadero Creek after National Oceanic and Atmospheric Administration Fisheries, nonprofit Monterey Bay Salmon and Trout Project, and the San Mateo Resource Conservation District partnered to repopulate the stream.

> “This is utterly, truly, a watershed moment. This is life-affirming,"
>
> **Kellyx Nelson, RCD executive director**

According to a press release from the RCD, the fish were bred at a hatchery in Santa Cruz County before being released into the creek, just one of two watersheds in the Santa Cruz Mountains that is fit for coho spawning and survival.

For RCD Executive Director Kellyx Nelson, the moment was a pinnacle in her career, if not her life.

Executive Director of the San Mateo Conservation District Kellyx Nelson removes the lid from a backpack used to transfer juvenile Coho Salmon from a tank and into the Pescadero Creek in

“This is utterly, truly, a watershed moment,” Nelson said. “This is life-affirming. This means that we have brought this watershed back to be healthy enough to be home again to 10,000 Coho salmon and to give them a chance to come back from the brink of extinction.”

On Tuesday, project leaders took a trek out to Loma Mar to distribute some of the fish into Pescadero Creek. A hatchery truck with a tank full of the salmon

Memorial Park in Loma Mar on Tuesday, Nov. 17, 2020. Adam Pardee / Review

Adam Pardee

ventured down a trail in Memorial Park, where large pools of water were determined fit for the salmon. Using backpacks with large water tanks, project leaders transferred the fish from the tank and slowly poured them into Pescadero Creek. Hatchery employees were also onsite moving fish into the backpacks and monitoring their transfer into the creek, and an Ohlone tribe member offered a welcome to the salmon.

Owner of Alnus Ecological Jim Robins shows off backpacks used to transfer fish from a holding tank down into the Pescadero Creek in Loma Mar on Tuesday, Nov. 17, 2020. Adam Pardee / Review

Adam Pardee

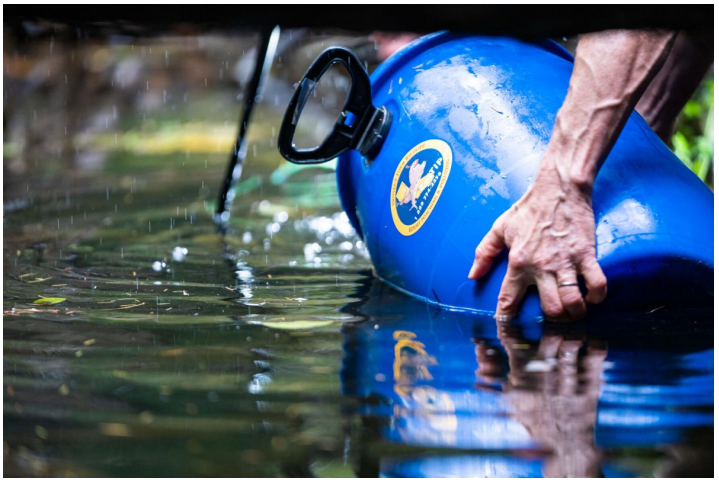
The work to bring coho salmon back to sustainable populations has been a long time coming on the South Coast. Nelson wrote that this week's release "is the culmination of 10 years of hard work and collaboration," between environmental advocates, scientists, educators, public and private land owners and managers and groups like the RCD that do restoration.

That hard work includes a Butano Creek project to dredge and restore the creek channel to reestablish it as a passage for the salmon's journey to sea and back, completed in 2019. In 2015, the RCD also removed a dam and modified a road crossing in Memorial Park to open more than 60 miles of habitat to the salmon and native steelhead trout. Nelson said local farmers who have established water storage for the dry months so as to not pull from thirsty streams have multiplied the amount of water that the fish can now call home. Additionally, projects to restore the natural floodplain, control erosion, improve soil health and reintroduce wood back into the creek are what make it hospitable today.

Although just an estimated 2 percent of the fish are expected to survive into adulthood of the species' three-year lifespan, the newly restored channels provide a lifeline for those that make the trip to and from the ocean during their "extraordinary lifecycle," Nelson said.

"The fish we put in the creek today and yesterday will be the ancestors of future generations," Nelson said.

Due to recent wildfires that threatened the region and its ecosystems, including the hatchery where the fish were being raised, researchers identified Pescadero Creek as the best choice to support an independent population of the fish, with the hope they may eventually seed other nearby watersheds.



Juvenile Coho Salmon are released into Pescadero Creek in Memorial Park in Loma Mar on Tuesday, Nov. 17, 2020. Adam Pardee / Review

Tags

Hatchery | Coho Salmon | Fish | Hydrography | Ichthyology | Biology | Food | Pescadero Creek | Watershed | Kellyx Nelson | Salmon

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625 MIRAMONTES ST #103, HALF MOON BAY, CA 94019
WWW.SANMATEORCD.ORG

December 1, 2020

San Francisco Bay Regional Water Quality Control Board

ATTN:

Barbara Baginska
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

RE: Comments on Pillar Point Harbor and Venice Beach TMDL- October 13, 2020 Draft Staff Report

Dear Ms. O'Hara,

The San Francisco Bay Regional Water Quality Control Board (RWQCB) has developed a draft staff report for the Total Maximum Daily Load for Indicator Bacteria in Pillar Point Harbor and Venice Beach (Half Moon Bay) to address bacterial impairment.

The San Mateo Resource Conservation District (RCD) appreciates the opportunity to comment on the October 13, 2020 Draft Staff Report. We recognize that it can support the RCD's collaborative work with landowners in the contributing watersheds, and local, state, and federal partners to restore and enhance water quality. We would like to acknowledge the dedication and hard work that went into the development of this staff report. Notably, Barbara Baginska has been a transparent and communicative project partner throughout the process. Her work in collating previously collected data and summarizing findings is tremendous. This is a large undertaking and it has not gone unnoticed. We look forward to continuing to work with the Regional Board.

Considering our role in the watershed, our comments focus on ensuring that the TMDL leads to implementation of effective projects that target data-supported sources of bacteria to Pillar Point Harbor and Venice Beach. The staff report does a great job of outlining findings from previously collected data and reports but does not, in all cases, adequately reflect those findings when prioritizing potential bacterial sources or in recommending implementation actions. The RCD has been working to understand and improve water quality in Pillar Point Harbor for around 15 years. We have a high level of expertise on the Harbor and its contributing watersheds and thus comments will focus on PPH rather than on Venice Beach.

In June 2020, we presented to the Harbor District a summary of our understanding of bacterial pollution at the Harbor based on existing scientific data and presented next steps for reducing bacterial loads to the Harbor. As described in previous RCD reports and in the staff report, bacterial pollution in the Harbor primarily comes from upland sources.

Chronic vs. Intermittent and Potential Sources of Bacteria

In the June 2020 presentation we separated bacterial sources into four categories: [1] not likely to be chronic sources of bacteria; [2] likely chronic sources that cannot be controlled; [3] likely chronic sources that have begun to be controlled; and [4] sources that need additional investigation. This categorization system facilitates prioritization of sources based on incidence (i.e. chronic vs intermittent) and allows for prioritization of sources based on scientific evidence that target where bacteria IS, rather that where it might be.

Chronic sources of bacteria are those that are likely to consistently contribute to the bacterial issue and are likely to have the biggest impact on bacterial water quality. Based on previous RCD reports that were summarized in the staff report, we consider the following sources as non-chronic: boats in the inner harbor, the outer harbor, dogs on beaches, homeless encampments, RV dumping, and sanitary sewer overflows.

The staff report only refers to chronic sources once, on page 4-7, in regard to human associated bacteria from “chronic minor leakage of sewer lines” and intermittent SSO incidents as sources of human associated bacterial contamination but the same rationale is not used when prioritizing other potential sources of bacteria.

Overall, the staff report does not make adequate distinction between chronic and intermittent sources of bacteria. Prioritization of potential sources of bacteria should consider the episodic or chronic nature of the source contamination. Ignoring the distinction between intermittent and chronic sources may at times run the risk of directing funds and efforts to reduce potential and intermittent sources of bacteria rather than addressing data-supported chronic sources that have been demonstrated to be most harmful to water quality. We are not advocating that the Regional Board ignore potential sources that may cause intermittent increases in bacterial concentrations but instead suggesting that priorities be made based on chronic bacterial sources and factor in previous findings.

Mismatches between source analysis and prioritization in Pillar Point Harbor

The source analysis for Pillar Point Harbor does not support prioritization of boats in the harbor as a chronic source. Although multiple prioritization criteria (identified on page 4-2) are taken into consideration, fundamentally the regulations in the TMDL should be based on science. As noted in the staff report, boats in the inner-harbor have been shown *not* to be a source of chronic bacterial pollution at the beaches in Pillar Point Harbor yet live-aboard boats are prioritized as “High” in terms of Relative Load Ranking”. Furthermore, finding from UC Davis in the 2014 SID demonstrate that live-aboard boats *cannot* be a source of fecal pollution at

Capistrano Beach. Although the corresponding implementation actions for the Harbor District (i.e. boosting "no dumping" education efforts to vessel owners) is generally a good practice, it does not reflect findings for how to mitigate the problems addressed in the TMDL.

The staff report uses the following rationale to support prioritization of boats: "given the high rate of exceedances of bacteria water quality objectives observed even during dry weather, and the level of recreational and commercial boat traffic, the harbor with its activities is a likely significant source of bacterial contamination". Again, data has not shown boats to be a source of chronic pollution nor has data shown elevated bacteria in the inner or outer harbor. Indeed, the surveys about boat discharges referenced on page 4-7 would be considered relevant if we had no data from the inner and outer harbor at PPH, but we do; data from the RCD monitoring report was summarized in the staff report and the Regional Board drew the same overall conclusions (page 2-16).

This TMDL is in response to elevated bacteria at the beaches not in the outer or inner harbor. Data does not support the assertion that boats are a primary source of dry season bacterial exceedances of the water quality objectives.

Jurisdictional Boundaries of Implementing Entities

Figure 1-1 "Location of Pillar Point Harbor and Venice Beach" on page 1-2 shows the combined catchments draining to Pillar Point Harbor and Venice Beach but does not show subdrainages or separate jurisdictions among the implementing parties. Figure 2-7 "Project Area Location and Surroundings" on page 2-7 shows the sub drainages/watersheds discharging to Pillar Point Harbor and Venice Beach but does not show jurisdictional boundaries of the implementing parties. This report would benefit from an additional map showing jurisdictional boundaries of each entity that discharge indicator bacteria or have jurisdiction over such discharges. As currently presented the staff report lacks clarity in terms of the jurisdiction of implementing parties. For example, Harbor District jurisdiction extends only to the high-water mark, beyond which jurisdiction belongs to the County of San Mateo; this is not clearly reflected in the staff report.

Consideration of Previous Efforts

Staff report states that "work completed in the past five years and ongoing efforts to implement actions to reduce bacteria loads into beaches will be considered as progress toward attaining the TMDL". Please specify the date upon which this will be honored. As currently stated, it is unclear when this five-year timeline will begin.

Furthermore, some implementing actions include language reflecting the above statement while others do not. For example, Table 7-4 "Phase 1 Implementation Actions and Schedule for Vessels and Amenities in Pillar Point Harbor" states "Begin or Enhance 'no dumping' education efforts to vessel owners". The wording of this statement makes it clear that previous and continued efforts will be considered while for other actions this is not clear. All implementing

actions should include language such as “begin or enhance” that clearly state that previous and ongoing efforts to monitor and control potential sources of bacteria will be considered by the Board.

Redundant and misplaced emphasis of implementation actions for PPH

Overall, the draft TMDL implementation actions for PPH are targeted to the harbor, yet water quality data and studies show that the primary sources of the bacterial exceedances are not from the harbor itself, but rather from upland sources. As written the TMDL’s emphasis on the harbor itself for implementation actions will likely direct limited funds to costly, yet much less effective measures. We have laid out specific concerns to PPH implementation actions in the following discussion.

Row 2 in Table 7 -4 “Implementation Actions and Schedule for vessels and Amenities in PPH” states that “within six months of the effective date of the TMDL” the Harbor District must “submit a plan and implementation schedule listing steps to”: “1) Evaluate effectiveness and proper performance of sewage collection systems (sewage dump stations, sewage pumpout stations, sewer lines, etc.) for the harbor marina and harbor amenities; 2) Inspect sewer and stormwater laterals and all other components connecting facilities at PPH to the sanitary sewer system; 3) prioritize sewer system repairs and public restrooms repairs in the harbor; and 4) Establish and implement a protocol to enhance efforts to identify and correct illicit sewage dumping from boats in inner and outer harbor”.

Has data shown sewage dump stations, sewage pumpout stations, or sewer lines on HD property to be sources of bacteria to the harbor? The RCD’s dye tests have yet to identify issues in the sewer system at the harbor. Furthermore, although sample size is small, MST from stormwater outfalls at the harbor have yielded very few identifications of the human marker. So, why are these targeted in implementation actions?

Furthermore, the implementation actions call for redundant evaluations and studies. Implementation Action 2 requires “inspection of sewer and stormwater laterals and other components connecting facilities at PPH to the sanitary sewer system”. The Harbor District and RCD have already taken these steps. In 2018, we conducted a CCTV inspection of the stormwater lines on Harbor District property and directed repairs and replacements when appropriate. We identified a large deposit of fats, oils, and grease, which was removed in the summer of 2020. Furthermore, we dye tested parts of the sewer line at PPH in 2017 and found no intrusion to the stormwater line and very few hits for Human MST have been found at the Harbor. Though the sample size for the MST analysis was small, the findings of these evaluations show that sewer line intrusions are highly unlikely to be a source. As such, why mandate actions targeting study and actions for sewer and stormwater laterals that have shown to be insignificant?

Implementation Action 4 requires the establishment and implementation of “a protocol to enhance efforts to identify and correct illicit sewage dumping from boats in inner and outer

harbor. As previously discussed, water quality data indicates that this is not a chronic source of bacteria and thus requires minimal correction. Obviously, there must be occasional illicit discharges from boats, and increased the outreach and identification of discharges do not pose a serious expenditure but again, this does not target a proven contribution to the chronic bacterial problem at the beaches in Pillar Point Harbor. Furthermore, Harbor District routinely dye tests live-aboard boats—has the Regional Board pursued the results of these dye tests?

In summary, implementation actions at the Harbor should be based on scientific evidence from the Harbor rather than based on the potential presence of intermittent pollution sources in the Harbor.

The RCD is committed to continuing our work in collaboration with the RWQCB and other public and private partners to improve watershed and ecological health. We hope that with incorporation of this feedback as well as that of partners in the watershed, this TMDL can facilitate bacterial waste load reductions and improve water quality in Pillar Point Harbor and Venice Beach.

Sincerely,

Kellyx Nelson
Executive Director

Program Highlights

- CARCD BIPOC Group
- Climate and agriculture
- Post-fire recovery (with NRCS)
- Monarch butterfly listing
- Pescadero/ Butano integrated projects
- Pescadero First Rain (First Flush)
- Closeout of $5.6M Integrated Regional Water Management Program grants

Administrative/ Operational Highlights

- Strategic plan
- Communications plan
- Impact report
- Performance reviews
- Operations manual
- COVID
- Annual appeal