

**Minutes of the Regular Meeting of the Board of Directors  
June 21, 2012  
Location: RCD Office**

Directors present: Rich Allen, Jim Reynolds, TJ Glauthier, Neal Kramer

Staff present: RCD – Kellyx Nelson, Renee Moldovan, Irina Kogan

Guests: Rex Geitner

Susie Bennett

Victor Rabinovich

**1 Call to Order**

- Allen called the meeting to order at 6:30 pm.

**2 Introduction of Guests and Staff**

**3 Public Comment**

- Kellyx introduced PMAC letter.

**4 Approval of Agenda**

- The agenda was approved with the following corrections:
  - 6.2 Pescadero watershed not Pilarcitos watershed
  - 7.1 should say the agreement is between RCD and San Mateo County *Counsel*, not San Mateo County.
  - 7.2 is in the San Gregorio watershed, not the Pescadero watershed.
- Kramer motioned to approve the agenda with the noted changes, Reynolds seconded. Agenda passed unanimously.

**5 Consent Agenda**

- Glauthier moved to approve the consent agenda, Reynolds seconded. Consent agenda passed unanimously.

Financial Statement appears as a loss because of billing timing. Glauthier has discussed this with staff.

**6 Discussion Items**

**6.1 Budget – Kellyx Nelson & Renee Moldovan**

- RCD is decentralizing the annual budget process. For the last 6 years, Nelson and Moldovan developed the annual budget. The new process involves staff taking greater responsibility preparing information for the respective projects and programs for which they are responsible. This year staff members are preparing memoranda and entering data into

spreadsheets for their respective projects. These are then aggregated to form the budget, overseen by Nelson and Moldovan.

- RCD is experiencing a challenge in getting paid by RWQCB which results in delays for RCD to pay consultants in a timely manner which affects RCD ability to retain contractors in high demand.
- RCD has incurred \$1500 fees for County Counsel to address RWQCB withholding funds.
- FY 2013 Budget will be presented at next meeting.
- Nelson concerned about cash flow, not net balance. Additional new staff managing projects should help with cash flow issue, as we are now able to bill more regularly.

## **6.2 Video of Nesting Lampreys in Pescadero Creek – Joe Issel**

- The Board viewed a video taken by staff member Joe Issel of anadromous lampreys building a nest in Pescadero Creek. These fish spend 7 years in fresh water creeks and are therefore more susceptible to creek health. This is an indicator of the health of the Pescadero watershed.

## **6.3 Executive Director Report – Kellyx Nelson**

- Office Renovation – painting and new carpets; photos of coastal San Mateo County and photos of our partners will be going up on the walls.
- USFWS Coastal Program is now located in the office down the hall as part of our local partnership office! This facilitates improved and expanded collaboration and a USFWS Coastal Program focus on conservation projects in coastal San Mateo County. The MOU is still not ready and will likely be presented at the next RCD Board meeting.
- County financial assistance:
  - RCD and County staff have been working on the possibility of a revolving loan from the County with low or no interest, as is done in some other RCDs. Two issues have arisen: (1) County policy that funds must be “in custody.” (2) County sensitivity to multiple embezzlement scandals in the county right now, including special districts, particularly among those like ours that have a small staff and fewer internal controls. These concerns could be addressed if our funds are run through County system. The problem is that the County would require that we then use their auditing and would charge thousands more than we currently pay for the service. This would eliminate the benefit of having the revolving loan.
  - County has agreed that projected property taxes qualify as funds in custody and are therefore willing to give us property taxes up front at the beginning of the fiscal year rather than in installments throughout the year as taxes come in. Renee is working to verify that we would not lose potential adjustments later in the year that have resulted in some additional revenue in recent years.
- Bonde Weir Fish Passage Project in San Francisquito Watershed District: RCD was awarded \$75,000 grant from EPA and \$100,000 committed by National Wildlife Federation. Bonde Weir is the lowest (partial) barrier to steelhead in that watershed so this will improve access to about 40 miles of watershed to steelhead. Construction summer 2013.
- NRCS State Conservationist Ed Burton followed through with his promise to enter into a \$55,000 cooperative agreement for RCD staff to assist with NRCS conservation planning.

- Letter from PMAC to RCD: Nelson distributed letters to directors from PMAC regarding the Pescadero flood control grant. PMAC recommends that the advisory committee include members from PMAC, State Parks, and community and restates their interest in dredging. Supervisor Horsley directed Public Works to conduct an engineering study on the feasibility of dredging within and beyond their right of way. USFWS Coastal Program is interested in funding a scope of work that would overlap with the flooding project and pertain to fish passage and other habitat restoration opportunities. NMFS is interested in funding some hydrology work. RWQCB has developed a sediment budget for TMDL. RCD wants to integrate these projects into larger, more efficient project and asked San Mateo County to pay for 20 hrs of staff time to do this.
- RCD working with USFWS Coastal Program towards a \$25,000 agreement to identify and develop a prioritized strategy for addressing gully sediment sources to Butano and lower Pescadero watershed.
- San Mateo County entered into agreement with RCD to represent the County in the Bay Area Integrated Regional Water Management Plan and to assist Supervisor Horsley in putting together a workshop on access to land for agriculture.
- Staffing updates:
  - Jim Kjelgaard relocated to Texas. NRCS is hoping for a replacement but not a good time in agency for this
  - Shannon Thomas has gone on bereavement leave and will not be returning due to health issues.
  - Alex Beakes will be filling in.
  - POST will be assigning intern from Bren School to help with the Pilarcitos Integrated Watershed Management Plan.
  - NMFS may provide an intern from CSUMB for Pescadero work.
  - RCD is partnering with Gulf of the Farallones National Marine Sanctuary for the field work portion of two Americorps interns yearlong experiences.
- Project Updates:
  - Biochar – may be burning crops in first year but benefit may be seen in subsequent years.
  - Garden Tour - postponed due to funding limitations and the fact that few coastal gardens meet sustainable conservation criteria.
  - Pollinator Conservation Project – Guadalupe/Coyote RCD interested in contracting with us to do install native plant hedgerows in their district.
  - SFPUC is contracting Alameda RCD to do some vegetation surveying. Alameda RCD will build San Mateo County RCD into the contract and train our staff to build capacity.
  - Pillar Point Harbor Project – There was discussion of when to have a public workshop. Karissa Anderson will work on that when she returns from maternity leave.
  - Livestock and Land program- Demonstration projects are limited to work in watersheds that drain into the Fitzgerald ASBS. New NRCS cooperative agreement will allow RCD to provide assistance to confined animal operations outside ASBS.

## 7 Action Items

**7.1 Board Approval of Agreement Between San Mateo County Counsel and RCD.** Board considered approval of an agreement between RCD and San Mateo County Counsel to the RCD.

- This is ~ 1yr agreement for County counsel at a rate of \$195/hr.
- Allen moved to approve the Agreement, Kramer seconded. Agreement approved unanimously.

**7.2 Board Approval of Grading Permit Exemption.** Board considered approval of a Grading Permit Exemption for Clos de la Tech's proposal to improve roads on their vineyard in the San Gregorio watershed.

- Clos de La Tech is on a 168 acre property that is being planted for pinot noir. This parcel is allowed to produce 10,000 cases of wine. Requested grading exemption is for access road to one of the vineyards. Rex Geitner manages the operation and has been working with NRCS/RCD for 10 years in Napa and San Mateo counties. Designs are to NRCS specifications and NRCS/RCD suggestions were incorporated into the plans. Plans include designated setbacks from watercourses and there are conditions on timing of work. Work is anticipated to begin October 15, 2012. The project has undergone public review through the County. No members of the public or resource agencies or otherwise brought concerns about the permit exemption to the attention of RCD staff. RCD staff is aware of general sentiments opposing Clos de La Tech by some members of the public who have concerns about the operation on steep slopes, erosion, and water quality.
- Glauthier moved to approve the Grading Permit Exemption, Reynolds seconded. Grading Permit Exemption approved unanimously.

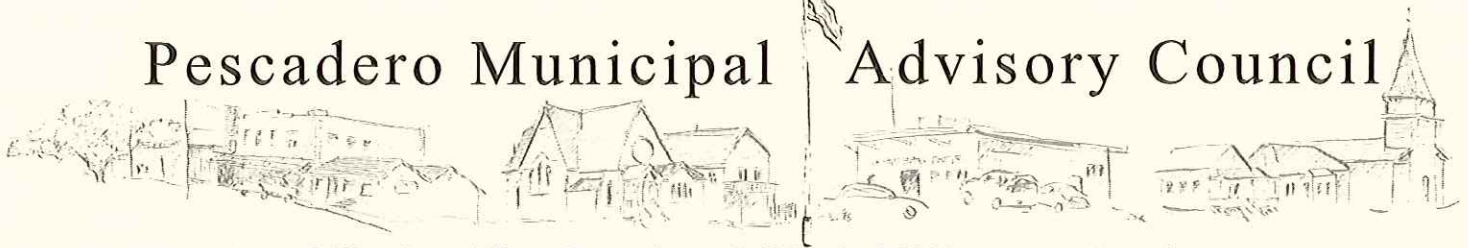
## 8 Adjourn

- Allen adjourned the meeting at 8:05 pm.



ATTACHMENT A

# Pescadero Municipal Advisory Council



Post Office Box 249    Pescadero, California 94060    pmac@southcoast.net

Rich Allen  
Resource Conservation District  
625 Miramontes, Suite 103  
Half Moon Bay CA 94019

June 12, 2012

Re: Response to Kellyx Nelson's letter of May 10<sup>th</sup>

Mr. Allen:

We support the concept of the working group Kellyx describes in her May 10th letter, whose role is to review and socialize plans for distribution of grant funds as related to the Pescadero Creek Road flooding issue, provide input on selecting consultants, and review the consultants' work during the process. We also propose that the working group include members from PMAC from the Pescadero community at large (not on PMAC), from San Mateo County, and from California State Parks.

Due to the supreme importance this flooding issue is to the community of Pescadero, PMAC members have had many conversations with people in the local community, has held several public meetings featuring this issue and has determined that the best short-term course of action is to dredge some portion of Butano Creek. This is clearly in line with recommendations from San Mateo County Grand Jury; NOAA has indicated its willingness to review such a project; and it is consistent with solutions implemented in the past. None of us can ignore the issue of gaining permits to accomplish this dredging, and we understand that the expertise of your organization can greatly assist the community in that regard. We believe that a focused effort on this point would be a great step forward.

Sincerely,

  
Greg Bonaparte, Chair  
Pescadero Municipal Advisory Council

Originals to:

Rich Allen  
TJ Glauthier  
Neal Kramer  
Jim Reynolds  
Roxy Stone

CC: Kellyx Nelson





# ATTACHMENT B

## San Mateo County Resource Conservation District Current Project List June 21, 2012

	Project	Partners	Funding
1.	<u>Accelerated Conservation Planning</u>  Assist NRCS to address conservation priorities within the District.	NRCS, landowners	NRCS Cooperative Agreement
2.	<u>Biochar Field Trials</u>  Field test incorporation of biochar into agricultural lands in San Mateo County.	NRCS, farmers, UCCE, equestrian operation	NRCS Conservation Innovation Grant
3.	<u>Bonde Weir Fish Passage Project</u>  Improve access for steelhead to 40 miles of habitat in San Francisquito Creek by removing instream barrier and installing a roughened channel.	National Marine Fisheries Service, San Francisquito Creek Joint Powers Authority, cities of Palo Alto and Menlo Park.	Bay Bridge mitigation funds, PG&E mitigation funds, EPA grant submitted
4.	<u>Cloverdale Pond Habitat Enhancement Project</u>  Restore and enhance ponds that benefit agriculture and support the recovery of the California red-legged frog and the San Francisco garter snake in Pescadero.	POST	Caltrans mitigation agreement
5.	<u>Fitzgerald Pollution Reduction Program</u>  Implement Best Management Practices on lands that drain into the Fitzgerald Marine Reserve to reduce nonpoint source pollution into the Area of Special Biological Significance.	San Mateo County, landowners.	Prop 84 ASBS, via subcontract to San Mateo County
6.	<u>Garden Tour</u>  Introduce homeowners to landscaping and gardening that conserves resources, enhances local wildlife, and reduces waste and greenhouse gases.	Bay-Friendly Landscaping & Gardening Coalition, NRCS	tbd
7.	<u>Grading Permit Exemptions</u>  Provide technical assistance, exemption	Landowners, NRCS, SMC Planning Department  <i>RCD issues permit exemptions.</i>	Fee for service



## ATTACHMENT B

from County Grading Permit requirements, and reduced permit fees for landowners undertaking conservation projects.

8.	<u>Pollinator Conservation Project</u>  Provide site specific technical assistance for native plant hedgerows and other native plantings on farms and ranches other private lands.	NRCS, USFWS, private landowners	USFWS, EQIP
9.	<u>Identification and Remediation of Fecal Pollution in Pillar Point Harbor</u>  Assess and identify sources of fecal pollution in Pillar Point Harbor and recommend plan for remediation.	UC Davis, Balance Hydrologics, SMC Public Health Laboratory, Regional Water Quality Control Board, Granada Sanitary District, SMC Environmental Health Services, City of Santa Barbara Creeks Division, Natural Resources Conservation Service (NRCS), Sewer Authority Midcoastside, Coastal Commission, SMC Harbor District, San Francisco Estuary Institute, Surfrider SMC, County of Santa Cruz Environmental Health Services  <i>RCD is project manager.</i>	State Water Resources Control Board (Clean Beaches Initiative)
10.	<u>Integrated Watershed Restoration Planning (IWRP)</u>  Facilitate high priority resource conservation projects through coordination of funding and permitting agencies and collaborative problem solving.	California Coastal Conservancy; RCDs of Santa Cruz and Monterey Counties; federal, state, and local resource agencies (inc. NRCS); landowners  RCD is project manager for San Mateo County.	California Coastal Conservancy
11.	<u>Livestock and Land Program</u>  Provide outreach and technical assistance for operators of livestock and equestrian facilities to implement best management practices to protect water quality.	Confined animal operations and landowners, Ecology Action, Central Coast RCDs, NRCS  <i>RCD is contractor.</i>	SWRCB Prop 84 ASBS Prop 50 via subcontract to EA SWRCB Prop 84 ASBS subcontract to County
12.	<u>Memorial Park Fish Passage</u>  Improve access to upstream habitat for Coho salmon by removing instream barriers to passage.	IWRP, SMC Parks	Coastal Conservancy
13.	<u>Pescadero Integrated Flood Reduction and Habitat Enhancement</u>	PMAC, State Parks, DFG, NOAA, USFWS, others tbd	Proposition 84 via Bay Area Integrated Regional Water



## ATTACHMENT B

### Management Plan

Create Pescadero Watershed Council, develop 15% conceptual designs to address flooding, assess Butano channel for potential for restoration for fish, and conduct surveys of outmigrant salmonids in Pescadero Creek.

14.	<p><u>Pilarcitos Creek Integrated Watershed Management Plan</u></p> <p>Implement plan to manage the Pilarcitos Creek watershed that balance environmental, public health, domestic water supply, and economic interests.</p>	<p>SF PUC, CA State Parks, NOAA, City of Half Moon Bay, Coastside County Water District, Committee for Green Foothills, County of San Mateo, MROSD, CA Department of Fish and Game, National Marine Fisheries Service, POST, Pilarcitos Creek Advisory Committee, San Mateo County Farm Bureau, Sewer Authority Mid-Coastside, Surfrider Foundation, Natural Resources Conservation Service, US Geological Survey</p> <p><i>RCD is project manager.</i></p>	<p>Coastside County Water District, San Francisco Public Utilities Commission, Sewer Authority Midcoastside, and Caltrans settlement fund held by RCD</p>
15.	<p><u>Ponds Program</u></p> <p>Restore and enhance ponds that benefit agriculture and support the recovery of the California red-legged frog and the San Francisco garter snake.</p>	<p>NRCS, public and private landowners, agricultural operators, USFWS, IWRP</p> <p><i>RCD is project manager.</i></p>	<p>Caltrans, Coastal Conservancy, USFWS</p>
16.	<p><u>Regulatory Barriers to Management of Eucalyptus</u></p> <p>Address existing regulatory constraints to eucalyptus removal in San Mateo County.</p>	<p>RCD of Santa Cruz County (subcontractor)</p> <p><i>RCD is project manager.</i></p>	<p>San Mateo County Weed Management Area</p>
17.	<p><u>Rural Roads Program</u></p> <p>Provide education and technical assistance to road associations, homeowners' associations, landowners, and land managers to improve rural road conditions, resulting in winterized roads requiring less maintenance and reduced sediment delivery into riparian habitats.</p>	<p>California Coastal Conservancy; RCD of Santa Cruz County, RCD of San Mateo County; NRCS; land owners and managers.</p> <p><i>RCD is project manager for San Mateo County.</i></p>	<p>California Department of Fish and Game, Caltrans settlement fund, California Coastal Conservancy via subcontract to RCD of Santa Cruz (IWRP), NRCS grant and in-kind support via Agricultural Water Quality Alliance</p>
18.	<p><u>San Gregorio Watershed Enhancement Program</u></p> <p>Implement critical priorities of the San Gregorio Watershed Plan to ensure</p>	<p>San Gregorio Environmental Resource Center, American Rivers, Fish and Wildlife Service, Trout Unlimited land owners and managers, NRCS.</p>	<p>FWS, American Rivers, DFG, Trout Unlimited</p>

## **ATTACHMENT C**

### **AGREEMENT BETWEEN SAN MATEO COUNTY COUNSEL AND THE SAN MATEO COUNTY RESOURCE CONSERVATION DISTRICT**

**THIS AGREEMENT**, entered into effective as of April 1, 2012, by and between the SAN MATEO COUNTY COUNSEL, hereinafter referred to as "County Counsel," and the SAN MATEO COUNTY RESOURCE CONSERVATION DISTRICT, hereinafter referred to as "District,"

#### **W I T N E S S E T H:**

**WHEREAS**, District desires to retain County Counsel to provide legal advice and representation and County Counsel is ready, willing and able to now provide such services upon request;

**NOW, THEREFORE**, in consideration of the mutual covenants, terms and conditions as hereinafter set forth, the parties hereto do hereby agree as follows:

1. County Counsel shall provide legal services and legal representation to District, including the handling of litigation, upon request of District. Litigation services shall not include litigation or other claims for which the District has insurance coverage.

2. In consideration for the provision of such legal services as herein described, District shall pay County Counsel for legal services under this agreement at the rate of \$192 per hour for the remainder of fiscal year 2011-12. For fiscal year 2012-13, District shall pay County Counsel for legal services under this agreement at the rate of \$195 per hour. For subsequent fiscal years, the District shall pay County Counsel at the County Counsel's then-current hourly rate which rate shall be transmitted to District no later than 90 days before the start of the fiscal year. Additionally, the District shall pay or reimburse the County Counsel for the actual costs of any out-of-pocket and extraordinary costs incurred by County Counsel in connection with the

## ATTACHMENT C

provision of its legal services (e.g., deposition costs, transcript costs, investigation fees, filing fees, extraordinary mailing or copying costs, etc.).

3. In performing the legal services herein agreed upon, County Counsel shall have the status of independent contractor and shall not be deemed to be an officer, employee or agent of the District.

4. Neither the County Counsel nor District shall assign any of their rights or obligations herein contracted for without the written consent of the other party.

5. County Counsel shall at all times keep a record of the services and time expended by County Counsel and County Counsel shall also make available to District for inspection purposes all of such records as maintained. District will pay upon billing by County Counsel based upon time and service previously rendered.

6. This term of this agreement shall be from April 1, 2012 through June 30, 2014. This agreement may be terminated by mutual agreement of the parties at any time and by the District annually as of June 30, provided that the District has previously given ninety (90) days' advance written notice of its intention to terminate the agreement.

7. It is recognized and agreed that the District may from time to time, or when the County Counsel has a conflict of interest or capacity problem, need to retain the services of specialized legal counsel. District reserves the right to retain such other legal counsel which in its sole discretion it determines is necessary. County Counsel shall provide such advice to the District regarding the retention of other legal counsel as the District may request, but in such circumstances shall be under no further obligation to provide legal service or advice regarding the matter being handled by such other legal counsel.

8. The District understands that the County of San Mateo is the County Counsel's primary client. Should there be a conflict between the District and the County of San Mateo in a matter, the District hereby consents to the County Counsel's withdrawal of representation of the

## ATTACHMENT C

District in order for the County Counsel to represent the County of San Mateo in any such matter.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement effective as of the day and year first above written.

### SAN MATEO COUNTY COUNSEL

Dated: \_\_\_\_\_

By \_\_\_\_\_  
John C. Beiers, County Counsel

### SAN MATEO COUNTY RESOURCE CONSERVATION DISTRICT

Dated: \_\_\_\_\_

By \_\_\_\_\_  
Title:

## ATTACHMENT D



ENGINEERS  
SURVEYORS  
PLANNERS

Kellyx Nelson  
Executive Director  
San Mateo County  
Resource Conservation District

Subject: Phase V Vineyard – Vineyard Access Road  
Clos de la Tech, LLC.  
Domaine Lois Louise Vineyard  
1000 Fern Hollow Road, La Honda, CA

Ms. Nelson

This letter is a request for your review and approval of the proposed farm road associated with the Phase V addition to the Clos de la Tech, Domaine Lois Louise Vineyard. Phase V is an approximately 12.6 acre addition adjacent to the existing Clos de la Tech, Domaine Lois Louise Vineyard. The grading plan for the farm road was reviewed by the local office of the Natural Resources Conservation Service (NRCS). The NRCS review comments have been incorporated into the plans.

This aforementioned road design meets all design criteria of the Natural Resources Conservation Service.

Please contact me or Mr. Rex Geitner (650- 380-2744) if you have any questions or need additional information.

Very truly yours,

BKF Engineers

Martin B. Parissenti, PE  
Project Manager









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**BKF**  
ENGINEERS / SURVEYORS / PLANNERS  
1650 Technology Drive.  
Suite 650  
San Jose, CA 95110  
T: 408-467-9100  
F: 408-467-9199

CLIENT: Dr. Thurman J. Rodgers  
Valeta Massey  
535 Eastview Way  
Woodside, Ca 94062  
650-368-9169

PROJECT: Clos De La Tech Winery  
19775 Skyline Blvd  
La Honda, Ca  
A.P.N. 078-230-01

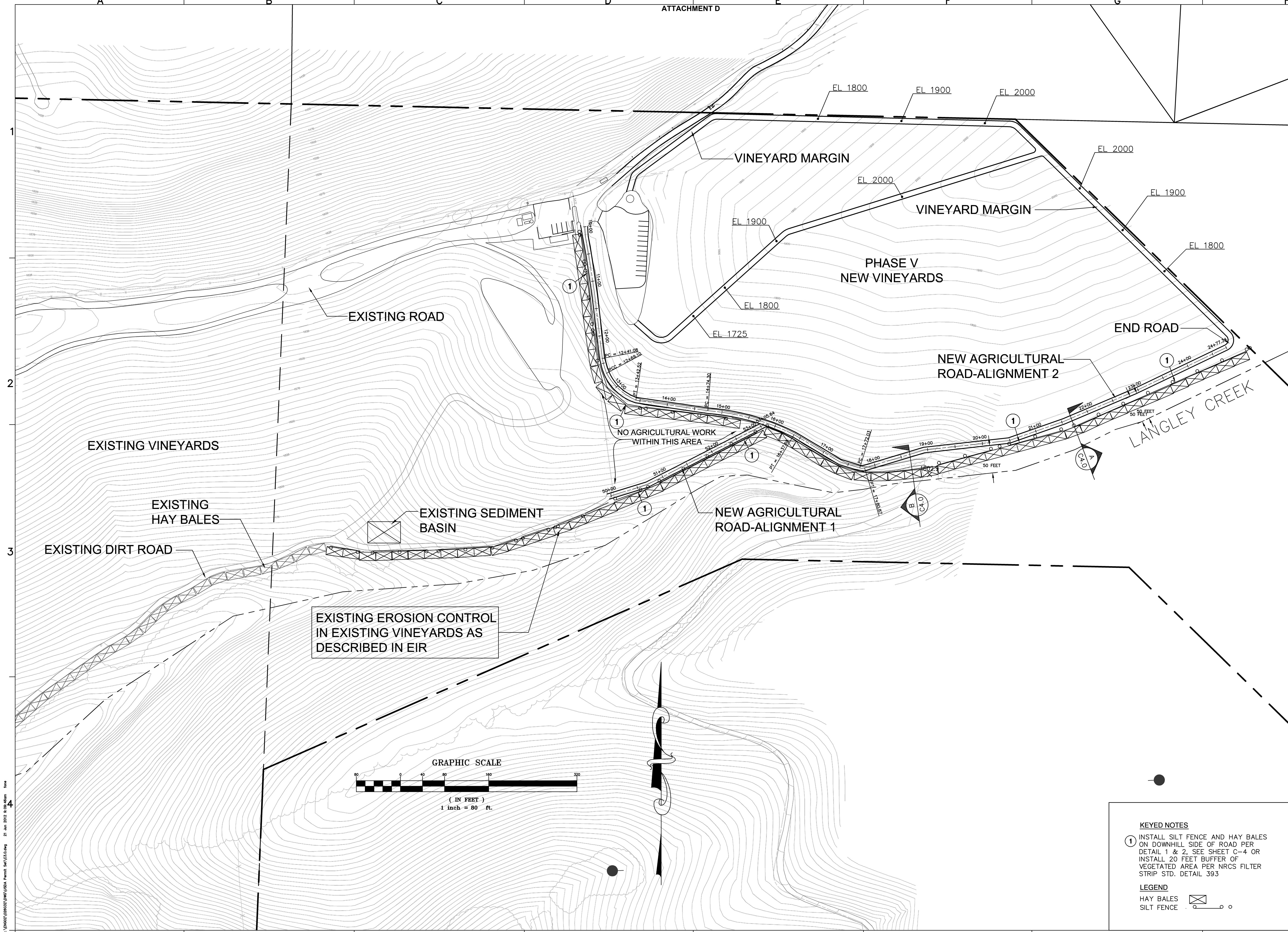
List of Revisions		
Date	Description	By



Clos de la Tech Winery  
Domaine Lois Louise Vineyard  
Phase V Vineyard Access Road  
EXISTING CONDITIONS  
19775 Skyline blvd  
La Honda, California

DATE:	06-20-12
SCALE:	AS SHOWN
DRAWN BY:	MBP
PROJECT NUMBER:	20026032
SHEET NUMBER:	C2.0
TOTAL NUMBER OF SHEETS:	4





ENGINEERS / SURVEYORS / PLANNERS

1650 Technology Drive.  
Suite 650  
San Jose, CA 95110  
T: 408-467-9100  
F: 408-467-9199

CLIENT: Dr. Thurman J. Rodgers  
Valeta Massey  
535 Eastview Way  
Woodside, Ca 94062  
650-368-9169

PROJECT: Clos De La Tech Winery  
19775 Skyline Blvd  
La Honda, Ca  
A.P.N. 078-230-01

List of Revisions

Date	Description	By



Clos de la Tech Winery  
Domaine Lois Louise Vineyard  
Phase V Vineyard Access Road  
GRADING PLAN  
19775 Skyline blvd  
La Honda, California

DATE: 06-20-12

SCALE: AS SHOWN

DRAWN BY: MBP

PROJECT NUMBER: 20026032

SHEET NUMBER:

C3.0

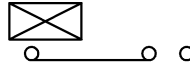
TOTAL NUMBER OF SHEETS: 4

KEYED NOTES

- ① INSTALL SILT FENCE AND HAY BALES ON DOWNHILL SIDE OF ROAD PER DETAIL 1 & 2, SEE SHEET C-4 OR INSTALL 20 FEET BUFFER OF VEGETATED AREA PER NRCS FILTER STRIP STD. DETAIL 393

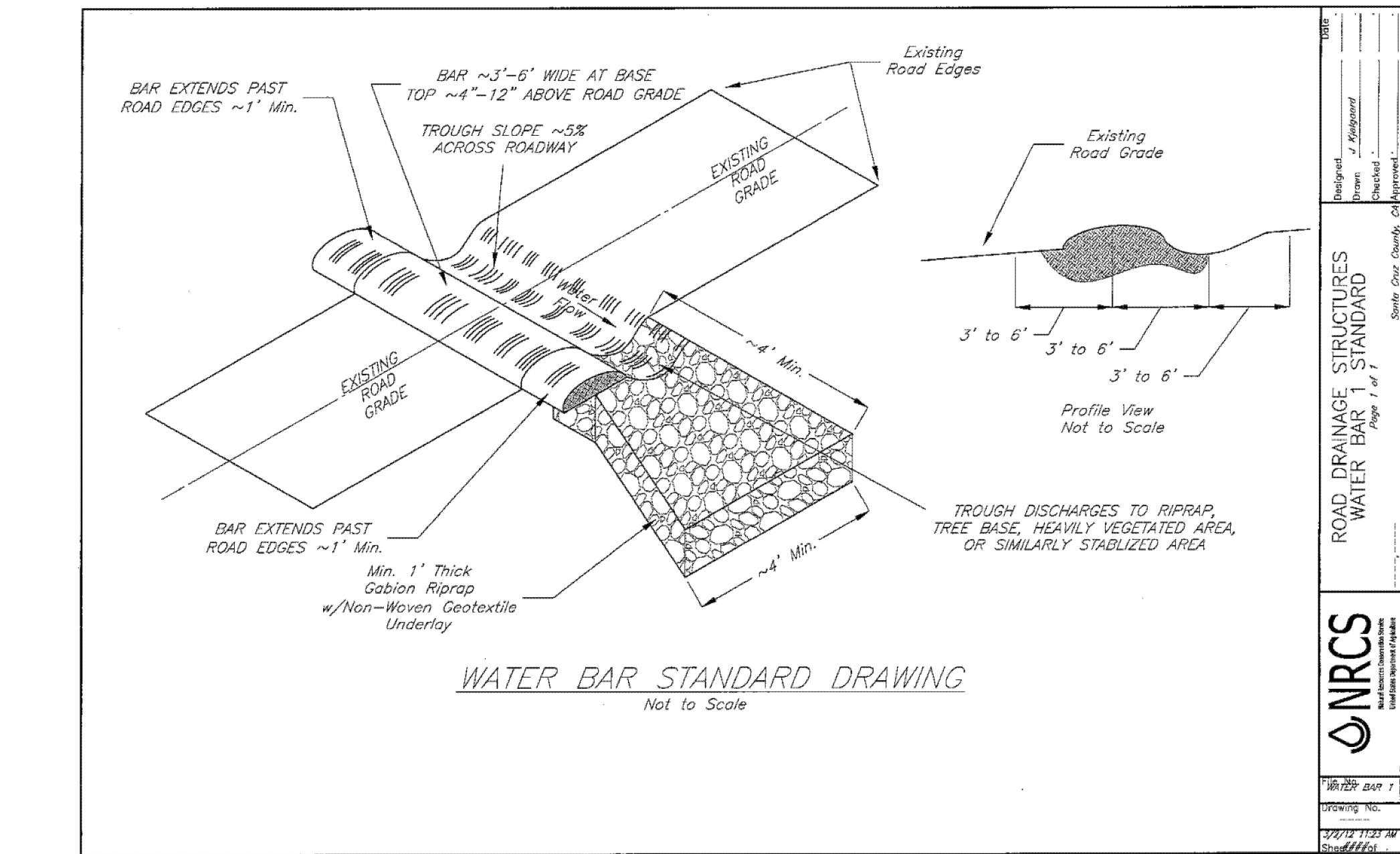
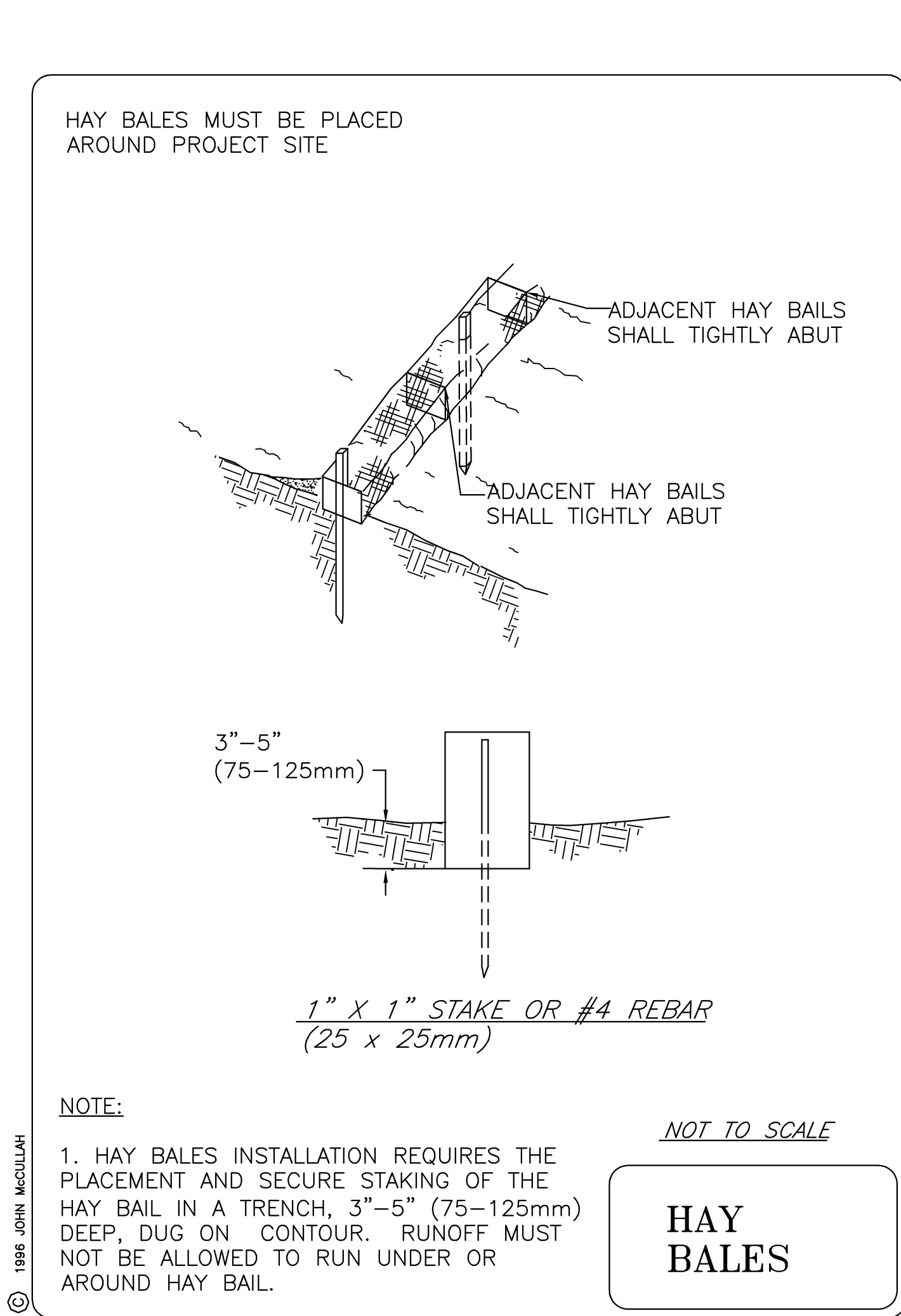
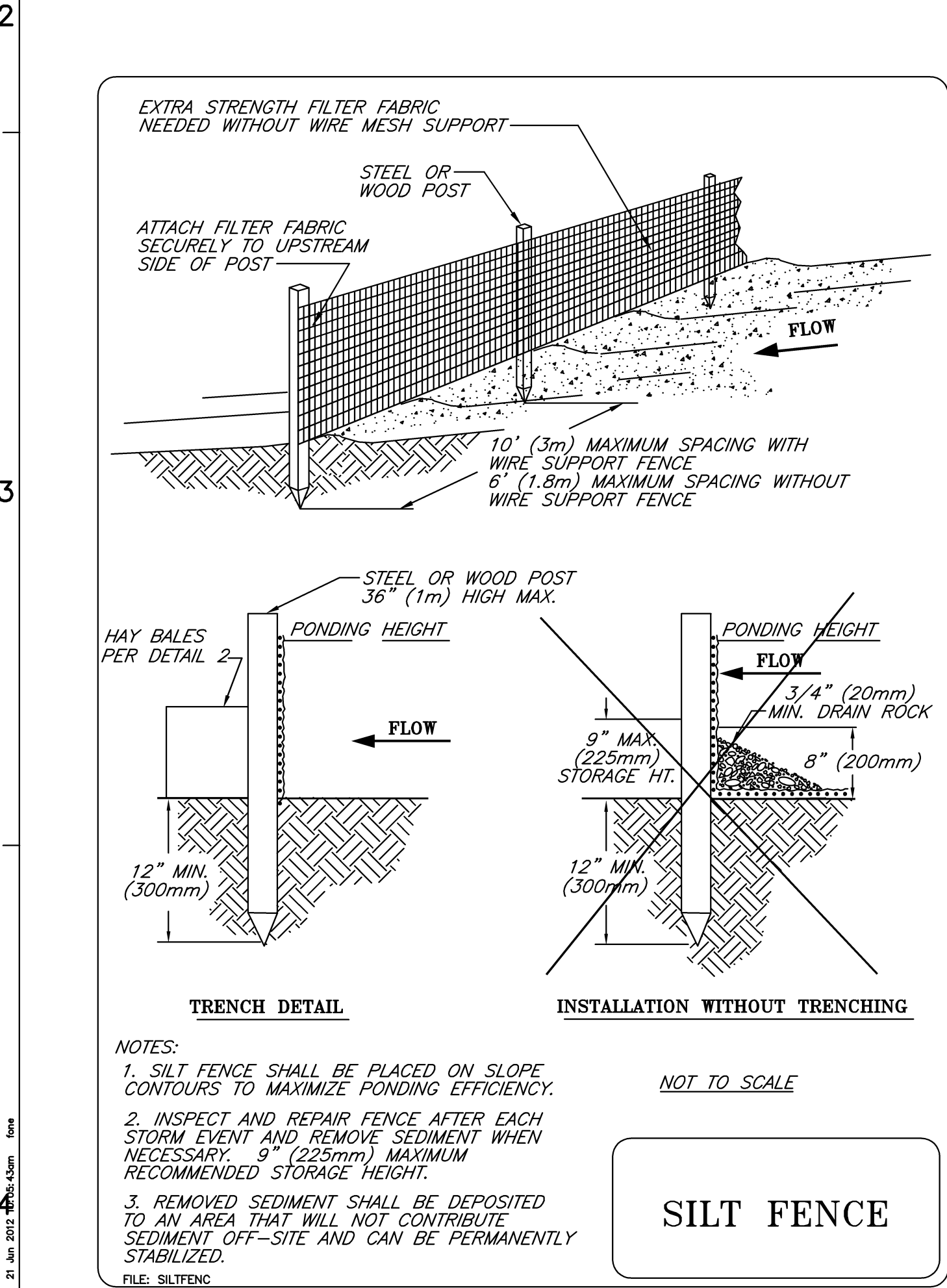
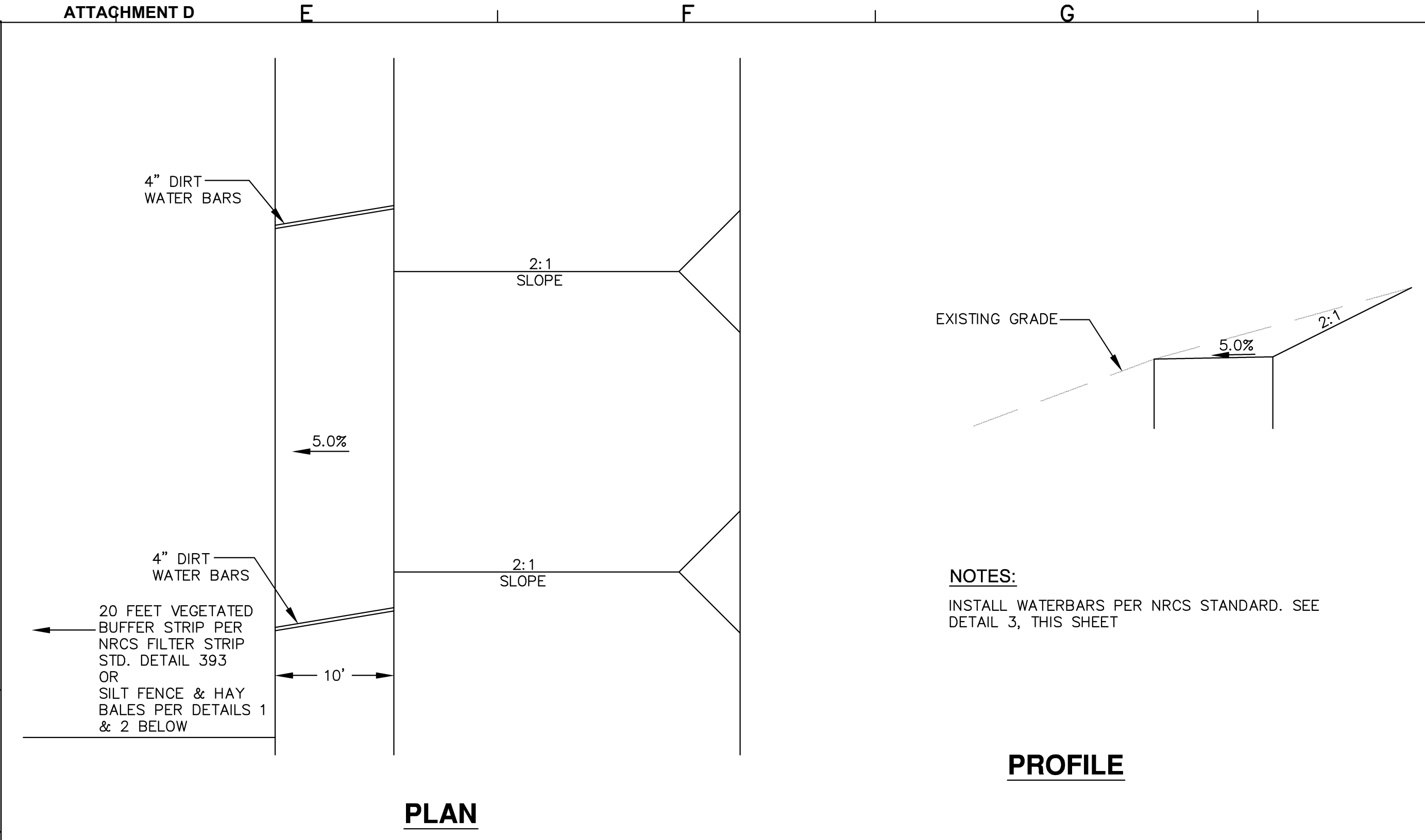
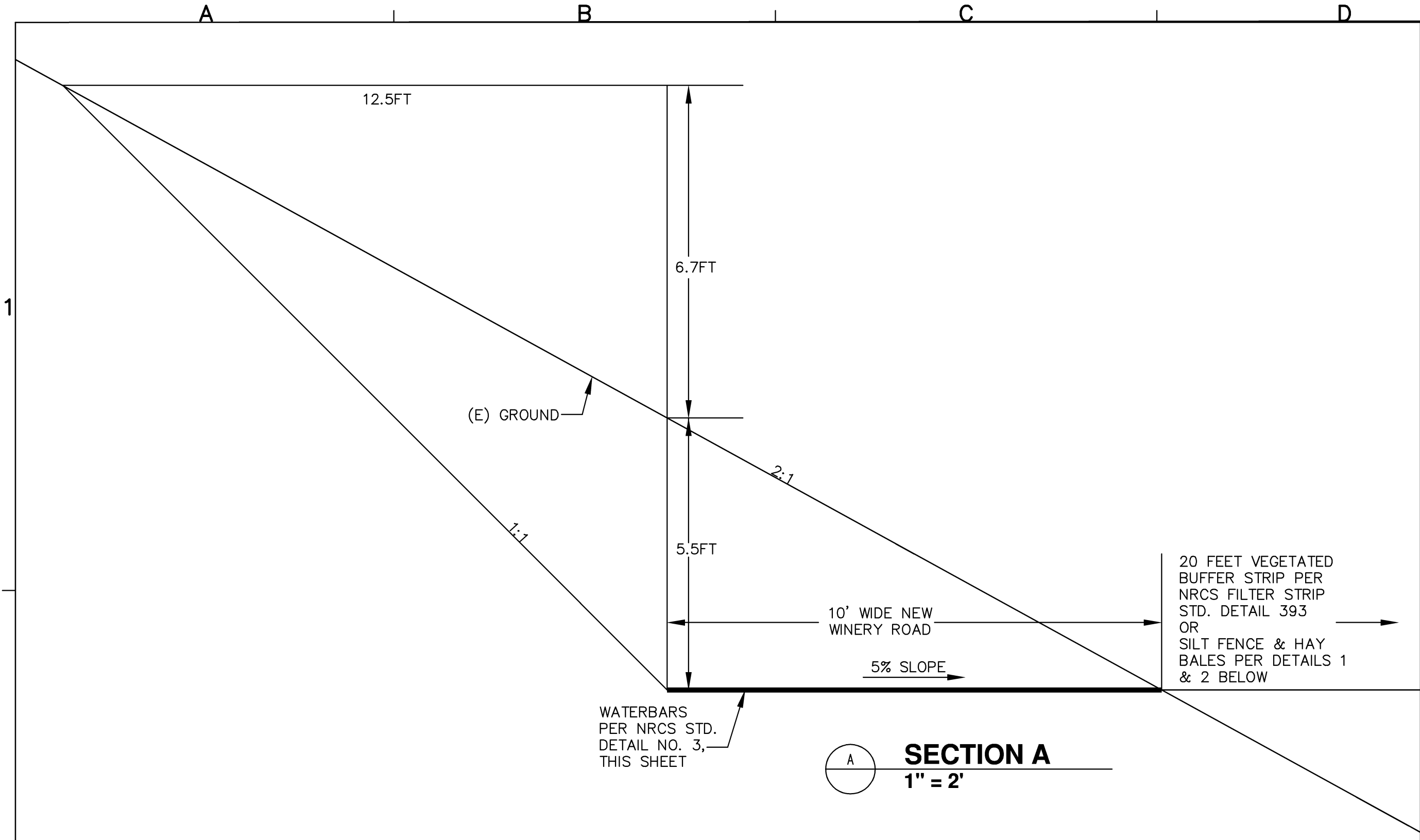
LEGEND

HAY BALES  
SILT FENCE



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CLIENT: Dr. Thurman J. Rodgers  
Valeta Massey  
535 Eastview Way  
Woodside, Ca 94062  
650-368-9169

PROJECT: Clos De La Tech Winery  
19775 Skyline Blvd  
La Honda, Ca  
A.P.N. 078-230-01

List of Revisions

Date	Description	By



Clos de la Tech Winery  
Domaine Lois Louise Vineyard  
Phase V Vineyard Access Road  
SECTIONS AND DETAILS

La Honda, California

19775 Skyline blvd

DATE: 06-20-12

SCALE: AS SHOWN

DRAWN BY: MBP

PROJECT NUMBER: 20026032

SHEET NUMBER:  
C4.0

TOTAL NUMBER OF SHEETS: 4

