

SAN MATEO COUNTY RESOURCE CONSERVATION DISTRICT

helping people protect, conserve and restore natural resources since 1939

Meeting of the Board of Directors

January 17, 2008

Location: RCD Office

7:00 pm- 9:00 pm

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 where the Board has jurisdiction. 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. Consent Agenda 4.1. December 20, 2007 Draft Regular Meeting Minutes 4.2. December, 2007 Draft Financial Statements
5. Action Items- The Board will hear public comments on each action item before a decision is made. Comments are limited to one minute per person. 5.1. <u>Memorandum of Understanding Establishing the Steering Committee for the James Fitzgerald Marine Reserve Critical Coastal Area Pilot Project.</u> Recommend Board approval to enter into agreement to formally establish the CCA Steering Committee to prevent or reduce nonpoint source pollution in the James Fitzgerald Marine Reserve and contributing watersheds. 5.2. <u>Change of Date for Regular Board Meeting in February.</u> Recommend Board change meeting date for month of February to enable Executive Director to attend last meeting before leave.
6. Executive Director Report 6.1. Pilarcitos Creek IWMP 6.2. Critical Coastal Area Pilot Project 6.3. Identification and Remediation of Fecal Pollution in Pillar Point Harbor 6.4. Apanolio Fish Passage Project 6.5. Agricultural Water Quality Project 6.6. Blue Circle 6.7. Marine Life Protection Act Initiative 6.8. Recent Meetings 6.9. Upcoming Dates/ Events
7. Adjourn

SAN MATEO COUNTY RESOURCE
CONSERVATION DISTRICT
VOLUNTARY SIGN IN SHEET

DATE OF MEETING: 1/17/08

<u>NAME</u>	<u>EMAIL</u>
1. Kellyx Nelson	kellyx@sanmateored.org
2. TJ Glanville	tjglanville@aol.com
3. Jim Reynolds	
4. Ray Stone	RSBrowne@aol.com
5. Jim Gantford	
6. Rich Allen RICH ALLEN	
7. Jim Howard	
8. Tim Frahm	
9.	
10.	
11.	
12.	
13.	
14.	
15.	

Signing, registering, or completion of this document is voluntary, and all persons may attend the meeting regardless of whether a person signs, registers, or completes this document.

SAN MATEO COUNTY RESOURCE CONSERVATION DISTRICT
625 Miramontes Street, Suite 103
Half Moon Bay, CA 94019

Minutes
January 17, 2008
Regular Meeting of the Board of Directors

1. **CALL TO ORDER:** Mr. Allen called the meeting to order at 7:005p.m. A quorum was declared present.

2. **INTRODUCTION OF GUESTS and STAFF:**

Directors: Rich Allen, Jim Reynolds, TJ Glauthier, Roxy Stone

Staff: RCD: Kellyx Nelson, Renee Moldovan, Ellen Gartside; NRCS: Jim Howard

Guests: Tim Frahm

3. **PUBLIC COMMENT:**

- Kellyx Nelson will be here for the February Board meeting therefore, Item 5.2 will not be stricken from the agenda.
- TJ Glauthier will not be at the February Board meeting

4. **CONSENT AGENDA:**

4.1 **Draft Regular Meeting Minutes for December 20, 2007**

4.2 **Draft Financial Statements December 2007**

ACTION: TJ Glauthier MOVED to adopt the consent agenda. The motion was SECONDED by Jim Reynolds and CARRIED unanimously.

5. **ACTION ITEMS:**

5.1 **Memorandum of Understanding Establishing the Steering Committee for the James Fitzgerald Marine Reserve Critical Coastal Area Pilot Project.**

- Kellyx Nelson advised that there would be no institutional support without an MOU. This steering committee would create a formal document to inform the public as to what is happening. New members to the steering committee:
 - Secretary – Bridget Hoover
 - Long Range Planner– Steve Monowitz
 - Representing Moss Beach Ranch not RCD - Rich Allen
 -

ACTION: Rich Allen MOVED to approve the Memorandum of Understanding establishing the CCA Steering Committee for the James Fitzgerald Marine Reserve Critical Coastal Area Pilot Project. The motion was SECONDED by TJ Glauthier and CARRIED unanimously.

5.2 Change of Date for Regular Board Meeting in February

ACTION: No action necessary.

7. EXECUTIVE DIRECTOR UPDATES

- Kellyx referred to *Current Projects of the Resource Conservation District* and provided updates on RCD programs and projects as described below.

7.1.1 Agricultural Water Quality Grant

- Carolann finished all documents for state approval.
- The Ag Production Committee will be looking at a 2nd round of applicants on Wednesday, January 23rd.

7.1.2 Pilarcitos Creek IWMP

- The next public workshop is scheduled for February 24, 2008. It is intended to provide an opportunity for the public to review and comment on the draft watershed plan.
- Tim Frahm commented that this report is inflammatory and he gave it a D+, there is no new information from last plan and he felt it was dangerous to put it out to the public with the RCD logo on it.
- Jim Howard did not agree, however, he is not familiar with the previous document.
- Kellyx's only concern was fishery assessment, and she took steps to have them fix it.
- Kellyx inserted a placeholder for a possible extension since the nature of the grant made for a quick turnaround and no one in the workgroup felt ready to ask for extension.
- TJ asked if the plan is specific about the actions in the watershed. Kellyx said yes.
- Jim Howard is concerned that the public get involved soon since they will keep the plan in line.

7.1.3 Identification and Remediation of Fecal Pollution in Pillar Point Harbor

- Kellyx Nelson advised that Carolann worked over the holiday to have the documents ready and available for the state.
- Started getting permits

7.1.4 Marine Life Protection Act Initiative

- No meetings since last meeting.
- Public meeting February 6, in Pacifica at lighthouse.

7.1.5 Blue Circle

- Staff is maxed out on contract obligations, therefore, Kellyx is suggesting that either the Board organizes the next Blue Circle or Kellyx will send out an email that Blue Circle is on hiatus.
- Board decided to put Blue Circle on hiatus.

7.1.6 Watershed Discovery Workshop

- The funding for this grant is unlikely since we have requested a high amount of money. However, Kellyx still feels this is a worthwhile project.

7.1.7 Livestock and Land Grant

- We ranked 5th out of 7 for funding. We may get partial funding, Kellyx is hoping to improve our ranking status.

7.1.8 Recent Meetings

- Alameda RCD/Stanslaus had a meeting on easements as a result of Kellyx's presentation. Kellyx doesn't think RCD should hold easements since it can cause an enforcement issue for the RCD, which is not the proper entity.
- Kellyx and Jim K. met with Montara residents concerned about erosion and drainage. Discussed with contractors the possibility of RCD providing technical assistance for grading and drainage.
- It may be possible to get all RCD staff certified in erosion and sediment control and market it as a service of the RCD.
- Jim H commented that it would be 1 day \$2500 + \$75/person, 3 days - \$700/person.
- Jim H and Kellyx met with Jill Marshall from Regional Water Board
 - TMDL's are coming to Pescadero/Butno for sediment.
 - TMDL's are a regulatory hammer with significant daily fines. Brought on when a water body is declared impaired.
- Board of Supervisors approved Watershed Protection Ordinance which covers unprotected areas.

7.1.9 Upcoming Events/Dates

- February 20th - RC&D meeting will be held in Salinas. Kellyx asked if any Board member is interested. Jim R. and or Roxy S. might attend.

- Weed Management
 - Barbara Kossy has been representing the RCD.
 - When she left the Board she asked if she could still represent the RCD and they agreed she could.
- State Parks
 - They are in the process of getting a grant to remove pampas grass on Montara Mountain.
- Maternity Leave – Kellyx
 - Her last day will be February 27, and she will not return until late June.
 - She will meet with Roxy and Rich regarding the logistics.
 - She is concerned about the long term affects of getting things into the pipeline and missing opportunities for next year.
 - She would like to suggest 6:00 p.m. board meetings upon her return to work. She will put it on the agenda for February.
- TJ will meet with Renee and Kellyx regarding the financials. It would be helpful if the Personnel meeting occur before the financial meeting.
- Jim Howard went to the Ag Advisory meeting. Lisa Grote discussed the rollout of the Williamson Act.

8. ADJOURNMENT

ACTION: The Regular Meeting of the Board of Directors was adjourned at 8:30 p.m.

3:50 PM
01/10/08
Accrual Basis

San Mateo County Resource Conservation District
Balance Sheet
As of December 31, 2007

	<u>Dec 31, 07</u>
ASSETS	
Current Assets	
Checking/Savings	
1000 · Checking RCD8123985	45,190.76
1004 · Checking FC8121907	-9.00
1008 · Checking CT8129517 (CalTrans)	<u>139,064.29</u>
Total Checking/Savings	184,246.05
Accounts Receivable	
1110 · Contracts Receivable	489,052.14
Total Accounts Receivable	<u>489,052.14</u>
Total Current Assets	673,298.19
Other Assets	
1620 · Prepaid Expenses (Liability Insurance)	1,105.62
1600 · Long-Term Receivables	688,902.46
1610 · Security Deposits	<u>1,300.00</u>
Total Other Assets	<u>691,308.08</u>
TOTAL ASSETS	<u><u>1,364,606.27</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	333,403.31
Total Accounts Payable	333,403.31
Other Current Liabilities	
2100 · Payroll Taxes Payable	6,949.53
2105 · Employee Benefits Payable	-488.99
2200 · Deferred Revenue	<u>769,830.54</u>
Total Other Current Liabilities	<u>776,291.08</u>
Total Current Liabilities	1,109,694.39
Total Liabilities	1,109,694.39
Equity	
3900 · Retained Earnings	67,056.65
Net Income	<u>187,855.23</u>
Total Equity	<u>254,911.88</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,364,606.27</u></u>

San Mateo County Resource Conservation District

MEMORANDUM

Date: December 10, 2007
To: Board of Directors
From: Kellyx Nelson, Renee Moldovan
Re: RCD Financial Updates

This memorandum provides an analysis of the current fiscal health of the RCD with summary explanations of the most recent year-to-date financial statements. The overriding messages from our analysis are as follows:

1. Staff anticipates no significant overall variances from the fiscal year budget.
2. The RCD is struggling with low cash flow because of the lengthy amount of time it takes for funders to provide reimbursements.
3. A large quantity of money was spent over a short period of time while projects were in construction. Staff expects all expenses to be reimbursed.

These messages highlight the need for the RCD to develop a cash reserve or other access to cash flow to protect our ability to attract contractors, reduce reliance on credit, and pay for overhead and staff salaries.

Profit and Loss

This financial statement shows a loss of \$179,679 because the RCD has not yet billed for all expenses incurred. Different funders allow the RCD to bill at different times and in different increments (e.g. monthly or quarterly). RCD staff does not anticipate that overall profits or losses will vary significantly by the end of the fiscal year.

Balance Sheet

This financial statement shows a negative balance because the accounts receivable (money for which the RCD has invoiced) is \$112,623 less than the accounts payable (bills for which the RCD owes money). The RCD appears to owe more than it is receiving. Staff expects this difference to be resolved within a few months, as the RCD receives payments due for amounts billed and completes additional billing for remaining expenses incurred.

Budget Summary

This financial statement shows variance to date from the anticipated budgeted amount to date. Budget variances greater than \$500 are explained here. "+" indicates that the

variance is in the RCD's favor (more revenue than anticipated or less expense than anticipated) and "-" indicates a variance that is not in the RCD's favor (less revenue than anticipated or more expense than anticipated).

Grants and Contracts: (-\$149,005) The RCD has not yet been able to bill for all work that has been done. Staff anticipates no significant variance at the end of the year.

Fines and mitigation funds: (+ \$68,662) It became necessary to raise additional funds for projects when contractors' bids for the Apanolio and Frenchmans projects came in higher than the original budgets had anticipated. These funds were obtained from a regulatory violator who partnered with the RCD and the Regional Water Quality Control Board to implement a Supplemental Environmental Project for the amount that they were fined in lieu of paying a fine directly.

Fees for services: (+\$1,750) The RCD entered into a partnership to provide water quality monitoring services on San Vicente Creek. The partners are contributing funds for RCD expenses, including staff time.

In-kind: (-\$937) The RCD has not received anticipated volunteer support for Board meeting minutes. There was also no Blue Circle event, for which in-kind support was anticipated.

Interest income: (+\$2,093) Unanticipated additional revenues from fines and mitigation were deposited in an interest-bearing account.

Miscellaneous income: (+\$1,347) The RCD agreed to act as a fiscal agent for a project for Cal Fire. This is not RCD money to spend, but the RCD will charge a percent fee to serve as the fiscal agent.

Property taxes: (-\$13,712) It was not possible to anticipate when these payments would arrive. Staff anticipates no significant variance at the end of the year.

Personnel (salary and fringe): (+\$25,340) The Resource Specialist did not start full time employment as soon as anticipated. She also has not elected to use the full benefit package, resulting in lower expenses for fringe benefits. As a result, staff expects a significant end-of-year variance from the amount that was budgeted.

Accounting: (+\$900) The RCD has not been audited yet. Staff anticipates no significant variance at the end of the year.

Computer services: (-\$592) New computers and software, paid for by a grant, and a new internet service provider resulted in complications that required more technical assistance than was anticipated.

Printing and copying: (+\$625) Nothing has been spent on this item because of limited cash available due to cash flow issues.

Professional development: (+\$533) Nothing has been spent on this item because of limited cash available due to cash flow issues.

Rent: (+\$2,500) This projection was intended to allow for higher rent when the RCD is relocated. A new office space has not yet been found. Due to several months of continued lower rent, staff anticipates a significant end-of-year variance from the amount that was budgeted.

Ag Water Quality/Farm Bill: (+\$71,255) It is difficult to anticipate the monthly allocation of expenses in this line item. The RCD has not yet billed for some work that has been done. Staff anticipates no significant variance at the end of the year.

Apanolio Fish Passage: (+\$45,091) The RCD has not yet billed for some work that has been done. However, the project cost more than anticipated. Staff obtained supplemental funding for the additional expenses.

Bear Gulch: (-\$174,663) The project cost more than anticipated and the RCD assumed responsibility for the WHIP contract with the NRCS that had previously been held by the landowners. Staff obtained supplemental funding for the additional expenses.

Blue Circle: (+\$688) The RCD did not host the fall event because it was already hosting another public workshop. Staff anticipates some variance on this budget item at the end of the year.

Frenchmans Creek Fish Passage: (-\$75,989) The project cost more than anticipated. Staff obtained supplemental funding for the additional expenses.

Pilarcitos IWMP: (+\$33,554) It is difficult to anticipate monthly allocation of expenses to this project. Also, the RCD hasn't yet billed for some work that has been done. Staff anticipates no significant variance at the end of the year.

Pillar Point Harbor: (+\$85,875) The RCD has not yet entered into a contract with the funder and has not yet billed for work that has been done. It is also difficult to anticipate monthly allocation of expenses to this project. Staff is uncertain whether or not there will be a significant variance at the end of the year.

Budget Summary for San Mateo RCD

	07/08 Budget	Year to Date Budgeted	Year to Date Actual	Year to Date Variance
REVENUE				
Grants/ Contracts	1,280,169.00	533,403.75	384,399.00	\$ (149,005)
Fines and Mitigation Funds	154,492.00	64,371.67	133,034.00	\$ 68,662
Fees for Services	1,500.00	625.00	2,375.00	\$ 1,750
Individual Contributions	1,000.00	416.67	0.00	\$ (417)
Inkind	2,250.00	937.50	0.00	\$ (937)
Interest Income	1,000.00	416.67	2,510.00	\$ 2,093
Misc. Income	1,000.00	416.67	1,764.00	\$ 1,347
Property Taxes	47,000.00	19,583.33	5,871.00	\$ (13,712)
TOTAL REVENUE	1,488,411.00	620,171.25	529,953.00	\$ (90,218)
EXPENSES				
<u>Personnel</u>				
Salary and Wages	210,675.00	87,781.25	74,116.00	\$ 13,665
Fringe	54,612.00	22,755.00	11,080.00	\$ 11,675
<i>Subtotal Personnel</i>	<i>265,287.00</i>	<i>110,536.25</i>	<i>85,196.00</i>	<i>\$ 25,340</i>
<u>Operating</u>				
Accounting	5,000.00	900.00	0.00	\$ 900
Bank Fees	250.00		148.00	
Computer Services	500.00	208.33	800.00	\$ (592)
Discretionary	1,000.00	416.67	311.00	\$ 106
Equipment	1,000.00	416.67	0.00	\$ -
Insurance - Liability	2,200.00	916.67	1,171.00	\$ (254)
Intern Service	3,000.00	0.00	0.00	
Internet, Web, Phone	1,500.00	625.00	565.00	\$ 60
Legal	2,100.00	875.00	589.00	\$ 286
Local Mileage	500.00	208.33	0.00	\$ 208
Membership, Dues & Subscription	1,000.00	450.00	559.00	\$ (109)
Postage & Delivery	100.00	41.67	13.00	\$ 29
Printing & Copying	1,500.00	625.00	0.00	\$ 625
Professional Development	2,000.00	833.33	300.00	\$ 533
Public Relations & Outreach	250.00	104.17	371.52	\$ (267)
Rent	14,400.00	6,000.00	3,500.00	\$ 2,500
Supplies	100.00	41.67	71.00	\$ (29)
Travel/Accomodations	600.00	250.00		\$ 250
<i>Subtotal Operating Expenses</i>	<i>37,000.00</i>	<i>12,912.50</i>	<i>8,398.52</i>	<i>\$ 4,245</i>
<u>Program Expenses (other than personnel)</u>				
Ag Water Quality/ Farm Bill	185,967.00	77,486.25	6,231.00	\$ 71,255
Apanolio Fish Passage	262,435.00	109,347.92	64,257.00	\$ 45,091
Bear Gulch	154,460.00	64,358.33	239,021.00	\$ (174,663)
Blue Circle	1,650.00	687.50		\$ 688
Frenchmen's Creek Fish Passage	197,427.00	197,427.00	273,416.00	\$ (75,989)
Permit Coordination				
Pilarcitos IWMP	160,000.00	66,666.67	33,113.00	\$ 33,554
Pillar Point Harbor	206,099.00	85,874.58		\$ 85,875
Workshops	1,000.00	416.67		\$ 417
Youth Education	900.00	375.00	0.00	\$ 375
<i>Subtotal Program Expenses</i>	<i>1,169,938.00</i>	<i>602,639.92</i>	<i>616,038.00</i>	<i>\$ (13,398)</i>
TOTAL EXPENSES	1,472,225.00	726,088.67	709,632.52	\$ 16,456

Net Income for 7/1-11/30/07

-179,679.52

12/13/2007

Budget Summary for San Mateo RCD

	07/08 Budget	Actual	Variance from 07/08 Budget	Year to Date Budgeted	Variance from Year to Date
REVENUE					
Grants/ Contracts	\$ 1,280,169	\$ 384,399	\$ (895,770)	\$ 533,404	\$ (149,005)
Fines and Mitigation Funds	\$ 154,492	\$ 133,034	\$ (21,458)	\$ 64,372	\$ 68,662
Fees for Services	\$ 1,500	\$ 2,375	\$ 875	\$ 625	\$ 1,750
Individual Contributions	\$ 1,000	\$ -	\$ (1,000)	\$ 417	\$ (417)
Inkind	\$ 2,250	\$ -	\$ (2,250)	\$ 938	\$ (938)
Interest Income	\$ 1,000	\$ 2,510	\$ 1,510	\$ 417	\$ 2,093
Misc. Income	\$ 1,000	\$ 1,764	\$ 764	\$ 417	\$ 1,347
Property Taxes	\$ 47,000	\$ 5,871	\$ (41,129)	\$ 19,583	\$ (13,712)
TOTAL REVENUE	\$ 1,488,411	\$ 529,953	\$ (958,458)	\$ 620,171	\$ (90,218)
EXPENSES					
<u>Personnel</u>					
Salary and Wages	\$ 210,675	\$ 74,116	\$ (136,559)	\$ 87,781	\$ (13,665)
Fringe	\$ 54,612	\$ 11,080	\$ (43,532)	\$ 22,755	\$ (11,675)
<i>Subtotal Personnel</i>	\$ 265,287	\$ 85,196	\$ (180,091)	\$ 110,536	\$ (25,340)
<u>Operating</u>					
Accounting	\$ 5,000	\$ -	\$ (5,000)	\$ 900	\$ (900)
Bank Fees	\$ 250	\$ 148	\$ (102)	\$ 104	\$ 44
Computer Services	\$ 500	\$ 800	\$ 300	\$ 208	\$ 592
Discretionary	\$ 1,000	\$ 311	\$ (689)	\$ 417	\$ (106)
Equipment	\$ 1,000	\$ -	\$ (1,000)	\$ 417	\$ (417)
Insurance - Liability	\$ 2,200	\$ 1,171	\$ (1,029)	\$ 917	\$ 254
Intern Service	\$ 3,000	\$ -	\$ (3,000)	\$ -	\$ -
Internet, Web, Phone	\$ 1,500	\$ 565	\$ (935)	\$ 625	\$ (60)
Legal	\$ 2,100	\$ 589	\$ (1,511)	\$ 875	\$ (286)
Local Mileage	\$ 500	\$ -	\$ (500)	\$ 208	\$ (208)
Membership, Dues & Subscription	\$ 1,000	\$ 559	\$ (441)	\$ 450	\$ 109
Postage & Delivery	\$ 100	\$ 13	\$ (87)	\$ 42	\$ (29)
Printing & Copying	\$ 1,500	\$ -	\$ (1,500)	\$ 625	\$ (625)
Professional Development	\$ 2,000	\$ 300	\$ (1,700)	\$ 833	\$ (533)
Public Relations & Outreach	\$ 250	\$ 372	\$ 122	\$ 104	\$ 267
Rent	\$ 14,400	\$ 3,500	\$ (10,900)	\$ 6,000	\$ (2,500)
Supplies	\$ 100	\$ 71	\$ (29)	\$ 42	\$ 29
Travel/Accommodations	\$ 600	\$ -	\$ (600)	\$ 250	\$ (250)
<i>Subtotal Operating Expenses</i>	\$ 37,000	\$ 8,399	\$ (28,601)	\$ 13,017	\$ (4,618)
<u>Program Expenses (other than personnel)</u>					

Budget Summary for San Mateo RCD

Ag Water Quality/ Farm Bill	\$ 185,967	\$ 6,231	\$ (179,736)	\$ 77,486	\$ (71,255)
Apanolio Fish Passage	\$ 262,435	\$ 64,257	\$ (198,178)	\$ 109,348	\$ (45,091)
Bear Gulch	\$ 154,460	\$ 239,021	\$ 84,561	\$ 64,358	\$ 174,663
Blue Circle	\$ 1,650	\$ -	\$ (1,650)	\$ 688	\$ (688)
Frenchmen's Creek Fish Passage	\$ 197,427	\$ 273,416	\$ 75,989	\$ 197,427	\$ 75,989
Permit Coordination	\$ -	\$ -	\$ -	\$ -	\$ -
Pilarcitos IWMP	\$ 160,000	\$ 33,113	\$ (126,887)	\$ 66,667	\$ (33,554)
Pillar Point Harbor	\$ 206,099	\$ -	\$ (206,099)	\$ 85,875	\$ (85,875)
Workshops	\$ 1,000	\$ -	\$ (1,000)	\$ 417	\$ (417)
Youth Education	\$ 900	\$ -	\$ (900)	\$ 375	\$ (375)
<i>Subtotal Program Expenses</i>	\$ 1,169,938	\$ 616,038	\$ (553,900)	\$ 602,640	\$ 13,398
TOTAL EXPENSES	\$ 1,472,225	\$ 709,633	\$ (762,592)	\$ 726,193	\$ (16,560)

Net Income for 7/1-11/30/07

**Memorandum of Understanding (MOU)
Among**

California Coastal Commission
Midcoast Community Council
Montara Water and Sanitary District
Monterey Bay National Marine Sanctuary
Moss Beach Ranch
San Francisco Bay Regional Water Quality Control Board
San Mateo County
San Mateo County Resource Conservation District

Regarding

The Establishment of the Steering Committee for the James Fitzgerald Marine Reserve
Critical Coastal Area Pilot Project

I. Recitals

- A. The Critical Coastal Areas Program (Program) is a statewide program that fosters collaboration among local stakeholders and government agencies to better coordinate resources and focus efforts on coastal watersheds in critical need of protection from polluted runoff. The goals of the Program are to: (1) improve degraded coastal water quality, and (2) provide extra protection to marine and estuarine areas of high resource value along California's coast.
- B. The Program is intended to build upon local efforts and add value to the work already underway in the watershed by focusing on application of management measures to address existing or potential nonpoint source pollution impacts
- C. The CCA Program is part of the Statewide Nonpoint Source Program, jointly administered by the State Water Resources Control Board and the California Coastal Commission.
- D. The James Fitzgerald Marine Reserve CCA pilot project ("Project") is one of five pilot projects in the state. The goals of the Project are to:
 - 1. Improve water quality by minimizing or eliminating adverse water quality impacts to the Reserve from the contributing watersheds.
 - 2. Foster a watershed ethic in the Midcoast communities that protects and improves coastal water quality.
 - 3. Apply appropriate management measures to all land uses in the watersheds that flow into the Reserve to prevent non-point source pollution from getting to the Reserve
- E. The groups listed above have decided to formally convene as the Steering Committee of the Project.

II. Purpose of this MOU

The purpose of this MOU is to describe how the Steering Committee operates as a collaborative forum to achieve the common goal of preventing or reducing nonpoint source pollution in the James Fitzgerald Marine Reserve and contributing watersheds.

III. Definitions The abbreviations and capitalized words and phrases used in this MOU have the following meanings:

- A. "CCA" refers to Critical Coastal Areas.
- B. "CCC" refers to California Coastal Commission.
- C. "Project" refers to the James Fitzgerald Marine Reserve CCA pilot project
- D. "MWSO" refers to Montara Water and Sanitary District.
- E. "RWQCB" refers to San Francisco Bay Regional Water Quality Control Board.
- F. "RCD" refers to San Mateo County Resource Conservation District.
- G. "Party" or "Parties" refers to the organization(s) signing this MOU.
- H. "Signatory" or "Signatories" refers to the person or group of people signing this MOU on behalf of their organization(s). The Signatories are the General Managers, Directors, Executive Officers, etc. from each organization, or their designees.

IV. Participant Roles

Convener of Steering Committee Meetings: CCC staff will serve as the convener of Steering Committee meetings, and in this role will initiate and circulate draft meeting agendas and provide meeting summaries to Steering Committee members.

Local Host: RCD will serve as the local host for the project, and in this role will provide outreach about the project to stakeholder groups, establish and maintain a web portal, and provide opportunities for comment at publicly noticed meetings of its Board of Directors.

Voluntary Participation; Designation of Party Representatives; Ability to Set Meetings; Formation of Subcommittees: As a consequence of this MOU, each Signatory shall designate a representative as the primary contact for that Party on all Steering Committee activities. Signatories may designate an alternate representative. The designated representatives will constitute the Steering Committee Members. Steering Committee Members agree to keep the Steering Committee informed of activities they are carrying out related to reduction of nonpoint source pollution in the Project area except as pertains to enforcement actions. Participation in the Steering Committee by the Members is voluntary. As necessary, the Steering Committee Members or Signatories can establish ad hoc subcommittees to conduct work on behalf of the Steering Committee. These ad hoc subcommittees would report back to the Steering Committee.

V. Meeting Schedules: The Steering Committee convenes approximately once every two months. Draft agendas and meeting minutes will be circulated in advance to Steering Committee Members for comment. Each agency will keep the Coastal Commission staff informed of its members and their contact information. Meeting minutes will be posted by the RCD on their website, making them available to the public. If for whatever reason the RCD is unable or unwilling to provide this service, new arrangements will be made to make these minutes available to the public.

VI. Decision-making: In general, decision making for the Project will be by consensus of the Steering Committee. If consensus cannot be reached, then a simple voting majority process will be used. Dissenting opinions will be noted in decision records. Ultimately each Party retains authority to make decisions regarding its own actions.

VII. Dispute Resolution: The intent of the Parties is that any dispute over issues within the purview of the Steering Committee should be resolved at the Steering Committee Member level, if possible. However, nothing contained herein shall be deemed to preclude any Party from seeking to resolve a dispute between Parties by any other lawful means or from proceeding, in advance of the resolution of the dispute, with any actions that the Party is required to take by a date certain. If agreement on an issue cannot be reached among the Steering Committee Members, then any Party may seek a more formal level of dispute resolution as described below.

If any Party chooses to pursue formal dispute resolution, they may do so by notifying the other Parties at the Signatory level in writing. This written notification shall also include a statement of the issue and any pertinent background material. The Parties will then convene a meeting of the Signatories within 45 calendar days of this notification to review the issue. If the Signatories cannot reach agreement, then the issue will remain unresolved, and each Party will retain the right to resolve the dispute by any lawful means.

VIII. Guiding Principles of the Steering Committee

The project is a collaborative, non-regulatory, watershed-based planning approach to address nonpoint source pollution. Its success depends heavily on voluntary participation of diverse stakeholders in the watershed, including private landowners and private businesses as well as regulatory and non-regulatory public agencies.

IX. General Provisions of this MOU

A. Term: This MOU will expire in five years from the date of execution by all the Parties unless extended by mutual consent of the Parties.

B. Amendments and Additional Signatories: This MOU may be amended at any time with the unanimous approval of the Parties. Additional Parties may be added at any time with the unanimous approval of the Parties.

C. Withdrawal: Any Party may withdraw from this MOU at any time by giving 30 days written notice to the other Parties. A Party that is dissatisfied with the outcome of the dispute resolution process provided for in Section IVD may withdraw. The MOU remains in effect for the remaining Parties.

D. Financial Responsibility: Nothing herein shall be considered as obligating any Party in the expenditure of funds or the future payment of money or provision of services.

E. Construction of Terms: This MOU is for the sole benefit of the Parties and shall not be construed as granting rights to any person other than the Parties or imposing obligations on a Party to any person other than another Party.

F. Good Faith: Each Party shall use its best efforts and work wholeheartedly and in good faith for the expeditious completion of the objectives of this MOU and the satisfactory performance of its terms.

G. Governing Law: This MOU is made under and shall be governed by the laws of the State of California.

EXHIBIT A

**Agreement to Join the Memorandum of Understanding
Formally Establishing the Steering Committee for the
Fitzgerald Marine Reserve Critical Coastal Area Pilot Project**

In consideration of the mutual promises, covenants, and conditions contained therein,
_____ (name of party) hereby agrees to be part of the
James Fitzgerald Marine Reserve Critical Coastal Area Pilot Project Steering Committee
and agrees to comply with the terms of the Memorandum of Understanding attached
hereto and incorporated herein by reference.

In witness whereof, the party hereto has executed this agreement as of the date written
below.

Signature: _____

Date: _____

Printed Name: _____

Title: _____

Organization: _____

Name/ Address of Party to Receive Notices:

