



## Minutes of the Regular Meeting of the Board of Directors

April 19, 2018

4:00 pm – 6:00 pm

Location: RCD Office

Directors present: Barbara Kossy, TJ Glauthier, Jim Reynolds

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

NRCS staff present: Jim Howard

Guests: Jim Robins, Ken Schwarz, Ron Sturgeon

### 1 Call to Order

Meeting was called to order at 4:01 p.m.

### 2 Approval Agenda

- Item 6.4 was moved earlier in the agenda.
- Item 5.3 was pulled from the consent agenda.
- Motion to approve agenda as revised passed unanimously.

### 3 Introduction of Guests and Staff

- Guests, staff, and directors introduced themselves. Jim Robins is a consultant with Alnus Ecological who is helping to manage the Butano Channel Reconnection and Resilience Project. Ken Schwarz, with Horizon Water and Environment, LLC, is a consultant for the same project assisting with CEQA.

### 4 Public Comment

There was no public comment.

### 5 Consent Agenda

5.1 March 12, 2018 Draft Regular Meeting Minutes

5.2 March 15, 2018 Draft Special Meeting Minutes

~~5.3 Correspondence~~

- ~~• Letter dated March 14, 2018 to the San Francisco Bay Regional Water Quality Control Board commenting on the draft Total Maximum Daily Load (TMDL) proposed for the Pescadero-Butano watershed.~~

### 6 Regular Agenda

5.3 Correspondence

- Letter dated March 23, 2018 to the California Coastal Commission entitled “Support for the Quiroste Valley Cultural Preserve – Vegetation Management Project”
  - Regarding the sentence, “These challenges, and any other delays or reductions in scale, inhibit our ability to prevent species extinction...,” Reynolds asked if the RCD could support the claim that we are preventing extinction. Nelson replied that no single project or RCD action will ensure survival of the species



but that recovery actions are defined as those actions required to prevent extinction and that delays and reductions in scale inhibit recovery.

- Kossy explained that individual projects can matter to the specific animal that lives there. Extinction of a local population can be prevented.
- Sturgeon stated that Cascade Ranch and Año Nuevo are ground zero for the San Francisco Garter Snake.
- Reynolds stated that he was pleased with the explanation.

#### **6.4 Board will consider selection of Campbell Grading, Inc. as contractor for pond construction at Carpy Ranch in Pescadero to enhance streamflow.**

- There was discussion about contractor access, weight limits on the bridge, why only one contractor submitted a bid, the project timeline, and the cost of this project versus the Blue House Farm pond.
- Reynolds moved to contract with Campbell Grading, Inc. for pond construction at Carpy Ranch in Pescadero. Kossy seconded. The motion passed unanimously.

#### **6.1 Executive Director report**

- Nelson provided updates on accounting services, including status of the work previously contracted to Shannon Mann. For ongoing services, until the RCD contracts with an accountant, we are bringing in Regional Government Services (RGS). RGS' priority will be invoicing; with an expected cost between \$4,000 - \$5,000.
- Nelson the RCD's financial position, though the financial statements have not yet been reconciled. The RCD had approximately \$865,000 net. However, significant drawdowns are coming with the potential for a new lease.
- Glauthier asked for an update on the State's Prompt Payment option. Nelson stated that she spoke with Senator Jerry Hill's office regarding late payments and California's Prompt Payment Law that passed in 1987.
- Nelson stated that at the March Meeting the Board approved PTO, per the Personnel Policy. Staff had researched labor laws and spoken with an HR Manager from RGS. Nelson explained that staff may need to come back to the Board with another change relating to PTO as the RCD is figuring out how to transition to tracking as one PTO bank.
- Nelson discussed the RCD's transition to use of GANTT project management software.
- Nelson explained that the Amah Mutsun Quiroste Valley project was approved unanimously by the California Coastal Commission. The Sierra Club Loma Prieta Chapter withdrew its challenge at the meeting.
- Nelson expressed hope of presenting to the Board, along with staff member Brittani Bohlke, about work the RCD is doing at Rancho Corral de Tierra.
- Nelson stated that Ben Ranz is moving and will therefore be stepping down from his role as Associate Director.
- Nelson stated is now working remotely for TomKat Ranch. She spoke with him about his potential availability to be in town for the RCD Board Meetings and his ability to keep his position on the Board.



- Nelson and directors discussed RCD outreach and events including:
  - Dream Machines on April 29 with Coastside One Water.
  - “Droughts, Floods, Rising Seas, Oh My!” on March 30 at Cañada College. RCD presented a poster and was subsequently asked to participate in a carbon farming panel.
- Nelson stated that the Town of Colma would be awarding the RCD with a sustainability award on April 25, but she would not be available. Kossy offered to attend and accept the award in her place.

## 6.2 Directors’ Reports

- Kossy reported on the March 30<sup>th</sup> climate change event at Cañada College, which she also attended.
- Reynolds spoke about the loss of his wife, Meredith, and thanked his RCD family for everyone’s support and thanked Nelson for writing the obituary and for all of the support she has provided. He expressed interest in the marsh project as it moves forward. He hoped to walk the project area with Deborah Hirst, Jim Howard, Jim Robins and Jarrad Fisher.
- Glauthier reminded Directors to complete their Form 700s. He stated they were meant to be completed by April 1.
  - ACTION: Hodges will email Kossy the information.

## 6.5 Update Regarding Preparation of CEQA Initial Study for Butano Channel Reconnection and Resilience Project – presentation by Ken Schwarz from Horizon Water and Environment, LLC.

- Nelson stated that the RCD needs to be robust, transparent and accountable throughout the environmental review process for the Butano Channel Project.
- Schwarz presented the attached PowerPoint. He stated that this project qualifies for CEQA and will need to be accessible to the public. He recommended being accessible and accountable to the community from the onset.
- Sturgeon asked questions regarding about potential litigation and the RCD’s ability to afford it. Robins explained that there are many steps prior to a court case and that the RCD will make a good lead because as a district the RCD is already transparent and accountable to the community. Nelson mentioned that another reason the RCD is considered an appropriate lead is because this project crosses state, county and private properties.
- Sturgeon explained that he is worried about people from outside the community looking in. Schwarz stated that CEQA can be a great protector of a project, not just a place for issues to arise.
- There was discussion among guests, directors, and staff about CEQA liability and litigation, the reasons for the RCD to be CEQA lead, the project timeline and funding timeline, vegetation removal and accommodating nesting season, reaching out to birding groups, project design elements, adaptive management during implementation, project benefits to anoxic soils, whether or not the technical information was understandable to a lay audience.

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- Nelson commented on the fact that there was no fish kill this year almost certainly as a result of the actions project collaborators had taken.
- Schwarz noted that the PowerPoint presentation will be included in the minutes, but this presentation is for the Board's own information and is not required under CEQA. With this meeting, the RCD has taken an unrequired action to be transparent in a public meeting.
- Schwarz explained that a Negative Declaration is the current path for the project. An Environmental Impact Report is required because the area houses endangered species. Schwarz stated it is not required; an individual might be endangered but the population will not be. Robins expanded to say that the project is prepared to pick up and move endangered species if need be.
- Robins mentioned the response from a letter sent to State Historic Infrastructure Preservation Office (SHIPO) indicating that the historic review and report was robust and more than satisfactory.
- Nelson explained that if the Board is going to make comment it needs to happen in a public meeting. A special meeting will also work. Glauthier asked if the Board's comments would be documented for the public record. Nelson confirmed the comments would be published.
- Nelson suggested that county counsel be brought in for the Notice of Determination, which will be the Board action.
- Glauthier suggested that the Board comment publicly.
- Nelson suggested hosting the Board's May meeting in Pescadero for public comment and the June meeting in Pescadero to approve and certify the document (Notice of Determination) in the community.
- The Board decided upon:
  - May 17 in Pescadero to hear public comment on this topic specifically;
  - The Regular Meeting in June will be moved to the 27th. Public comments will be reviewed at this meeting;
  - July meeting will be held on the 11 to make CEQA determination.[NOTE: This was subsequently changed to review public comments and make the determination in the same June meeting.]

### **~~6.3 Discussion of allowable and unallowable advocacy by RCDs.~~**

There was not time to get to this item.

## **7 Adjourn**

In recognition of National Volunteer Appreciation Week, Nelson thanked directors for their time and contributions to the RCD.

Meeting was adjourned at 6:38 p.m.



# Butano Creek Channel Reconnection and Resilience Project CEQA Update



Lead Agency: San Mateo Resource Conservation District

April 19, 2018





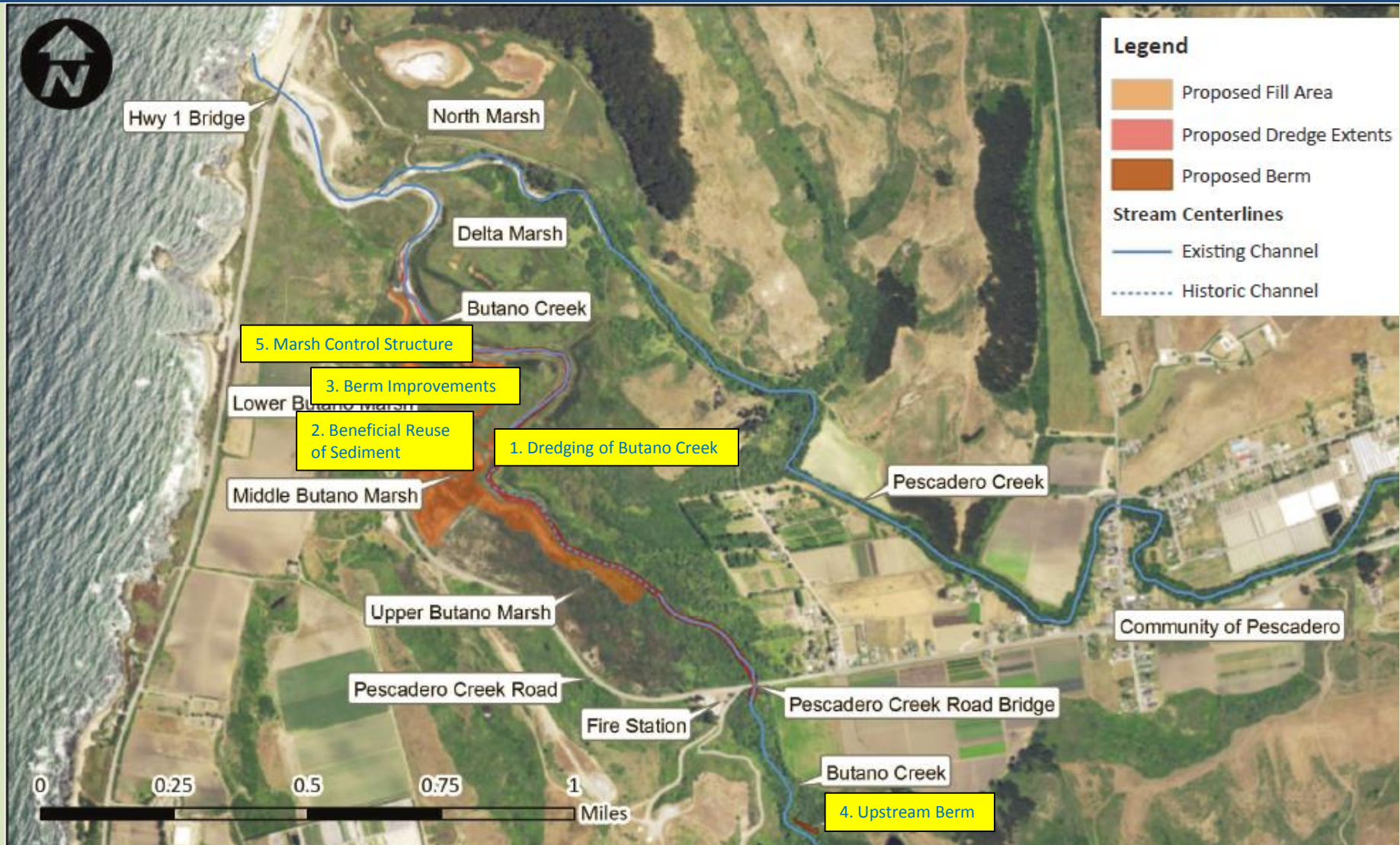
# Outline

1. Project Overview
2. CEQA Requirements
3. Initial Study (IS) Process
4. Draft IS Findings
5. CEQA Next Steps





# Project Area and Overview





# Project Overview

1. Dredging and excavation of ~46,300 cubic yards of sediment from Butano Creek channel (7,400 linear feet).
2. Beneficial reuse of sediment in Butano Marsh to fill artificial open water areas (drainage channels, isolated pools, relic borrow pits) and construct natural levee analog along upper reach of Butano Creek (Reach 3).
3. Berm improvements at two locations in Butano Marsh to limit hydrologic connectivity between Butano Creek and Butano Marsh.
4. Berm augmentation upstream of Pescadero Creek Road to increase controlling elevation of right bank floodplain.
5. Marsh control structure upgrades.



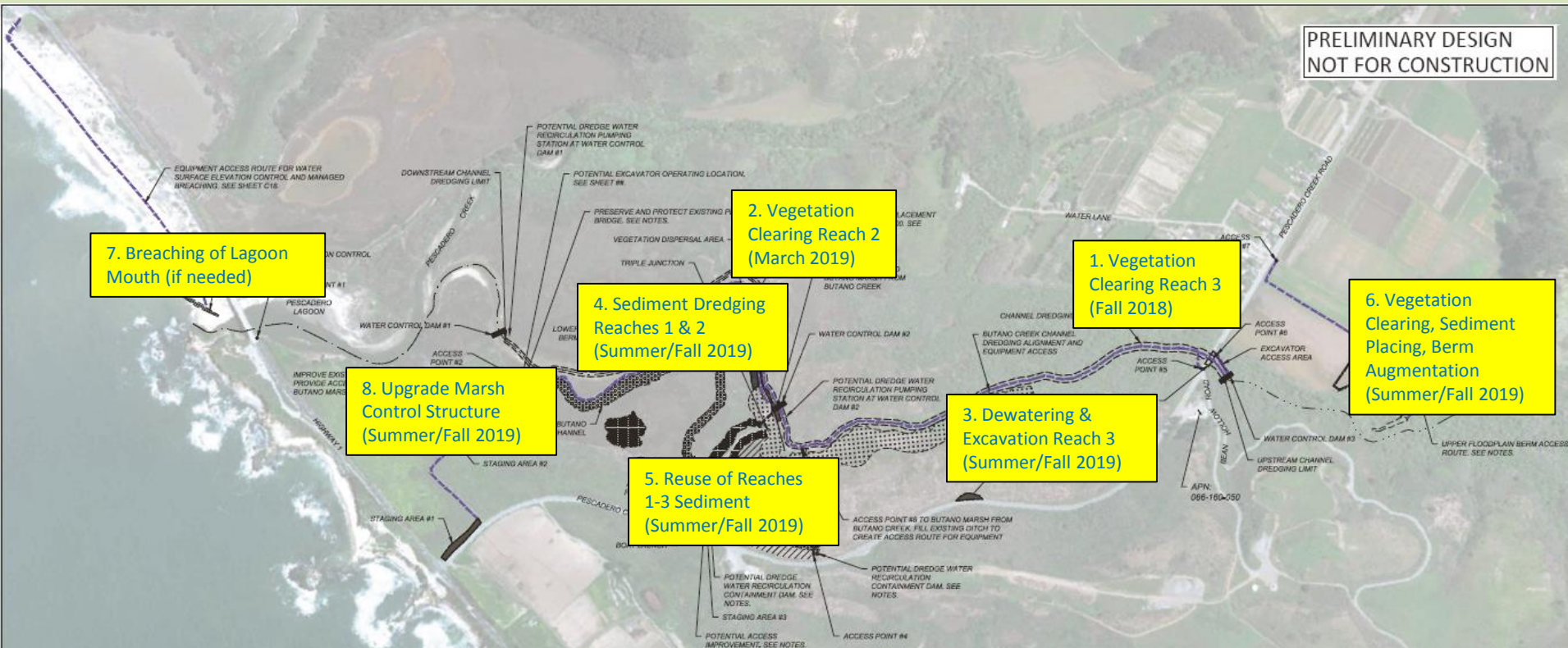


# Project Objectives

1. Restore access to 10.1 mi of Butano Creek for steelhead and coho salmon via improved fish passage.
2. Reduce flooding at Pescadero Creek Road.
3. Improve salmonid survival:
  - creating access to oxygen-rich freshwater refuge during times of low water quality; and
  - reducing anoxic conditions by preventing percolation and movement of freshwater from Butano Creek through and across the marsh.



# Project Construction Overview





# Project Construction Overview

1. Vegetation clearing in Reach 3 (Fall 2018).
2. Vegetation clearing in Reach 2 (March 2019).
3. Dewatering and terrestrial sediment excavation in Reach 3 (Summer/Fall 2019).
4. Sediment dredging in Reaches 1 & 2 (Summer/Fall 2019).
5. Temporary placement of Reach 3 excavated sediment at Staging Area #3; reuse of sediment (Reaches 1-3) in Butano Marsh (Summer/Fall 2019).
6. Vegetation clearing to access upstream floodplain berm site, temporary placement of Reach 3 excavated sediment at Stockpile/Handling Area, and berm augmentation activities (Summer/Fall 2019).
7. Manual breaching of Pescadero Lagoon mouth as-needed to maintain water levels during dredging activities.
8. Upgrade marsh control structure with articulated concrete blocks & geotextile fabric (Summer/Fall 2019).



# CEQA Objectives/Requirements

## California Environmental Quality Act (CEQA):

- Disclosure to public and decision-makers the significant environmental effects of proposed activities.
- Identify ways to avoid/reduce potentially harmful effects.
- Consideration of alternatives and application of feasible mitigation (if necessary).
- Public disclosure of agency decision making and reasons for approval if there are significant effects.
- Foster inter-agency coordination and include public participation in planning process.



# CEQA – Different Compliance Documents

- Categorical Exemptions
- Negative Declarations /Mitigated Negative Declarations
- Environmental Impact Report





# Initial Study Process

Develop  
Project  
Description

Conduct  
Initial Study  
Impact  
Assessment

Consider  
BMPs and  
Avoidance/  
Minimization  
Measures

Consider short-  
term and long-  
term effects  
and benefits

Evaluate  
whether  
mitigation  
measure(s)  
are necessary

Evaluate  
whether  
mitigation  
measure(s) are  
effective in  
reducing  
impact(s)



# CEQA Initial Study Sections

- Aesthetics
- Air quality
- Biological resources
- Cultural resources
- Geology and soils
- Greenhouse gas emissions
- Hazards and hazardous materials
- Hydrology and water quality
- Land use and planning
- Noise
- Recreation
- Transportation/Traffic
- Tribal cultural resources
- Public services
- Utilities
- Cumulative impacts



# Draft Findings of Initial Study

- **Air Quality:**

- Temporary increase in NO<sub>x</sub> emissions would exceed BAAQMD thresholds. Impacts can be mitigated to less-than-significant (LTS) through use of: Tier-IV engines, altering construction phasing, use new equipment models, etc.

- **Biological Resources:**

- Temporary reduction in habitat quality for special-status species (CRLF, SFGS, steelhead, tidewater goby) due to ground-disturbing activities.
- BMPs would reduce potential for construction impacts on special-status species from being significant.
- Post-construction effects would be beneficial overall for special-status species due to improved water quality conditions and expansion of freshwater habitat.



# Draft Findings of Initial Study (cont'd)

- **Cultural Resources:**

- Two known archaeological sites located within APE. Known sites would be delineated as environmentally sensitive areas subject to conditions to avoid adverse effects. The levee system was recorded as a historic resource. The existing levee system would not be modified. Impacts would be LTS.

- **Hydrology and Water Quality:**

- In-water dredging activities would temporarily increase turbidity and dissolved oxygen (DO) levels. Implementation of mitigation measures would require that turbidity and DO levels are monitored to ensure that such levels do not exceed RWQCB's Basin Plan standards.



# Draft Findings of Initial Study (cont'd)

- **Noise:**

- Temporary haul trucks passing homes located along Pescadero Creek Road would briefly exceed County's exterior level threshold during construction of upper floodplain berm. Impact would be LTS.

- **Traffic/Transportation:**

- The presence of slow-moving construction equipment and vehicles on public roads could increase traffic safety hazards. Implementation of a traffic management plan would reduce such impacts to LTS.



# CEQA Next Steps



1. Horizon completes Administrative Draft IS/MND
2. RCD/Alnus review IS/MND.
3. Horizon revises/finalizes Admin Draft IS/MND.
4. RCD/Horizon publish Public Draft IS/MND, with draft Mitigation Monitoring and Reporting Program (MMRP), and public notices (NOI, NOC).
5. Public review period (30 days).
6. RCD considers public comments on IS/MND.
7. RCD Board considers approval of IS/MND, adoption of MMRP, and approval of project.
8. RCD/Horizon files NOD.



# CEQA Decision-making Process



**Publish IS/MND  
and Notice of  
Intent**  
May 2018

**30 Day Public  
Review Period**  
May-June 2018

**Consider Public  
Comments on  
IS/MND**  
June 2018

**SMRCD Board  
Considers  
IS/MND and  
MMRP**  
July 2018

**File NOD**  
July 2018