



Midpeninsula Regional
Open Space District

R-13-58
Meeting 13-13
June 12, 2013

AGENDA ITEM 7

AGENDA ITEM

California Department of Fish and Wildlife (CDFW) Fisheries Restoration Grant Program (FRGP) for Ranch Road Upgrades, Improvements, and Decommissioning within the Driscoll Ranch Area of La Honda Creek Open Space Preserve

GENERAL MANAGER'S RECOMMENDATION

Approve the reallocation of the \$55,000 originally approved in the FY2013-14 budget as CDFW grant matching funds, to complete high priority riparian restoration work in Harrington Creek in La Honda Creek Open Space Preserve.

SUMMARY

In 2012, the Midpeninsula Regional Open Space District (District) submitted a grant proposal to the CDFW FRGP. Unfortunately, the District was not selected for funding during the 2012 grant cycle. District staff worked with CDFW staff and National Marine Fisheries Service (NMFS) representatives to incorporate suggested changes to the 2013 grant proposal in an effort to be more competitive and has resubmitted for the 2013 grant cycle. Although the District did not receive the grant, staff is proposing to utilize \$55,000 allocated in the FY2013-14 budget, which was intended for use as the District's FRGP match for the 2012 grant cycle, to fund high priority work at the same project location that is a regulatory liability for the District. Staff is currently available to continue project permitting (much of which is already in progress), purchase needed supplies, and manage any required contractors and consultants.

DISCUSSION

At the March 14, 2012 Board Meeting, the Board authorized staff to pursue grant funding from the FRGP for watershed restoration including ranch road upgrades, and decommissioning and grazing improvements (fencing) within the Driscoll Ranch area (See Figure 1) of the La Honda Creek Open Space Preserve (see Report R-12-34). Unfortunately, the District was not selected for funding during the 2012 grant cycle. However, the District was placed third on a list of twenty contingency projects. If at any time funding becomes available, staff is available to work on the project.

Although the District was not selected for funding in 2012, both the CDFW and the NMFS expressed their conceptual support for the District's proposal and both agencies encouraged the District to reapply for funding during the 2013 grant cycle. District staff discussed our proposed project approach and results from our 2012 score sheet with CDFW in order to improve our proposal for the 2013 grant cycle. After incorporating feedback from CDFW, staff resubmitted the proposal for the CDFW FRGP for the 2013 grant cycle.

The District has submitted a more competitive grant proposal requesting \$230,970 with a District cost share of \$119,284 over a five year period. The amount previously requested was \$394,589 with a District cost share of \$175,175. As suggested by the CDFW and NMFS, the requested amount is substantially less (~42% less) than the previous grant request.

The District was able to reduce the requested amount through project cost savings resulting from:

- Completing the La Honda Creek Master Plan and its associated California Environmental Quality Act (CEQA) document (which can now cover the grant proposed work).
- Submitting an application to amend the existing US Fish and Wildlife Service (USFWS) Permit issued for a portion of the Preserve in order to cover the entire Preserve and thus all grant proposed project areas (This amendment request is currently in review with the USFWS).
- Entering into a partnership with the San Mateo County Resource Conservation District (RCD) to assist with project permitting at a reduced rate (also at the suggestion of the granting agency).
- Removing the purchase of surface road rock and cattle exclusion fencing at Harrington Creek from the grant proposal, as recommended by the granting agency for strategic reasons. (This last item would be funded by the \$55,000 requested in this agenda item).

FISCAL IMPACT

Although road rock and cattle exclusion fencing were removed from the grant proposal, completing these critical infrastructure items is still needed in order to remain in compliance with Federal and State regulations (Federal Clean Water Act, Federal and State Endangered Species Acts); to provide continued vehicle access for patrol, maintenance, residence, rancher, and eventually visitor use; and to improve water quality and aquatic habitat.

Staff recommends installation of cattle exclusion fencing at Harrington Creek using a portion of the \$55,000 allocated in the FY2013-14 Budget for implementation of the La Honda Creek Master Plan Phase I, (which had been slated for use as the District's FRGP match monies if we had been awarded the grant during the 2012 grant cycle). Installation of cattle exclusion fencing at Harrington Creek is estimated to require \$15,000 dollars to complete and will prevent cattle impacts to the creek and downstream watershed resulting from the currently unrestricted cattle access (see attached photos).

Staff also recommends using the remaining \$40,000 of the \$55,000 allocated in the FY2013-14 budget to implement strategic road rocking and stockpiling of additional road rock for future use. Strategic rocking of the road will improve year round driving access into the western portion of the former Driscoll Ranch (where the District has a tenant residence), and will also reduce erosion of soils from the road surface and reduce impact to steelhead and Coho salmon habitat in adjacent streams. Likewise, stockpiled road rock would be used on the main ranch access road (to be used after future road drainage improvement work is completed) for sediment reduction to protect fisheries habitat.

According to the granting agency staff, installation of the cattle exclusion fencing and road rocking and stockpiling would be viewed favorably during a CDFW project review scheduled for July of this year. If the District is awarded FRGP funds in the 2013 grant cycle then the District is still expected to contribute \$119,284 in matching funds beginning in FY2014-15. Use of the \$55,000, which was allocated in FY2013-14, will not be able to be counted as matching funds since it will be expended prior to grant award notifications in 2014. However, the remaining \$119,284 District cost share proposed in the resubmitted grant application will be used as matching funds (\$33,020 District staff time, and \$86,264 for project related expenses). The total of these two amounts (\$119,284 + \$55,000 = \$174,284) is still below the \$175,175 total amount that was previously approved by the Board as the District funded cost share for the project in March of 2012 (see Report R-12-34).

BOARD COMMITTEE REVIEW

At their May 21, 2013 meeting, the Planning and Natural Resources Committee reviewed staff's proposal and made a motion to support staff's recommendation to utilize \$55,000 allocated in the FY2013-14 budget which was intended for use as the District's FRGP match to complete a portion of the project work although the grant was not received during the 2012 grant cycle.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Work associated with this project was identified in the La Honda Creek Open Space Preserve Master Plan. A Mitigated Negative Declaration for the Master Plan developed in accordance with the California Environmental Quality Act (CEQA) was adopted by the Board on August 22, 2012 (see Report R-12-83). No further CEQA documentation is required.

NEXT STEPS

If approved, staff will utilize \$55,000 allocated in the FY2013-14 budget to implement important project work at the Preserve that will allow District to remain in compliance with federal and state regulations; provide continued vehicle access for patrol, maintenance, residence, rancher, and eventual visitor use; and reduce sedimentation into downstream waterways to improve water quality and aquatic habitat.

Attachment(s)

1. Photographs of cattle access into Harrington Creek

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ATTACHMENT A



Photos 1. Unrestricted cattle path leads directly into Harrington Creek



Photo 2. Harrington Creek muddy from cattle accessing the creek