



**SPECIAL AND REGULAR MEETING**

**BOARD OF DIRECTORS  
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

**Wednesday, July 26, 2023**

*The Board of Directors conducted this meeting in accordance with  
California Government Code section 54953.*

**DRAFT MINUTES**

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA  
REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

President Kishimoto called the special meeting of the Midpeninsula Regional Open Space District to order at 5:00 p.m.

**ROLL CALL**

Members Present: Craig Gleason, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret McNiven, and Curt Riffle

Members Absent: Jed Cyr and Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Maria Soria, Senior Real Property Agent Allen Ishibashi, Real Property Agent I Jasmine Leong

President Kishimoto announced this meeting is being held in accordance with Government Code section 54953. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District's Administrative Office, and on the District website.

Director Holman attended the meeting at 5:02 p.m.

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)**

**Property:** 15900 Soda Spring Road, Los Gatos, CA Santa Clara County APN: 558-31-008

**Agency Negotiator:** Allen Ishibashi, Sr. Real Property Agent

**Negotiating Party:** Santa Clara County Tax Collector's Office

**Under Negotiation:** Price and Terms of Payment

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)**

**Property:** Santa Clara County APN: 562-09-021 (Portion)

**Agency Negotiator:** Jasmine Leong, Real Property Agent I

**Negotiating Party:** Norma Vielbaum

**Under Negotiation:** Price and Terms of Payment

Public comment opened at 5:01 p.m.

District Clerk/Assistant to the General Manager Maria Soria reported there were no public speakers for this item.

Public comment closed at 5:01 p.m.

The Board convened into closed session.

**ADJOURNMENT**

President Kishimoto adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:01 p.m.

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT – STUDY SESSION**

President Kishimoto called the special meeting of the Midpeninsula Regional Open Space District to order at 6:05 p.m.

**ROLL CALL**

Members Present: Jed Cyr, Craig Gleason, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret McNiven, and Curt Riffle

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Maria Soria, Ecologist I Arianna Camponuri, Sr. Resource Management Specialist Coty Sifuentes-Winter

President Kishimoto announced this meeting is being held in accordance with Government Code section 54953. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District’s Administrative Office, and on the District website.

**1. LA HONDA CREEK OPEN SPACE PRESERVE - FOREST HEALTH PROJECT  
(R-23-62)**

Ecologist I Arianna Camponuri presented Dr. Dan Sicular from Sicular Environmental Consulting, the lead consultant for the La Honda Forest Health Project, and Joe McGuire from Buena Vista Services, LLC., who has been instrumental in the development of the La Honda Forest Health Assessment and Management Plan. Ms. Camponuri stated that the La Honda Forest Health Project is the first of its kind for the District and proceeded to present the project and a synopsis of its environmental context. She then provided examples of similar projects involving the District and/or peers to set up forest ecosystems for success in a changing climate. Ms. Camponuri reviewed the project description for the La Honda Forest Health Project, outlining the areas of high priority for forest health treatment and the mechanisms to implement those treatments, and provided an overview of the Woodruff Creek-Folger Parcel addendum. Ms. Camponuri concluded with the next steps and timeline for project implementation.

Director Riffle inquired as to how staff will measure the project's progress since it is a long-term project.

Ms. Camponuri responded that this a multi-decadal project, some treatments that are recommended include a timeframe of 10 or 15 years between entries to allow the forest time to recover and have regeneration. In terms of measuring progress, a number of metrics can be tracked, such as looking at the biodiversity, species composition, and the different indicators of the overall health of the ecosystem, as well as examining tree density and how it compares to historical records.

Mr. Sicular added that having a complete forest inventory serves as the baseline, but it could be augmented before initiating forest treatments by looking more specifically at particular items of interest, such as carbon storage, which can be remeasured at a subsequent treatment.

President Kishimoto asked whether there would be any public education of the project and if the Board will be given a tour.

Ms. Camponuri confirmed that both actions will certainly be a part of the project moving forward.

Director Kersteen-Tucker asked if grad students would have an opportunity to be part of the research.

Ms. Camponuri stated that there would be many opportunities to bring in additional researchers and that there were none now on the project, but staff could look into it as a future action.

Public comment opened at 7:01 p.m.

Ms. Soria reported there were no public speakers for this item.  
Public comment closed at 7:01 p.m.

No Board action required.

**ADJOURNMENT**

President Kishimoto adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:01 p.m.

**REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

President Kishimoto called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:09 p.m.

**ROLL CALL**

Members Present: Jed Cyr, Craig Gleason, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret McNiven, and Curt Riffle

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Maria Soria, Natural Resources Manager Kirk Lenington, Capital Projects Manager III Ivana Yeung, Engineering and Construction Manager Jay Lin, Senior Resource Management Specialist Coty Sifuentes-Winter

President Kishimoto announced this meeting is being held in accordance with Government Code section 54953. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District’s Administrative Office, and on the District website.

**ORAL COMMUNICATIONS**

Lee Hochman commented he is speaking on behalf of an organization called Healthy Alternative to Pesticides and reported that the Santa Clara Vector Control District (SCVCD) plans to spray pesticides to treat mosquitoes on the night of July 27. Mr. Hochman suggested mosquito pesticides alternatives and requested that the Board call the SCVCD to request alternatives to using harmful pesticides.

Shani Kleinhaus commented that another good alternative to pesticides are bats and birds.

Brandi Madison, co-founder of Healthy Alternatives to Pesticides, spoke on her concerns of the SCVCD fogging that would take place the night of July 27 and her concerns on the dangers of using pesticides that are harmful to the wildlife, people, and environment. Ms. Madison urged the Board to request that the SCVCD use an alternative method versus a pesticide that is highly toxic.

**ANNOUNCEMENT OF CLOSED SESSION**

General Counsel Hilary Stevenson reported the Board met in closed session, and no reportable action was taken.

**ADOPTION OF AGENDA**

**Motion:** Director Cyr moved, and Director Riffle seconded the motion to adopt the agenda.

**ROLL CALL VOTE: 7-0-0**

**CONSENT CALENDAR**

Public comment opened at 7:16 p.m.

Ms. Soria reported there were no public speakers for this item but, the Board did receive a Written Public Comment on Agenda Item #5 that has been forwarded to the Board.

Public comment closed at 7:16 p.m.

**Motion:** Director Riffle moved, and Director MacNiven seconded the motion to approve the Consent Calendar.

**ROLL CALL VOTE: 7-0-0**

- 1. Approve the May 24, 2023, Board meeting minutes.**
- 2. Approve Claims Report**
- 3. Award of Contract to United Builders Corporation of San Jose, California to Complete a Minor Modification of Office Space at the Main Administrative Office (R-23-63)**

General Manager’s Recommendations:

1. Award a contract to United Builders Corporation to convert one large office suite into two to optimize for both staff facility use and available office rental space for a not-to-exceed base contract amount of \$277,260.
2. Authorize a 10% contingency in the amount of \$27,726 to be reserved for unanticipated issues, bringing the total not-to-exceed contract to \$304,986.
- 4. Establish the Fiscal Year 2024 (FY24) Tax Levy for the Midpeninsula Regional Open Space District Measure AA General Obligation Bonds - Series 2015A and Series 2018 (R-23-64)**

General Manager’s Recommendation: Adopt three Resolutions of the Board of Directors of the Midpeninsula Regional Open Space District, one each for San Mateo, Santa Clara, and Santa Cruz Counties, to establish an ad valorem property tax levy of \$1.20 per \$100,000 in assessed value (or \$0.0012 per \$100) for the Measure AA General Obligation Bonds – Series 2015A and Series 2018. The District Controller has reviewed the calculation and concurs with the proposed rate of levy for FY24.

- 5. Partnership Agreement with City of Half Moon Bay for the Planning of Johnson House Park (R-23-65)**

General Manager's Recommendation: Authorize the General Manager to enter into a Partnership Agreement with the City of Half Moon Bay and contribute funding for the planning, design, environmental review, and permitting phases to pursue public access improvements at Johnston House Park.

## **BOARD BUSINESS**

### **6. Update on Items of Mutual Interest Related to Heidelberg Materials (formerly Lehigh Hanson) and the Midpeninsula Regional Open Space District regarding the Permanente Quarry (also known as Lehigh Quarry) (R-23-66)**

Assistant General Manager Brian Malone provided opening remarks and stated that today's presentation is part of an annual meeting that began in 2015 after a 2014 settlement agreement between the District and Lehigh, which is now Heidelberg Materials. Mr. Malone stated that the presentation from Heidelberg Materials will review the new Reclamation Plan Amendment application that they have submitted to the County of Santa Clara. The County of Santa Clara is responsible for reviewing the Reclamation Plan Amendment. Mr. Malone clarified to the public that there were several comments received on this topic asking the Board of Directors to reject or not approve the plan, but the District does not have regulatory oversight or approval of any of the Heidelberg Materials activities. Mr. Malone introduced Senior Environmental Manager Sanjeet Sen from Heidelberg Materials to provide the presentation.

Mr. Sen introduced himself and provided an overview stating that Heidelberg Materials Hanson Permanente Cement, Inc., is the owner of the facility and Hanson Permanente Cement, Inc., is a subsidiary of Heidelberg Materials. Lehigh Southwest Cement Company (LSCC) is also a subsidiary of Heidelberg Materials and is the Permanente Plant operator. Both entities continue to operate the aggregate facility and are moving forward with the Reclamation Plan amendment and other environmental projects of mutual interest, which includes the Permanent Creek Restoration Plan. Mr. Sen reviewed the cement plant updates and activities from 2020 to the present. Presently they are working with Santa Clara County on finalizing an agreement regarding the permanent closure of the cement kiln. On June 9, 2023, LSCC submitted the 2023 Reclamation Plan Amendment to Santa Clara County's Planning Department and concurrently withdrew in its entirety the previously filed 2019 Reclamation Plan Amendment. Mr. Sen stated that the other project of interest is the Permanente Creek Restoration (PCRP) project, which is advancing, and the Santa Clara County Planning Department is expected to issue the Final Supplemental Environmental Impact Report for the PCRP by the end of this year.

Mr. Sen continued to review the 2023 Reclamation Plan Amendment that addresses final reclamation and closure of the facility and stressed that the reclamation plan proposes no additional excavation of cement-grade limestone and no clinker production from the kiln. Furthermore, the reclamation plan proposed the process for returning the site to an open space condition, consistent with the Surface Mining and Reclamation Act (SMARA). Mr. Sen continued to highlight the primary activities, and the main objectives of the Reclamation Plan Amendment. In conclusion, he reviewed LSCC's commitments and next steps.

President Kishimoto thanked Mr. Sen for attending the Board meeting and stated that it is important to have a face-to-face productive discussion.

Director Cyr inquired why the extracted materials could not be used to backfill the pit.

Mr. Sen stated that there is not enough material on site to backfill the pit, and to complete all the processes of reclamation, materials are needed with different geochemical properties and different kinetic properties.

President Kishimoto inquired and received information on whether the proposal will remove a portion of the West Materials Storage Area (WMSA) stockpile.

President Kishimoto inquired whether 8, 10, or 20% of the WMSA volume could be reduced.

Mr. Sen stated that the amount is a small portion and is not sure about the correct amount but, would follow-up with that information.

Director Riffle commented that he has read over 36 written public comments sent to the Board and that almost all of them disagree with the quarry's assessment regarding their conclusion of being unable to use the WMSA to refill the pit. Director Riffle stated that he is personally struggling with the explanation as to why the WMSA and East Material Storage Area (EMSA) cannot be used to fill the quarry. Furthermore, he agrees with the majority of the constituents that the WMSA and EMSA should be disposed of in the pit in a safe manner.

Director Riffle asked for additional explanation for reinforcing the wall that abuts the ridgeline that the District has a responsibility to monitor.

President Kishimoto inquired and received information on the timeline for buttressing the ridgeline, stating that the timeliness of buttressing is important for the stability of the slope.

President Kishimoto inquired if there is a timeline to sell off the land that LSCC is no longer planning to quarry.

Mr. Sen stated that there are no current plans to sell and they are still evaluating future plans for this site.

Public comment opened at 7:48 p.m.

Dr. Ken Yew shared his concerns on the effects of diesel trucks and particulate matter emissions, including ultrafine particulate matter bypassing the body and causing inflammation, heart disease, and a variety of other chronic medical conditions that are dangerous if you live in the corridor through which the proposed 300 to 600 diesel trucks will travel. Mr. Yew stated that he did not know what the best approach would be to remove the rock from the WMSA, but that diesel trucks are harmful for human health, and that a 30-year timeline may lead to a future re-application for mining and other purposes. According to Mr. Yew, the public should focus on making Heidelberg Material accountable, notably for public health and environmental concerns.

Joyce Eden expressed her concern about Lehigh bringing in material rather than using the available materials, and inquired about the parameters that the geological consultants gave Lehigh, adding that there is usually more than one way to accomplish something. Ms. Eden inquired if the quarry was on bedrock.

Kit Gordon thanked the Board and staff for their hard work over many years evaluating and following this extremely complex issue. Ms. Gordon, a chemical engineer, commented that despite all the work that has been done over the years and the selenium being in the creek, there is no selenium in the ground water. She inquired why a slight movement of the rock would suddenly push the selenium into the ground water. She also expressed her concern about the slow progress of the Permanente Creek Restoration, which she has relied on staff's thorough analysis of the EIR, and she hopes that the District will join her in urging the County to move more quickly, as it has now been a decade since a court order was issued to restore the creek and yet there has been no progress.

Shani Kleinhaus from the Santa Clara Audubon Society expressed her concern about the number of trucks that would be used to bring in materials to the site, as well as how it will impact traffic and affect the environment and the health of those who live nearby. Ms. Kleinhaus commented that it is important to know what type of fill will be used in the pit and whether it will be clean fill, noting that if Lehigh brings in materials for profit, some of this material may be unsafe. Her preference would be to use the materials that were mined from the quarry. Ms. Kleinhaus also inquired what "sustainable" means in the presentation; does it refer to ground water, air quality, or fiscal sustainability for the company.

Jill Halloran spoke about the dust that the diesel trucks will create and how it would impact the residents nearby and far and wide, as well as the dust getting into the creeks, harm the earth, vegetation, wildlife and humans whenever the wind blows. She also agrees that a timeline of 30 years is too long and unacceptable. Ms. Halloran inquired whether it was true that there is not enough material in the WMSA and EMSA stockpiles to fill the quarry and suggested that as much of that material as feasible be used.

Karen Del Compare agrees with the speakers that the WMSA and EMSA material should be used to backfill the quarry. She raised concern that Lehigh may use harmful waste and be paid to dump it at the bottom of the pit. She suggested that, as a neighbor to the quarry, the District should be made aware of the materials utilized and that Lehigh not place any environmentally dangerous materials in the pit. Ms. Del Compare is also concerned about the number of trucks traveling to the site, stating that she lives nearby and that when the trucks do travel, the air quality is horrendous, affecting people, animals, and the environment in general.

Ameya Ganesh spoke about agenda item # 7. Ms. Ganesh spoke in favor of retaining the Paul Cabin and the Rapley Barn structures, stating that bats use abandoned structures for roosting and breeding and hopes that structures are not removed or at least not until an alternate is found for the bats.

Public comment closed at 8:04 p.m.

Director Riffle inquired how the Union Pacific Rail line will be factored into the operation and if there is an opportunity for Lehigh to work with Union Pacific Railroad to obtain a trail easement across their tracks.

Mr. Sen stated that it is difficult to say how the rail line would be used in terms of the reclamation, but it is an option. Concerning the easement, it is too early in the process to address the question at this time.



Director Holman inquired why it will take 30 years to backfill the quarry pit.

Mr. Sen stated that the Reclamation Plan Amendment has been divided into phases, with one focused on the slopes, and the second on backfilling the pit, and to keep in mind that the pit has been mined since the 1930's and cannot be easily completed in a short period of time, which is why it will take 30 years.

Director Holman expressed her concerns over the 30-year timeframe, stating that it will take a generation and half to complete, and that there have been numerous comments, including hers, about the displeasure of the WMSA stockpile remaining in the landscape rather than being used to help provide some of the fill in the pit. Director Holman expressed her concern that Mr. Sen addressed these concerns but not to the satisfaction of those present.

Director Holman inquired if the quarry lies on top of bedrock.

Mr. Sen is unsure and will report back with the information.

Director Holman inquired about other alternatives to diesel trucks.

Mr. Sen responded that he is unable to answer the question at this time because he is not aware of those alternatives, but he is optimistic that there may be other more fuel-efficient trucks.

Director Holman thanked Mr. Sen for the presentation and hoped that he would take the concerns, questions, and comments seriously, and that there would be answers to the questions and concerns raised at the next presentation.

Director Kersteen-Tucker requested additional information on the cleanliness of the fill and whether there are any controls over what fill is placed in the pit.

Mr. Sen stated that in terms of the quality of the fill that will be brought on site, LSCC will have strict requirements defining the type of fill allowed and will also need to meet specific tiers and standards; the materials must be appropriate to bring onto the site without causing any environmental issues.

Director Kersteen-Tucker inquired if LSCC is confident in finding that fill to accommodate those standards, and what would happen if that fill was not found.

Mr. Sen stated that he believes there is a market for the material but will defer answering the second question since he believes there is a market but is unsure how long it will take to obtain the material depending on the market conditions.

Director Kersteen-Tucker asked the Board of Directors if it is appropriate at this juncture to reconvene the Lehigh Ad Hoc Committee.

General Manager Ana Ruiz stated that the 2023 Reclamation Plan Application was just submitted on June 9, and staff is starting to review the information, which will take some time to absorb and understand. At that point, it would be an appropriate time to convene the ad hoc committee to prepare for comments that the District would be issuing to Santa Clara County.

Director Holman recollected that the Lehigh ad hoc committee would reconvene with its pre-existing membership.

General Counsel Hilary Stevenson explained that when an ad hoc committee is formed, the Board President selects the members, and this would be a new ad hoc committee, and the Board President would be called upon to appoint the members.

Director Gleason mentioned that after listening to the Board and public comments, two points stood out to him, (1) the use of clean fill and (2) the 2012 Reclamation Plan Amendment intent to use the WMSA stockpile to fill the pit. He questioned why the newly submitted plan changed this intent.

Mr. Sen stated that the most significant difference between the 2012 Reclamation Plan Amendment and what was submitted now is that in 2012, LSCC was going to use WMSA materials to help backfill the pit, but over the past 12-15 years, they have collected additional information and data that has given them a reason to propose using a combination of material generated on site plus imported material. Mr. Sen reiterated that they would regrade the slopes to stabilize the area that is being kept in place. They also need to obtain different materials with different properties such as kinetic and geochemical properties for different portions of the reclamation. The topsoil has been stripped off many years ago and that material is not available easily on site. Furthermore, there are concerns with regards to selenium leaching from the WMSA if the piles are disturbed, which have remained undisturbed for over 30 years. The geotechnical studies and hydrology reports for the Reclamation Plan Amendment explain the details of the proposal.

President Kishimoto inquired if Heidelberg will be looking into doing more to restore the ecological and hydrological function of the site.

Mr. Sens confirmed that in their Vegetation Plan, which was submitted with the Reclamation Plan Amendment, there is use of diverse and naturally occurring species that are native to this area that will be used for the reclamation and revegetation purposes.

No Board of Directors action required.

#### **7. Disposition of Paul Cabin and Rapley Barn (R-23-67)**

Capital Projects Manager III Ivana Yeung provided the staff presentation on the Structures Disposition and provided an overview of the Paul Cabin that is located in Long Ridge Open Space Preserve. The Paul Cabin was constructed in the late 1970s for recreational purposes. The structure has no distinctive type, period, or historical method of construction and is not eligible as a historic resource. The cabin site also does not have a reliable portable water source or electrical power. Ms. Yeung shared photos of the conditions of the Paul Cabin and reviewed the cost analysis for four options and presented the preferred option - number four - which is to remove the cabin at a cost of \$125,000.

Ms. Yeung provided an overview of the Rapley Barn that is located in Russian Ridge Open Space Preserve off of Rapley Ranch Road. The Rapley Barn was constructed in a piecemeal fashion beginning from the 1870s through the 1970s. It does not display historic significance or integrity to qualify as a historic resource. Ms. Yeung shared photos of the conditions of the

Rapley Barn and reviewed the conditions and the cost analysis for four disposition options and stated that the preferred option is option number four, to remove the barn at a cost of \$200,000.

General Manager Ana Ruiz commented that most of the time when the District acquires a property, there is some type of disturbance or development, and many times any onsite structures that come with the property are in disrepair. However, those that remain in good condition or have historical significance are normally kept and reused or interpreted as an educational opportunity for the public. Ms. Ruiz indicated that in this case, the cabin and barn do not meet the standards for historical significance. She advised the Board to consider this information as they deliberate and also consider what structures the District should be keeping and maintaining in the long-term, as there are limited staff resources that can be dedicated to building maintenance.

Director Cyr inquired about the price differential for the two structures.

Ms. Yeung stated that the price difference is due to the fact that the Paul Cabin is just 800 square feet and the Rapley Barn is 2,000 square feet. Also, the driveway leading to the Rapley Barn is in poor shape, which will slow down the contractor's ability to haul out the debris.

Director Holman commented that the Rapley Barn was purchased in 2005 and the Use and Management Plan (UMP) was established at that time. If this structure is to be removed, the language in the UMP that states "secure and maintain the barn as part of developing a final use and management plan, determine the final disposition of the barn" will need to be deleted.

Director Holman questioned and received information on whether the District had lived up to its commitment to properly secure and maintain the Rapley Barn over the past years, and why the Paul Cabin had fallen into such disrepair so quickly since it was occupied until 2017. She also questioned why the former tenant was allowed to remove the cabinets.

Director Holman expressed her concern that structures are sometimes left to collapse on their own and other times they are disposed of, resulting in an inconsistent management approach.

Director Riffle stated that he toured the site with staff, noting that at one point the cabin was relocated to where it is now and he compared the two sites. In addition, he stated that the best site is where the cabin was originally located, however, if the Paul Cabin is removed, the site will also become a nice place to enjoy the surrounding setting and agrees with the General Manager's Recommendation to remove the structures and return the two sites to their natural state.

Director Kersteen-Tucker inquired about the potential for critters trapped or roosting in either structure.

Ms. Yeung stated that there are no critters living in the structures, and that staff have installed exclusionary measures to prevent roosting. Furthermore, the structures do not support rare or listed bats. The bats that are present are a local species and are not a species of special concern. These local bat species also prefer roosting in natural features.

Public comment opened at 8:50 p.m.

Shani Kleinhaus expressed her concern about removing vacant structures and the eviction of common species and commented that many, if not all, insectivorous bats, are in peril and suggested that structures that are not going to be used by people should be considered to accommodate wildlife wherever possible or provide an alternative if bats are evicted from a structure.

Public comment closed at 8:53 p.m.

Director Kishimoto suggested looking proactively at the region to see what structures should be preserved and what histories or stories should be retained.

Director Holman agreed with President Kishimoto's comments, stating that buildings tell a story of the land and carry the imprint of past history.

Director Gleason stated that he would like to see disposition recommendations for newly acquired structures to come before the Board at an earlier date in the future to arrive at a decision.

Director Kersteen-Tucker agreed with Director Gleason's comments.

**Motion:** Director Riffle moved, and Director Kersteen-Tucker seconded the motion to approve the removal of the Paul Cabin and Rapley Barn, two structures that have fallen in disrepair, have no planned future reuse potential, and are not eligible for historic listing; approve the associated Comprehensive Use and Management Plan Amendments to authorize the removal of both structures

**ROLL CALL VOTE: 7-0-0**

**INFORMATIONAL REPORTS**

A. Committee Reports

Director Cry reported that the Planning and Natural Resources committee held a meeting on July 18 to discuss the Rancho San Antonio Multimodal Implementation and also met on July 25 regarding the Highway 35 Multi-Use Trail Crossing and Parking Feasibility Study at Purisima Creek Redwoods Open Space Preserve.

B. Staff Reports

No staff reports.

C. Director Reports

Director Kishimoto reported she attended a Bay Conservation and Development Commission meeting on July 20, 2023.

Director Gleason reported he presented to the Saratoga City Council the week prior and on the weekend attended a docent lead hike at Cherry Spring.

**ADJOURNMENT**

President Kishimoto adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:03 p.m.

Maria Soria, MMC  
District Clerk