



Midpeninsula Regional  
Open Space District

April 8, 2020  
Board Meeting 20-08

## **SPECIAL AND REGULAR MEETING**

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

**Wednesday, April 8, 2020**

*The Board of Directors conducted this meeting in accordance with California Governor Newsom's Executive Order N-29-20. All Board members and staff participated via teleconference.*

### **APPROVED MINUTES\***

#### **SPECIAL MEETING – STUDY SESSION**

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

#### **ROLL CALL**

Members Present: Jed Cyr, Larry Hassett, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, Pete Siemens, 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 Jennifer Woodworth, Natural Resources Manager Kirk Lenington, Senior Resources Management Specialist Coty Sifuentes-Winter, Area Manager Craig Beckman

President Holman announced this meeting is being held in accordance with Governor Newsom's Executive Order allowing Board members to participate remotely. The District has done its best to conduct a meeting where everyone has an opportunity to listen to the meeting and to provide comment. 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. President Holman described the process and protocols for the meeting.

#### **1. Study Session on the Proposed Wildland Fire Resiliency Program (R-20-08)**

General Manager Ana Ruiz provided opening comments regarding the Wildland Fire Resiliency Program describing the work to date on the program, including public meetings, consultations

with stakeholders, etc. The presentation will cover all work done to date and provide an opportunity to better understand the program and provide feedback.

Senior Resource Management Specialist Coty Sifuentes-Winter provided an overview of the presentation and described the topics to be presented at the study session. Mr. Sifuentes-Winter introduced Jason Moghaddas of Spatial Informatics Group, which is one of the District's consultants on the project.

Mr. Moghaddas provided an overview of fire history and fire ecology in California. Mr. Moghaddas explained the three main drivers of fire in California, including topography, weather, and fuel and stated a majority of wildland fires are caused by humans. Finally, Mr. Moghaddas discussed changes over time throughout California related to vegetation, human settlements, etc., and their impacts on wildland fires.

Area Manager Craig Beckman described current practices utilized by the District to prepare for fire season, including road repairs to keep roads open, vegetation clearance to maintain fuel breaks, conservation grazing for fuel reduction, and enforcement and patrol. Mr. Beckman described various causes of wildfire and how wildfires can spread. Finally, Mr. Beckman explained that District staff are trained in fire response and suppression techniques.

Director Hassett inquired regarding the District's use of disc lines rather than mowing because disc lines can lead to an increase in invasive species.

Mr. Beckman explained disc lines are more effective in stopping fire spread than mowing. Staff also weighs the potential consequences versus potential benefits of the methods.

Director Kishimoto spoke in favor of installing wildland fire monitoring cameras in District preserves.

Mr. Beckman described the locations of several cameras throughout District preserves and reported that more cameras and partnership opportunities with fire agencies for camera installation are being pursued.

Director Riffle commented on dead foliage resulting from sudden oak death and inquired how decisions are made to remove the fuel.

Mr. Beckman reported field crews prioritize fuel removal that interfere with District roads and trails.

Director Kersteen-Tucker inquired how Pacific Gas & Electric (PG&E) reports their fire clearance activities and are accountable to the District.

Mr. Beckman reported that state law holds PG&E accountable, but District staff works closely with PG&E to identify areas for clearance and PG&E has been responsive to District feedback.

Director Kersteen-Tucker inquired how the current COVID-19 pandemic has affected fire program activities.

Mr. Beckman reported staff is still working through the details, but fire safety is considered an essential activity and is a high priority.

Mr. Sifuentes-Winter displayed a timeline of and described the history of the Wildland Fire Resiliency Program development. The goals and objectives of the program include establishing healthy, resilient fire-adapted ecosystems, reducing wildland fire risk, and facilitating fire suppression and emergency access. Mr. Sifuentes-Winter introduced Tania Treis of Panorama Environmental to review the District's policies and recommended updates.

Ms. Treis explained the purpose of the policy review and updates is to strengthen and augment current resource management policies to support the fire program goals. Ms. Treis summarized the various recommendations for the District's policies, including types of treatment methods, increasing planning and regulatory support to streamline the work in an environmentally sensitive way, allowing for some visual changes to the landscape, monitoring and adaptive management of the program, and addressing post-fire restoration.

Mr. Sifuentes-Winter reviewed each of the four plans included in the Wildland Fire Resiliency Program: monitoring plan, vegetation management plan, prescribed fire plan, and pre-fire and advisor maps. The plans will assist with emergency response and proactive management of District lands. These documents are also provided to other agencies to describe the various resources available to them and areas to be protected, such as rare species or cultural sites. Finally, Mr. Sifuentes-Winter described the next steps for the program and the CEQA review process.

Public comments opened at 6:41 p.m.

District Clerk Jennifer Woodworth read the submitted written comments into the record.

Don Bullard reported there are many grant opportunities offered to support fire management plans and programs. Mr. Bullard inquired why the District is not partnering with Woodside Fire Department for these opportunities.

Denise Enea inquired regarding the low number of acres proposed for fire reduction stating others have larger scale projects.

Glenn Fisher expressed concern regarding the amount of dead and downed wood on District preserves, which can present a fire hazard. Mr. Fisher supports controlled burns where possible and supported the proposed program encouraging the District to make fire resiliency a higher priority and complete the work sooner.

Nikki Hanson encouraged the District to work more with county roadside crews to maintain roadside habitats related to increased flammable material, invasive weed encroachment, and degraded native plant populations. Ms. Hanson is in favor of creating a strategic roadside management plan to address these concerns.

Public comments closed at 6:45 p.m.

Director Siemens spoke in favor of fuel reduction stating it should be the District's highest priority. Additionally, Director Siemens spoke in favor of installing surveillance cameras for spotting fires.

Director Kersteen-Tucker expressed concern regarding the amount of work to be completed and inquired how Tier I priorities would be addressed quickly.

Mr. Sifuentes-Winter reported fuels management is currently handled under the integrated pest management program, and work is currently moving forward to allow the fuels management work to begin implementation in the fall.

Director Kishimoto requested clarification regarding the fuel breaks and their visual impacts. Additionally, Director Kishimoto requested additional descriptions be added to the maps to described how the mapped areas will be treated.

Ms. Treis reported the final environmental impact report will include visual examples of how the fuel breaks and fuel reduction areas will look and will include the requested information in the maps.

President Holman suggested continuing the item to the following Board meeting agenda to address Board questions, such as camera monitoring, fire susceptibility of areas with sudden oak death, and the meaning of a changed landscape. President Holman inquired if the previous schedule could be met with the current shelter in place restrictions.

Ms. Ruiz stated that if the Board supports the current recommendations, then the CEQA scoping meeting can move forward as planned. Staff can provide the requested information prior to that meeting.

Director Riffle spoke in favor of moving forward with the current schedule of the scoping meeting.

Director Kishimoto inquired if the fire program would significantly alter the District's integrated pest management (IPM) program.

Mr. Sifuentes-Winter reported the methods and procedures are based on the IPM program and anticipates the percentage of herbicide use will be similar to the percentage used in the IPM program. Fuel management would largely be supported by manual and mechanical treatment methods.

Director Kersteen-Tucker spoke in favor of moving forward with the current schedule and requested staff respond to questions from the public.

Mr. Sifuentes-Winter reported the District has not yet applied for several grants because it is not eligible for these grants until the CEQA evaluation has been completed and approved. Additionally, the number of acres proposed for treatment is a large increase from the District's current acreage treated, and he hopes it will meet the community's current needs for fuel reduction.

No Board action required.

President Holman adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:12 p.m.

**REGULAR MEETING**

President Holman called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:22 p.m.

**ROLL CALL**

Members Present: Jed Cyr, Larry Hassett, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, Pete Siemens, 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 Jennifer Woodworth, Planner Manager Jane Mark, Planner III Gretchen Laustsen, Engineering & Construction Manager Jay Lin, Senior Capital Projects Manager Tanisha Werner

**ORAL COMMUNICATIONS**

District Clerk Jennifer Woodworth announced that no comments were submitted.

**ADOPTION OF AGENDA**

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

**VOTE: 7-0-0**

**CONSENT CALENDAR**

Public comment opened at 7:26 p.m.

District Clerk Jennifer Woodworth announced that no comments were submitted.

Public comment closed at 7:26 p.m.

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

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

- 1. Claims Report**

**BOARD BUSINESS****2. Bear Creek Stables Project Update and Funding Allocation (R-20-34)**

Planner III Gretchen Laustsen provided the staff presentation describing the history and location of the property and the Bear Creek Stables project. Ms. Laustsen described the proposed design and demolition plan and the new construction and repair plan outlining the various repairs proposed for the site, including the reduced length of the retaining wall, driveway repairs, paddock relocation, etc.

Director Kishimoto requested clarification regarding the cost of the water system.

Ms. Laustsen reported that the cost of the water system may be revised based on more advanced design development. The current estimate is approximately \$800,000 and is expected to be reduced to reflect the reduced scope of work.

Director Kishimoto inquired regarding public use of the site.

Ms. Laustsen reported the existing site uses will continue under the existing use permit since any added uses would require a new use permit. Members of the public can access the site using the equestrian parking spaces.

Ms. Ruiz stated that the two equestrian spaces on the site is the total number allowed because additional equestrian spaces would trigger a use permit and additional requirements. However, additional visitor and equestrian parking spaces are planned to be built north of the stable site as part of the overall Bear Creek Redwoods preserve plan.

Director Riffle inquired about the size of the replacement paddocks, and President Holman inquired if the current paddocks could be relocated.

Ms. Laustsen explained that the replacement paddocks are currently shown as placeholders and will be further refined in consultation with Santa Clara County. Additional limitations may be placed by the County based on site constraints or other limitations. Staff will learn more during the County's pre-permit review process. In-place replacement of the existing paddocks is not feasible, but staff will be asking to relocate and replace in-kind. Finally, staff seeks to create a financially viable operation and hopes to avoid a reduction in the number of boarders.

President Holman inquired if a composting operation on site would affect the proposed location of the manure pile.

Ms. Laustsen reported a small amount of composting may be possible on site, but a large-scale composting effort is not feasible for the site.

President Holman inquired regarding the repairs needed for the "old barn" and if regular maintenance would prevent later repairs from being needed, such as regular painting.

Ms. Laustsen stated that the barn would be improved in a manner consistent with its character and will provide a more functional space for the permitted existing uses.

Public comments opened at 8:11 p.m.

District Clerk Jennifer Woodworth announced that no comments were submitted.

Public comments closed at 8:11 p.m.

Ms. Laustsen reviewed the repair plan construction cost estimate and potential cost reductions by refining the project scope, updating the water system design, value engineering, etc. Additional funding from the available interest earned on Measure AA bonds is available to close the current funding gap, and staff recommends allocating \$1.223M for the project. Finally, Ms. Laustsen reviewed next steps and tentative project schedule.

Director Hassett inquired regarding the cost reductions to the project stating the costs will be incurred later.

Ms. Laustsen confirmed that the initial first year construction costs are reduced, but other project elements will likely be implemented later.

Director Hassett spoke about the importance of carefully selecting the future stable operator.

Director Kersteen-Tucker requested clarification regarding Measure AA bond interest funding due to current financial uncertainties in the country.

Chief Financial Officer Stefan Jaskulak reported on \$2.5M in accumulated bond interest through June 30, 2020 that is available to fund Measure AA projects.

Director Kishimoto spoke in favor of maximizing the public benefit of the site.

Director Riffle spoke in favor of the General Manager's recommendation and the need for equestrian facilities in Santa Clara County.

**Motion:** Director Siemens moved, and Director Cyr seconded the motion to allocate \$1.223M of the available Interest on Measure AA Bond Proceeds to close the known funding gap to implement the Bear Creek Stables Project in fiscal year 2020-21.

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

**3. Select a design alternative for the La Honda Creek Redwood Cabin, La Honda Creek White Barn, and Sierra Azul Beatty House (R-20-35)**

Senior Capital Project Manager Tanisha Werner reviewed the project status and proposed design alternatives as well as the design standards and permitting agencies for the various structures. Design guidelines will be developed in accordance with the standards of the National Park Service, California State Parks, and Department of the Interior. Ms. Werner reviewed the condition assessment and various alternatives for the Redwood Cabin, including required actions for each design alternative. The Redwood Cabin is eligible for listing in the California Register of Historical Resources.

Director Cyr inquired regarding the replacement of the bridge and culvert and whether these would be required for all alternatives.

Ms. Werner reported improvements would be required for public and construction access regardless of the alternative selected.

Assistant General Manager Brian Malone reported the culvert must be replaced for patrol and maintenance. If the demolition alternative is selected, then the bridge could be reinforced rather than replaced.

Director Kersteen-Tucker inquired regarding proposed access and whether trail access would be nearby.

Ms. Ruiz reported a loop trail is envisioned for this area to and from a small permit lot with additional access being provided further south.

Director Kishimoto inquired if a permit would be required to allow the structure to be used as a hikers' hut.

Ms. Werner reported permits would be required from San Mateo County.

Director Kishimoto requested clarification regarding access to the site.

Mr. Malone reported the access road crosses through private property, which does not allow visitor use. Additionally, hiking access from Allen Road is currently not allowed because it would require hikers to pass through a closed area of the preserve.

Director Siemens inquired regarding whether there are additional construction costs associated with Alternative 3 to make it a usable building, such as water system, septic tank, etc.

Ms. Werner confirmed additional costs would be incurred if Alternative 3 is selected but does not have exact numbers at this point.

President Holman inquired if CEQA review would be required for demolition due to the structure's eligibility for the California Register of Historical Resources.

General Counsel Hilary Stevenson confirmed that any decision resulting in a change in the environment would require a CEQA review, including demolition and rehabilitation.

Planning Manager Jane Mark also reported the structure is eligible for the historic register, but the historic resource evaluation has not yet been completed.

President Holman inquired if parking is required if the public accessed the site by hiking.

Ms. Ruiz reported some parking requirements may still exist to provide ADA and emergency vehicle access but will depend on the use permit requirements.

President Holman inquired if the District has sought out a partner or sponsor to support rehabilitation.



Ms. Ruiz reported staff was waiting for Board direction before seeking a project partner. If a partnership is desired, the process would likely take a year to outreach, receive and review proposals, develop a partnership agreement, etc.

Director Hassett commented on the current state of the structure and stated there are similar nearby structures that are in better condition.

Director Kersteen-Tucker spoke in favor of Alternatives 2 and 4.

Director Kishimoto spoke in favor of Alternative 1 and 2 commenting on the significance of the building's eligibility for the California Register of Historical Resources.

Director Siemens spoke in favor of Alternatives 1 and 4 in order to minimize costs and due to the remoteness of the location.

Director Riffle spoke in favor of Alternative 4, which will help minimize trespassing.

President Holman commented on the District's ownership of properties with structures and the need to be responsible owners of these structures, including performing regular maintenance. President Holman spoke in favor of Alternatives 2 and 3.

Director Riffle commented on the likely difficulty in finding a partner to operate a retreat or hiker's hut at the Redwood Cabin.

Director Cyr spoke in support of Alternative 4 based on the District's experience with fencing off structures, seeking partnerships to operate structures, etc., and stated that maintaining structures is not the District's primary mission.

Public comments opened at 8:44 p.m.

District Clerk Jennifer Woodworth announced that no comments were submitted.

Public comments closed at 8:44 p.m.

**Motion:** Director Siemens moved, and Director Cyr seconded the motion to select Alternative 4 for the La Honda Creek Redwood Cabin.

**ROLL CALL VOTE: 5-2-0** (Directors Holman and Kishimoto dissenting)

**Motion:** Director Riffle moved, and Director Siemens seconded the motion to continue the item to April 22, 2020.

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

## **INFORMATIONAL REPORTS**

### A. Committee Reports

No Committee reports.

B. Staff Reports

Ms. Ruiz reported Santa Cruz County has closed all parks and trails from midnight April 9, 2020 through April 15, 2020.

C. Director Reports

The Board members submitted their compensatory reports.

**ADJOURNMENT**

President Holman adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:42 p.m.

**SPECIAL MEETING – CLOSED SESSION**

President Holman called the special meeting of the Midpeninsula Regional Open Space District to order at 9:42 p.m.

Director Riffle recused himself from participating in this potential transaction between POST and the District due to his employment with POST, which is categorized as a remote interest under California Government Code section 1091.

**ROLL CALL**

Members Present: Jed Cyr, Larry Hassett, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, and Pete Siemens

Members Absent: Curt Riffle

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, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi, Planner III Elish Ryan

Public comments opened at 9:42 p.m.

No speakers present.

Public comments closed at 9:42 p.m.

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

**Property:** 811 La Honda Road, San Gregorio, CA, San Mateo County, APNs 081-040-010, 081-022-010, & 081-022-020

**Agency Negotiator:** Allen Ishibashi, Senior Real Property Agent

**Negotiating Party:** Ben Wright, Director of Land Transactions, Peninsula Open Space Trust

**Under Negotiation:** Terms and conditions

**ADJOURNMENT**

President Holman adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 10:30 p.m.

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Jennifer Woodworth, MMC  
District Clerk