



Midpeninsula Regional  
Open Space District

November 4, 2020  
Board Meeting 20-26

## **SPECIAL MEETING**

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

**Wednesday, November 4, 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**

President Holman called the special meeting of the Midpeninsula Regional Open Space District to order at 5:02 p.m.

### **ROLL CALL**

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

Members Absent: Larry Hassett

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer Stefan Jaskulak, Natural Resources Manager Kirk Lenington, Planning Manager Jane Mark, Engineering & Construction Manager Jay Lin, Management Analyst I Sophie Christel

Director Cyr 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. Director Cyr described the process and protocols for the meeting.

### **ORAL COMMUNICATIONS**

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

Steve Rose opposed the prohibition of e-bikes on District lands because e-bikes allow older riders to still be able to access and use District lands and trails. Mr. Rose stated additional studies should be completed prior to barring e-bikes from District lands.

### **ADOPTION OF AGENDA**

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

**ROLL CALL VOTE: 6-0-0** (Director Hassett absent)

### **SPECIAL ORDER OF THE DAY**

- Introduction of Staff
  - Brandon Stewart, Land & Facilities Manager

### **CONSENT CALENDAR**

Director Siemens pulled Item 2 from the Consent Calendar.

Public comment opened at 5:10 p.m.

District Clerk Jennifer Woodworth reported no public comments were submitted for the Consent Calendar.

Public comment closed at 5:10 p.m.

#### **1. Approve October 21, 2020 and 28, 2020 Minutes**

Director Riffle requested his comments on October 21, 2020 be amended to read:

- Page 2: Director Riffle inquired regarding traffic collisions ~~in the area along Skyline Boulevard and whether any occurred on District preserves.~~ along Skyline Boulevard
- Page 5: Director Riffle stated the event center serves the southern portion of the preserve, and the recommendations from the PAWG were focused on providing access to the central portion of the preserve.

District Clerk Jennifer Woodworth reported she would listen to the recording of the October 21, 2020 to confirm the statements, if the Board would like to continue approval of these minutes to the following Board meeting.

**Motion:** Director Cyr moved, and Director Riffle seconded the motion to approve the October 28, 2020 minutes.

**ROLL CALL VOTE: 6-0-0** (Director Hassett absent)

#### **2. Award of Contract with Ascent Environmental to provide Environmental Consulting Services for the White Barn Rehabilitation and Redwood Cabin Demolition Projects at La Honda Creek Open Space Preserve (R-20-127)**

Item 2 was heard after the Consent Calendar.

General Manager's Recommendations:

1. Authorize the General Manager to enter into a contract with Ascent Environmental to provide environmental consulting services for the Redwood Cabin Removal Project and White Barn Structural Rehabilitation Project for a combined base amount of \$216,531.
2. Authorize a 10% contingency, to be expended only if necessary, to cover unforeseen conditions, for a total contract amount not-to-exceed \$238,184.

Director Kersteen-Tucker suggested installing cameras in the roosting boxes.

Natural Resources Specialist II Matt Sharp Chaney stated cameras could be pursued if the cameras were determined not produce high frequency noise that would disturb the bats. Additionally, bats could likely be observed at dawn and dusk.

Director Siemens inquired why staff pivoted away from the Board's direction to exclude all wildlife from the White Barn.

Assistant General Manager Brian Malone reported that when analyzing required alternate bat habitats, staff determined it was feasible to allow the bats to remain in the barn without damaging the building, making it possible to preserve the structure and existing bat habitat.

Director Hassett joined the meeting at 5:23 p.m.

Director Siemens expressed concern at the reduction of the number of plexiglass windows available for public viewing.

Director Riffle inquired if staff can confirm the integrity of the structure will be maintained while allowing the bat habitat to remain inside the structure.

Mr. Chaney reported the District's consultants found that negative impacts of bats on the structure would be minimal based on the number of bats in the structure and the impacts could be further mitigated with staff maintenance.

President Holman commented on the CEQA language in the Board report referencing the removal of the Redwood Cabin, indicating there is no mitigation for the demolition of a historic structure. Additionally, the project is a deconstruction and not a demolition of the structure and should be referenced that way for the ongoing project.

Planning Manager Jane Mark reported an environmental impact report would be completed for the Redwood Cabin to analyze all potential alternatives, and a Statement of Overriding Consideration would be drafted for Board consideration if it is determined that removal is a significant and unavoidable impact.

District Clerk Jennifer Woodworth quoted from the April 8, 2020 Board meeting minutes and associated Board report, where the Board approved the removal of the Redwood Cabin structure and restoration of the underlying natural resource values. The removal would be in accordance with the District's Waste Diversion Policy to recycle and salvage materials to the greatest extent possible. Photo-documentation would also apply to record the interior and exterior of the building prior to removal.

Director Riffle suggested going forward the project should be described as removal of the structure in accordance with the District's Waste Diversion Policy.

**Motion:** Director Holman moved, and Director Kishimoto seconded the motion to approve the General Manager's recommendations.

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

**3. First Amendment to the Secured Promissory Note between Jacob Guenther and Tamara J. Shimizu (a.k.a. Tamara J. Guenther) and Midpeninsula Regional Open Space District for a Fee Determinable Estate at 5705 Alpine Road, Portola Valley, CA 94028, adjoining Skyline Ridge Open Space Preserve in unincorporated San Mateo County (Assessor's Parcel Number 080-282-080) (R-20-128)**

General Manager's Recommendations:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the staff report.
2. Adopt a Resolution authorizing the General Manager to enter into a First Amendment to the Secured Promissory Note held by Midpeninsula Regional Open Space District against Jacob Guenther and Tamara J. Shimizu as described in the staff report.

Directors Kishimoto and Holman stated they would be voting against this item.

**Motion:** Director Riffle moved, and Director Cyr seconded the motion to approve the General Manager's recommendation.

**ROLL CALL VOTE: 6-0-0** (Director Hassett absent)

### **BOARD BUSINESS**

#### **1. Science Advisory Panel Final Report on Multiple Grazing Topics (R-20-129)**

General Manager Ana Ruiz stated the information being presented at the meeting is in response to the Board's direction to gather and review peer-reviewed scientific information regarding the effects of grazing on District lands and land management goals.

Management Analyst I Sophie Christel provided the staff presentation describing the purpose and process of the Science Advisory Panel (SAP) and providing an overview of the District's conservation grazing program. The SAP evaluates the scientific validity of ecosystem management decisions and serves as an important resource to inform regional management topics.

Lydia Vaughn with the San Francisco Estuary Institute provided information regarding the history of grassland ecosystems of the California central coast, including livestock grazing, fire suppression, introduction of non-native grasses, etc. The SAP reviewed the body of scientific work pertaining to the effects of cattle grazing on District management goals, including conserving biodiversity, greenhouse gas emissions, and managing wildfire risk. The SAP reviewed more than 125 peer-reviewed scientific articles with a focus on the San Mateo Coast.

Dr. Vaughn stated conservation grazing may support some but not all of the District's management goals.

Dr. Vaughn described the overall positive impact of cattle grazing on biodiversity, including support of grassland vegetation, control of woody vegetation, and support of native wildlife habitat for sensitive wildlife species. In general, maintaining a mosaic across the landscapes of grazed sites, ungrazed sites, and different grazing regimes can benefit the various wildlife and grass species on District lands.

Dr. Vaughn stated the impact of cattle grazing on climate protection is a result of methane production by cattle, which is a potent greenhouse gas. However, the relative amount of methane produced by the District's grazing-related greenhouse gas emissions are low in comparison to greenhouse gases from other livestock emissions and from fossil fuel use. The District has opportunities to reduce or offset livestock greenhouse gas emissions by managing livestock for soil carbon sequestration, managing carbon in woody vegetation, and seeking other approaches for rangeland carbon management.

Dr. Vaughn described the use of cattle grazing for wildland fire risk management, but limited research and studies exist on this topic.

Dr. Vaughn provided an overview of management alternatives to cattle grazing, which could be used to complement the District's conservation grazing program, including mechanical approaches to maintain open grasslands and control invasive species; herbicides to control invasive species; prescribed fire to manage fuel loads and control invasive species; and browsing by other herbivore species to combat shrub encroachment, manage fire risk, and manage vegetation species.

Dr. Vaughn stated the District's conservation grazing program can be a beneficial management tool to protect open grassland, increase the diversity and cover of native grassland plants, and provide habitat for native wildlife. Methane emissions entail a tradeoff between climate protection and other land stewardship goals, which may be partially offset by land-based carbon management.

Natural Resources Manager Kirk Lenington described possible next steps for the conservation grazing program based on the recommendations by the SAP, including limitations and opportunities of the alternatives to conservation grazing.

Director Riffle inquired if staff takes a more specific or generalized approach to managing District lands as they are acquired and when determining which lands will be managed through conservation grazing.

Mr. Lenington stated staff looks at the various infrastructure on the ranch properties and levels of biodiversity and the types of wildlife and habitats on the property when determining the best management technique for protecting and managing those habitats.

Director Kishimoto inquired regarding the historic presence of the oak canopy and tule elk on the San Mateo Coast.

Erica Spotswood Applied Ecologist and Letitia Grenier Program Director for the Resilient Landscapes Program with the San Francisco Estuary Institute commented a historical ecology study would need to be completed to confirm but felt the oak savannah may not have spread to the coast. However, it would have existed on some of the District's lands and tule elk would have lived there.

Director Kersteen-Tucker inquired regarding the potential spread of various diseases from grazing cattle to native wildlife.

Rangeland Management Analyst Lewis Reed commented on the potential spread of disease in cattle and stated that it can be further studied by staff.

Director Kersteen-Tucker inquired regarding the analysis of only peer-reviewed scientific studies by the Science Advisory Panel.

Dr. Spotswood provided an explanation of the peer-review process, which helps ensure scientific data meets rigorous scientific requirements for testing and evaluating methods of study by at least three other experts in a scientific field.

Public comment opened at 7:46 p.m.

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

Craig Dremann stated the District should monitor its grassland management on an annual basis and compare this data against benchmark data.

Richard Lanman reported tule elk are native to San Mateo, Santa Cruz, and Santa Clara Counties and should be used instead of cattle to reduce fire fuel loads. Any cattle allowed should be tested for various diseases that infect and have a negative impact on native elk.

Alex Johnson thanked the District for completing this research and is encouraged by the results.

Deniz Bolbol opposed continued grazing of District lands stating grazing introduces and increases invasive species and has a negative impact on native wildlife.

Bob Woods supported returning native grazers, such as elk and bison, to the landscape and stated grazing is important to manage lands for fires.

Mohan Gurunathan suggested that it would be beneficial to study what species would benefit from cattle exclusion and what natural species may return if cattle were removed. Mr. Gurunathan suggested that woody growth could be allowed to grow and would eventually become hardwood and conifer forests, further increasing carbon sequestration.

The Board recessed at 7:55 and reconvened at 8:05 p.m. with all Directors present.

Peter Rauch commented that other questions need to be raised and addressed regarding the District's conservation grazing program.

Public comment closed at 8:07 p.m.

Director Siemens expressed concern regarding potential transfer of diseases from cattle to elk and suggested additional study is needed for follow-up on this topic.

Sheila Barry, Santa Clara County Director and Area Livestock and Natural Resources Advisor, UC Cooperative Extension, commented that brucellosis was eliminated from California in the mid-1990s, and cattle are required to be vaccinated against it. Johne's Disease requires reporting, so information and tracking on spread of this disease can be easily addressed.

Director Kersteen-Tucker commented on the importance of working with landowners, partners, and scientists to address the impacts of conservation grazing and to make land management decisions and develop policies. The science should also be shared with these same groups to help all make good land management decisions.

Director Riffle commented on the importance of balancing the District's land management throughout all its lands, and in that context, consider conservation grazing with the overall net benefits of District land management decisions on climate protection.

No Board action required.

### **INFORMATIONAL MEMORANDUM**

- La Honda Creek White Barn Bat Habitat

### **INFORMATIONAL REPORTS**

#### **A. Committee Reports**

Director Kersteen-Tucker reported the Board Self-Evaluation ad hoc committee met last week to confirm the retreat objectives, select potential facilitators to interview, and draft interview questions.

By consensus the Board directed the committee to interview and select a facilitator for the self-evaluation process.

#### **B. Staff Reports**

Assistant General Manager Susanna Chan provided an update regarding staff's review of the Unincorporated San Mateo County Active Transportation Plan and reported staff plans to provide written comments on the plan. County staff will be making a presentation on this plan on December 9, 2020.

Director Kishimoto requested staff send the information to her so that she may offer comments, as needed.

#### **C. Director Reports**

Director Riffle reported the Santa Clara Valley Open Space Authority ballot measure passed at more than 80%. Additionally, the Santa Clara Valley Water District ballot measure passed as well.

The Board members congratulated Director Cyr on his reelection.

**ADJOURNMENT**

President Holman adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:51 p.m.

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Jennifer Woodworth, MMC  
District Clerk