



Midpeninsula Regional
Open Space District

R-21-76
Meeting 21-18
June 9, 2021

AGENDA ITEM 5

AGENDA ITEM

Agreement with the Santa Clara County FireSafe Council to implement the Los Gatos Creek Watershed Collaborative Forest Health Project in Bear Creek Redwoods, Long Ridge, Saratoga Gap, and Sierra Azul Open Space Preserves; and Adoption of a Resolution for a Grant Application to the Wildlife Conservation Board for Coordinated Project Support

GENERAL MANAGER'S RECOMMENDATIONS *den*

1. Authorize the General Manager to enter into an agreement with the Santa Clara County FireSafe Council to implement the Los Gatos Creek Watershed Collaborative Forest Health Grant Project in Bear Creek Redwoods, Long Ridge, Saratoga Gap, and Sierra Azul Open Space Preserves, funded by a direct award from the California Department of Forestry and Fire's Forest Health Grant Program.
2. Adopt a resolution for a grant application to the Wildlife Conservation Board for coordinated project support for the Los Gatos Creek Watershed - Wildland Fire Project.

SUMMARY

The General Manager recommends that Midpeninsula Regional Open Space District (District) execute an agreement with the Santa Clara County FireSafe Council (FireSafe Council) allowing them to implement a suite of forest health and vegetation management activities through the Los Gatos Creek Watershed Collaborative Forest Health Grant (Collaborative) Project. The Collaborative Project will be funded by a direct award from the state Department of Forestry and Fire's (CAL FIRE) Forest Health Grant Program totaling \$7,500,000 with \$1,577,020 funding the work on District land.

Separately and related, the District anticipates approval of a \$1,500,000 grant from the Wildlife Conservation Board (WCB) in August 2021. This grant would fund staff time and a portion of the scope of work identified in the Collaborative Project, as well as reforestation at Bear Creek Redwoods Open Space Preserve and development of an educational video on the District's new Wildland Fire Resiliency Program.

This report describes how the \$1,577,020 in CAL FIRE state funds will be used by the FireSafe Council to complete work at the District's Bear Creek Redwoods, Long Ridge, Saratoga Gap, and Sierra Azul Open Space Preserves. This report also describes the \$1,500,000 in grant funds anticipated from the WCB for coordinated work in the Los Gatos Creek Watershed. Both awards will support implementation of priority forest health and vegetation management activities on 353.5 acres of District land.

DISCUSSION

In June 2020, the District joined the FireSafe Council-led collaborative effort to assemble a multi-agency regional project to improve forest health conditions and resiliency to fire events in the Lexington basin region. This project, titled the Los Gatos Creek Watershed Collaborative Forest Health Grant (Collaborative), is a partnership with San Jose Water Company, Santa Clara County Parks, the District, and neighboring private landowners to pursue funding from the CAL FIRE Forest Health Grant Program. CAL FIRE staff have participated in Collaborative meetings to provide updates on agency priorities and funding. In Spring 2021, CAL FIRE staff expressed support for the FireSafe Council applying for a direct award of \$7.5M for the Collaborative if funding for the Forest Health Program was provided through the state legislature. On April 13, 2021, the Governor signed a bill ([SB 85](#)) passed by the state legislature authorizing a [\\$536 million](#) Early Action Wildfire Package, which includes funding for CAL FIRE's Forest Health Program.

If approved by the Board, the District would enter into negotiations with the FireSafe Council to allow them to complete vegetation management work on 353.5 acres of District land, which comprises a portion of a larger 955.4 acre area where FireSafe plans to implement the Collaborative Project. The proposed use of \$1,577,020 of the CAL FIRE award is to complete fuel reduction and forest resiliency work on 245.5 acres within Bear Creek Redwoods Open Space Preserve and 108 acres in Long Ridge, Saratoga Gap, and Sierra Azul Open Space Preserves (Attachment 1).

The District would contribute matching funds in District staff time for project management, management of hand-crew subcontractors, and related work to implement the Collaborative project on District land. Separately and related, District staff are submitting a grant proposal for \$1,500,000 to the WCB to further support the Collaborative Project as well as fund reforestation work at Bear Creek Redwoods and develop a public educational documentary on the District's forest health and wildland fire resiliency work. Staff anticipate the WCB Board will review the proposed award for anticipated approval at their August 26, 2021 WCB Board meeting.

WCB funding is expected to come from the Fiscal Year 2020-21 State Budget reappropriation of \$10,000,000 in funding originally requested by Senator Beall. At the time of reappropriation, the Senator secured an expanded use of the funds to include acquisition, planning, design, development, public access, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space, including projects to improve connectivity and reduce barriers between habitat areas in the Upper Guadalupe, Los Gatos Creek, Saratoga Creek and adjacent areas.

In late 2020, the District met with the WCB Executive Director to discuss priorities for use of the funding, which is administered by WCB through a non-competitive grant process. Consistent with the projects identified, the proposed use of \$1,500,000 in funding will be designated for the Los Gatos Creek Watershed - Wildland Fire Resiliency Project in Bear Creek Redwoods, Long Ridge, Saratoga Gap, and Sierra Azul Open Space Preserves, and further leverage the District's work with the FireSafe Council on the Collaborative Project. The District must complete the WCB grant-funded work by March 31, 2025 to submit documentation for reimbursement prior to June 30, 2025.

FISCAL IMPACT

The proposed FY22 budget includes \$250,000 for the 61023 - Los Gatos Creek Watershed - Wildland Fire Resiliency Project. District staff originally projected the total project would be \$2,400,000 over four fiscal years, with \$1,400,000 directly being paid for by the FireSafe Council through the CAL FIRE grant, if successful. The original scope of the project did not include active restoration and reforestation of approximately 8 acres.

It is now projected that the total project will be \$3,536,148 over four years, with \$1,577,020 directly being paid for by the FireSafe Council through the CAL FIRE grant, \$1,500,000 being funded directly by the District through the WCB grant, and \$459,128 to be funded by District funds in Fund 10. If the Board approves this recommendation, staff will request a budget adjustment in FY22 to reflect the WCB grant if awarded, as well as the additional funding necessary for the reforestation work. Funds for FY23-FY25 will be recommended in future fiscal year budgets as a part of the annual Budget and Action Plan process.

61023 - Los Gatos Creek Watershed - Wildland Fire Resiliency	FY22 Projected	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
FireSafe Funded/Covered by CAL FIRE Grant:	\$350,000	\$350,000	\$350,000	\$527,020	\$1,577,020
District Funded/Covered by WCB Grant:	\$375,000	\$375,000	\$375,000	\$375,000	\$1,500,000
District Funded/Covered by Fund 10:	\$114,782	\$114,782	\$114,782	\$114,782	\$459,128
Total Revenues:	\$839,782	\$839,782	\$839,782	\$1,016,802	\$3,536,148
FireSafe Council Work:	(\$350,000)	(\$350,000)	(\$350,000)	(\$527,020)	(\$1,577,020)
WCB Funded Work:	(\$375,000)	(\$375,000)	(\$375,000)	(\$375,000)	(\$1,500,000)
Fund 10 Funded Work:	(\$114,782)	(\$114,782)	(\$114,782)	(\$114,782)	(\$459,128)
Total Expenses:	(\$839,782)	(\$839,782)	(\$839,782)	(\$1,016,802)	(\$3,536,148)
Budget Remaining (Proposed):	\$0	\$0	\$0	\$0	\$0

If grant funding is not available, staff will fold the project into the implementation of the Wildland Fire Resiliency Program (WFRP), which was adopted by the District Board at the May 12, 2021 Board meeting. Staff will prioritize the project according to the criteria laid out within the WFRP. The annual increase in total acreage of ecologically sensitive vegetation management work will depend on staffing capacity, funding resources, partnerships, and other resource factors with consideration and weight given to other District priorities that further its mission. Areas within the very highest priorities that can be accommodated in the Annual Work Plan and adequately maintained over the long-term, are expected to be implemented each year.

BOARD AND COMMITTEE REVIEW

The proposed Board action has not been brought to the Board in prior meetings, however District staff have brought the following items for Board and Committee review concerning environmental review for activities that would be included in both the proposed agreement with the FireSafe Council for the Collaborative Project, which would be executed should CAL FIRE funding be awarded, and the Los Gatos Creek Watershed - Fire Resiliency Project funded by the WCB grant, if awarded:

- **May 12, 2021:** Board certified the final WFRP EIR and adopted the WFRP ([R-21-58, Minutes](#)).
- **April 28, 2021:** District staff presented an item to the Board to certify the Project-Specific Analysis (PSA) for Ecologically Sensitive Vegetation Management at Bear Creek Redwoods ([R-21-56, Minutes](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The proposed resolution is not a project subject to the California Environmental Quality Act (CEQA).

The restoration and forest health activities to be completed by the FireSafe Council for the Collaborative, should CAL FIRE funding be awarded to the FireSafe Council, are included in the Bear Creek Redwoods Open Space Preserve PSA certified by the Board on April 28, 2021. The District certified the PSA to comply with CEQA for a proposed ecological restoration project at Bear Creek Redwoods Open Space Preserve (Bear Creek Redwoods) as an activity covered by the California Board of Forestry and Fire Protection (Board of Forestry) 2019 certified California Vegetation Treatment Program (CalVTP) Program Environmental Impact Report (PEIR), using its Project-Specific Analysis (PSA) checklist. The proposed treatment type (i.e., ecological restoration) and the treatment activities (i.e., manual and mechanical treatments) are consistent with those evaluated in the CalVTP PEIR. In addition, the treatment areas are entirely within the CalVTP treatable landscape.

The activities within Long Ridge and Sierra Azul Open Space Preserves to be completed for the Collaborative Project are consistent with the WFRP EIR certified by the Board on May 12, 2021.

NEXT STEPS

If approved by the Board, the District will negotiate an agreement with the FireSafe Council to implement the Collaborative Project. Should CAL FIRE award the funds to the FireSafe Council, the General Manager will fully execute the agreement between the District and the FireSafe Council. If approved by the Board, the District will execute a funding agreement with the WCB for grant funding, pending approval by the WCB Board August 26, 2021.

Attachments:

1. Project Area Map.
2. Wildlife Conservation Board Funding Resolution.

Responsible Department Head:

Stefan Jaskulak, Chief Financial Officer, Administrative Services

Prepared by:

Deborah Hirst, Grants Program Manager, Administrative Services



LOS GATOS CREEK WATERSHED COLLABORATIVE FOREST HEALTH GRANT

Forested landscapes across Santa Clara County are undergoing significant change. The climate is becoming warmer and drier, endemic species are at risk, and sudden oak death has taken an immeasurable toll on regional ecosystems and overall forest health. At the same time, drier site conifer species are displacing hardwoods and other sensitive plant species, reducing biodiversity and affecting the suitability of these habitats for rare and special-status wildlife. Altered fire regimes and increased fuel loads are driving larger and more catastrophic wildfire. The result has been damaging changes to ecosystems that require environmentally sensitive landscape-level treatments to redirect the path of changing climates and ecological conditions impacting the Santa Cruz Mountains and surrounding communities.

In June of 2020, San Jose Water, Santa Clara County FireSafe Council, Midpeninsula Open Space Trust, Santa Clara County Parks, and Auten Resource Consulting formed the Los Gatos Creek Watershed Collaborative to consider landscape level treatments to alter the course of drastic changes that these important ecosystems are experiencing.

This collaborative landscape-level effort has identified an interconnectable mosaic pattern of treatment areas that, with ecologically sensitive treatments, meet the goals of the Forest Health Program to:

- Establish healthy, resilient fire-adapted ecosystems to protect and conserve natural resources.
- Protect upper watersheds where important regional water supplies originate.
- Promote the long-term storage of carbon and reduce the severity of catastrophic wildfire thereby increasing community and forest ecosystem protection.

Vegetation treatments focus on increasing the health and vigor of the forest by conducting understory thinning through mastication of trees up to ~8 inches in diameter, removal of dead and dying trees predominantly resulting from sudden oak death, control of invasive species, and treatment of ecotypes where Douglas-fir encroachment has changed the fuel regime and is actively converting sensitive forest systems. Additionally, treatments address broader scale forest health and ecosystem resilience factors, including habitat connectivity, water quality/quantity, carbon sequestration, and maintenance of rare species and their habitats.

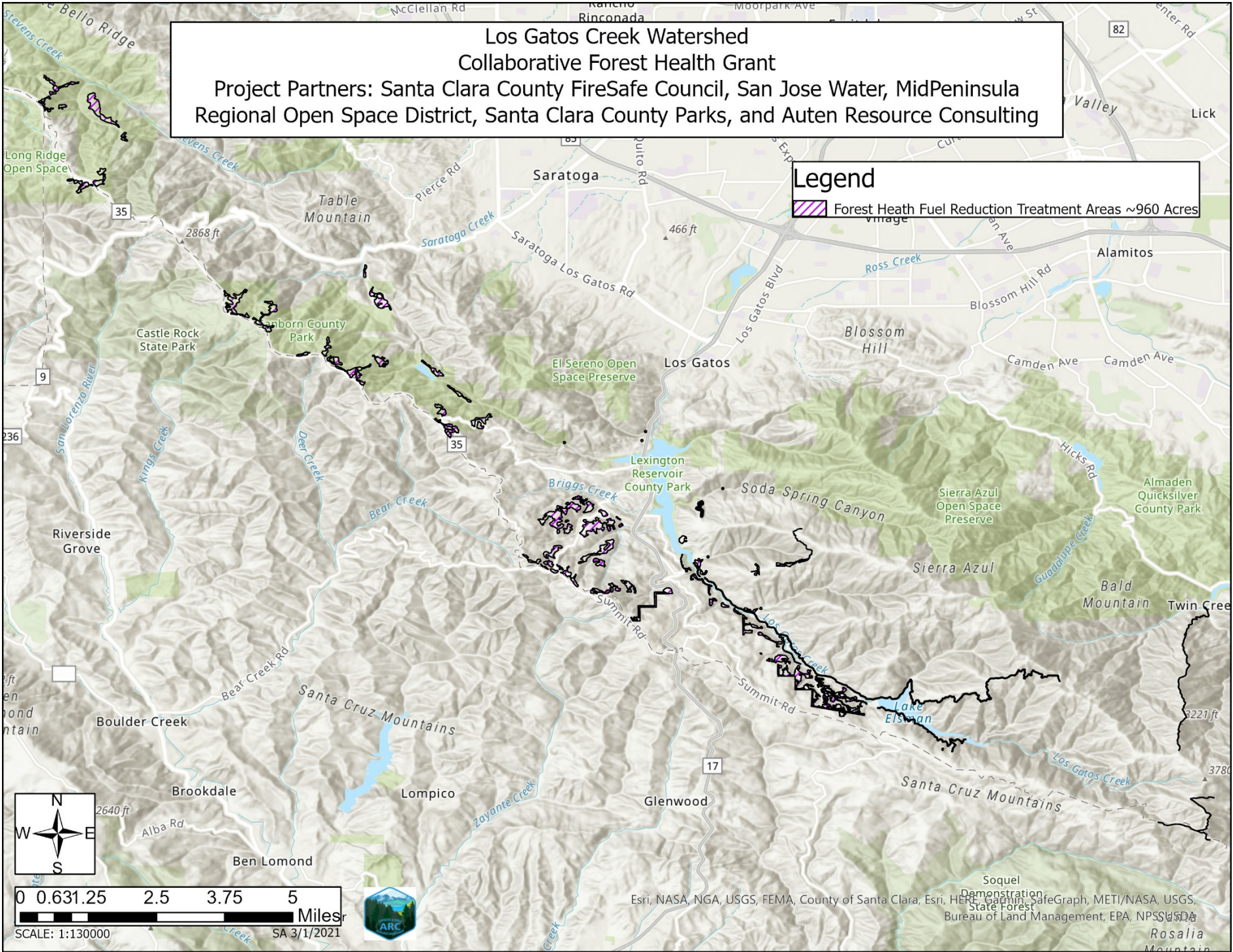
Furthermore, selected treatment areas were proposed for this grant to add connectivity to recent and planned projects to create an ever-increasing network of forest health, fuel break, and evacuation route projects in Santa Clara County. It will connect to the Governor's List State Route 17 Project, completed in May 2020, as well as connecting to past and future collaborative fuel reduction efforts in the Summit area conducted by local Firesafe councils.

The California Environmental Quality Act requirements are close to completion on approximately 300 acres with other treatment areas and ownerships to begin their permitting process through the California Vegetation Treatment Program with the funding of this grant.

This highly collaborative venture will request \$7,500,000 to create a mosaic of forest health treatments covering 960 acres in the Los Gatos Creek Watershed to be completed by March 31, 2025. This landscape scale forest health project focuses on creating ecosystem resilience, mitigating the risk of catastrophic wildfire while enhancing the safety of communities in the southern Silicon Valley, protecting sensitive native and endemic species and habitats, and protecting the drinking water in Lexington and Elsmar reservoirs which supply over 100,000 residents.

**Los Gatos Creek Watershed
Collaborative Forest Health Grant**
 Project Partners: Santa Clara County FireSafe Council, San Jose Water, MidPeninsula Regional Open Space District, Santa Clara County Parks, and Auten Resource Consulting

Legend
 Forest Health Fuel Reduction Treatment Areas ~960 Acres



(map not to scale)

RESOLUTION NO. 21-__

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPROVING THE APPLICATION FOR A WILDLIFE CONSERVATION BOARD GRANT FOR THE LOS GATOS CREEK WATERSHED FIRE RESILIENCY PROJECT

WHEREAS, funds were made available to the Wildlife Conservation Board (“WCB”) for the enhancement or restoration of fish and wildlife habitat and for the development of public access facilities for hunting, fishing or other wildlife-oriented recreational uses; and

WHEREAS, Midpeninsula Regional Open Space District (“District”) intends that the Los Gatos Creek Watershed Fire Resiliency Project will complete fuel reduction and forest resiliency work on 353.5 acres of District land in Bear Creek Redwoods, Long Ridge, Saratoga Gap, and Sierra Azul Open Space Preserves.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Midpeninsula Regional Open Space District hereby:

1. Approves the filing of an application for funding from the WCB.
2. Certifies the District will comply with all federal, state and local environmental, public health, and other appropriate laws and regulations applicable to the project and will obtain or will ensure that the other project partners obtain all appropriate permits applicable to the project.
3. Further commits to the terms and conditions specified in the grant agreement.
4. Authorizes the General Manager or designee as a representative of the District to conduct negotiations, execute, submit and sign all documents, including but not limited to applications, agreements, amendments, payment requests, and other documents, which may be necessary to administer grant funding for the proposed project.

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PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2021, at a regular meeting thereof, by the following roll call vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

ATTEST:

APPROVED:

Jed Cyr, Secretary
Board of Directors

Karen Holman, President
Board of Directors

APPROVED AS TO FORM:

Hilary Stevenson, General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

Jennifer Woodworth, District Clerk