



Midpeninsula Regional
Open Space District

August 16, 2021
Board Meeting 21-25

SPECIAL MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Wednesday, August 16, 2021

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

President Riffle 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, Curt Riffle, and Pete Siemens

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Korrine Skinner

1. Memorandum of Agreement with Santa Clara County for inspection and enforcement of the Ridgeline Easement on Lehigh Quarry Property near Rancho San Antonio Open Space Preserve (R-21-110)

Assistant General Manager Brian Malone provided the staff presentation describing the 1972 ridgeline easement, which was put in place to protect the scenic ridgeline area, and described the current condition of Lehigh Quarry, including the 1987 greenstone landslide and current view of the area from Rancho San Antonio Preserve. Mr. Malone explained the Lehigh Quarry 2019 reclamation plan permit application asks to modify the ridgeline easement to allow for mining beyond the current easement.

General Counsel Hilary Stevenson reviewed the terms of the proposed memorandum of agreement, including inspection of the easement and options for enforcement of the easement

*Approved by the Board of Directors on August 25, 2021

Ms. Stevenson outlined the next steps for the agreement, which include discussion and action by the Santa Clara County Board of Supervisors. Ms. Stevenson described support for the agreement by the District's Lehigh Quarry Ad Hoc committee, Santa Clara County (County) Board of Supervisors, a coalition of environmental groups, governmental agencies, and members of the public.

Director Holman requested and received clarification regarding the layback work included in Lehigh Quarry's proposed reclamation plan.

Director Hassett inquired regarding the costs of implementing the proposed agreement, including monitoring, legal costs, etc.

Ms. Stevenson reported the District will use its own funding for monitoring and inspection. The proposed agreement sets the responsibilities for enforcement, including a process to meet and confer regarding potential legal costs.

Public comment opened at 5:19 p.m.

District Clerk Jennifer Woodworth reported no public comments were submitted for this item.

Public comments closed at 5:19 p.m.

Director Holman spoke in support of the General Manager's recommendation and the continued enforcement of the ridgeline easement. The proposed agreement will also give the District additional say in enforcement of the ridgeline easement.

Director Kishimoto thanked the Board for the appointment of the Lehigh Quarry ad hoc committee and commended staff and District partners for their commitment to protecting the ridgeline easement.

Motion: Director Holman moved, and Director Kishimoto seconded the motion to adopt a resolution approving a Memorandum of Agreement with the County of Santa Clara regarding the inspection and enforcement of the Ridgeline Easement held by the County on Lehigh Quarry lands and authorizing the General Manager to execute the Agreement.

Director Kishimoto thanked the Board for creating the ad hoc committee, which allowed for Board members and staff to work closely together to explore options to protect the ridgeline. Director Kishimoto thanked District staff and Santa Clara County Supervisors Joe Simitian and Otto Lee for work on the project.

President Riffle thanked District staff, Santa Clara County Supervisors Simitian and Lee, and the community and partners for their support of the agreement.

ROLL CALL VOTE: 7-0-0

ADJOURNMENT

President Riffle adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 5:26 p.m.

Jennifer Woodworth, MMC
District Clerk