



MINUTES

DATE: **Wednesday, May 10, 2017**

PLACE: Marin County Farm Bureau 520 Mesa Road, Point Reyes Station, CA 94956

1. **A regularly scheduled meeting was called to order by Steve Doughty Director, at 10:00am.** Roll call of directors: Mike Moretti & Bob Giacomini. Staff: Nancy Scolari, Elise Suronen, Sarah Phillips & Michele Harris. Additional Attendees: Jennifer Walser (Natural Resources Conservation Science), Vanessa Wyant (Point Blue/STRAW), Michelle Cooper (Marin Agricultural Land Trust, Stewardship Manager), Zach Mendes (Marin Agricultural Land Trust, Stewardship Project Manager), Eric Rubenstahl (Marin Agricultural Land Trust, Stewardship Project Manager). Erica, Jessie, Laura & Savannah (Point Blue/STRAW Interns)

ACTION ITEMS

2. MINUTES AND FINANCIALS

- A. Board approval of Minutes.

MOTION: Mike; SECOND: Bob; AYES: (Bob & Mike); NOES: none; ABSTENSIONS: none to approve minutes.

- B. Board approval of RCD financial reports and bills to be paid.

MOTION: Bob; SECOND: Mike; AYES: Unanimous (Mike & Bob); NOES: none; ABSTENSIONS: none, to approve RCD financial reports and bills to be paid, including SDRMA for \$100 & Kevin Furlong for \$28,200.

3. CARBON FARMING

- A. Board approval of Resolution 04-2017 authorizing Conservancy grant funding and execution by a representative of the Marin RCD of a grant agreement on terms and conditions required by the Conservancy.

MOTION: Bob; SECOND: Mike; AYES: Unanimous (Mike & Bob); NOES: none; ABSTENSIONS: none, to approve of Resolution 04-2017 authorizing Conservancy grant funding and execution by a representative of the Marin RCD of a grant agreement on terms and conditions required by the Conservancy.

4. CONSERVING OUR WATERSHEDS

- A. Board approval to plan and design the Stemple Creek Riparian Planting and Livestock Crossing Project. Tabled

- B. Board approval of COW Selection Criteria used in ranking the 2017 COW projects. Tabled

- C. Board approval of TAC recommended 2017 COW projects into the planning and design phase. Tabled

5. PINE GULCH INSTREAM FLOW ENHANCEMENT PROJECT

- A. Board approval to pursue emergency contracting procedures pursuant to Public Contract Code section 1102 and 22050 to repair two ponds of the Pine Gulch Instream Flow Enhancement Project.

MOTION: Bob; SECOND: Mike; AYES: Unanimous (Mike & Bob); NOES: none; ABSTENSIONS: none, to authorize an emergency project based on management's justification including 1) high risk of life and health to federal and state threatened and

endangered species and 2) high risk of water quality impairment leading to property damages.

The RCD has a contract with the CA Wildlife Conservation Board ending June 30, 2018. Funding is directed to projects predicted to result in significant enhancement to the amount, timing and/or quality of water available for anadromous fish, special status, threatened, endangered or at risk species. The four ponds were constructed in 2015, however two of the ponds are not functioning as planned and modification to include pond liners is necessary. The 2015/16 winter season revealed the two ponds were losing in excess of 4 acre-feet per month due to seepage. The ponds were not originally lined out of concern in addressing US Army Corps of Engineers wetland mitigation requirements, maximizing California red-legged frog habitat and budgetary constraints; however the natural liners are now causing unforeseen problems threatening the structural integrity of the ponds, requiring a determination of the Board. A new design option has been accepted by the US Army Corps of Engineers.

The Public Contracts Code Section 1102 defines an emergency as a *“sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property or essential public services.”* Public Contracts Code Section 22050 enables a public agency to repair or replace a public facility and procure services, where emergency conditions exist, without going out to bid. The original contractor, Rege Construction, is most familiar with the work of the project and will be engaged in the project. The project requires immediate action, due to an unexpected occurrence, that threatens the loss or impairment of life, health, property or essential public services as follows:

1. High risk of life and health of a federal and state threatened and endangered species. The potential extirpation of endangered coho salmon (*Oncorhynchus kisutch*) in this “High Priority” watershed, identified by NMFS and CDFW per the California Endangered Species Act (16 U.S.C.A §§ 2050-2097 or the federal Endangered Species Act (16 U.S.C.A §§ 1531-1544). The NMFS Central CA Coast Salmon Recovery Plan identifies “Water Diversion and Impoundments” as the only “Very High” threat to coho in this watershed and recommends addressing the potential “extirpation” of the species with this project. Additionally, an embankment failure adjacent to a Threatened California red-legged frog (*Rana draytonii*) habitat is at risk of jeopardizing established breeding and rearing habitat.
 2. High risk to water quality impairment leading to property damages. Due to the failed pond linings, water leakage is occurring and therefore undermining the structural integrity of the ponds. This condition will lead to a weakening of the pond embankment leading to breaching. The result of such a failure will lead to sedimentation into Pine Gulch Creek. A breach would result in an instantaneous increase in hydrologic stream flow causing streambank erosion, the alteration of the stream channel’s morphology and the condition of downstream property. The Board expressed concern about the proximity of the ponds to downstream structures on both properties.
- B. Board approval to execute contract #2017-02, a \$12,000 Professional Services Contract with Erickson Engineering to design, inspect and complete as-built drawings for two ponds.
MOTION: Mike; SECOND: Bob; AYES: Unanimous (Mike & Bob); NOES: none;
ABSTENSIONS: none, to approve to execute contract #2017-02, a \$12,000 Professional

Services Contract with Erickson Engineering to design, inspect and complete as-built drawings for two ponds.

- C. Board approval to execute contract #2017-03, an \$18,000 Professional Services Contract with Miller Pacific Engineering Group to provide geotechnical services for the construction of two ponds.

MOTION: Mike; SECOND: Bob; AYES: Unanimous (Mike & Bob); NOES: none; ABSTENSIONS: none, to approve to execute contract #2017-03, a \$18,000 Professional Services Contract with Miller Pacific Engineering Group to provide geotechnical services for the construction of two ponds.

- D. Board approval to execute contract #2017-04, a \$31,665 Professional Services Contract with Prunuske Chatham Inc. to provide biological services in the installation of pond liners for two ponds.

MOTION: Mike; SECOND: Bob; AYES: Unanimous (Mike & Bob); NOES: none; ABSTENSIONS: none, to approve to execute contract #2017-04, a \$31,665 Professional Services Contract with Prunuske Chatham Inc. to provide biological services in the installation of pond liners for two ponds.

- E. Board approval to execute contract #2017-05, a \$4,850 Professional Services Contract with Conservation Corps North Bay to assist professional staff with biological services and/or restoration maintenance at the Pine Gulch Instream Flow Enhancement Project.

MOTION: Mike; SECOND: Bob; AYES: Unanimous (Mike & Bob); NOES: none; ABSTENSIONS: none, to approve execute contract #2017-05, a \$4,850 Professional Services Contract with Conservation Corps North Bay to assist professional staff with biological services and/or restoration maintenance at the Pine Gulch Instream Flow Enhancement Project.

INFORMATIONAL ITEMS

6. Partner Presentations & Updates

- **RCD STRATEGIC PLANNING SESSION:** The District's current Long Range Plan is in the process of review and revision. We reviewed and went through each goal for Water Quality & Quantity and amended each goal.

Partner Updates

- **USDA Natural Resources Conservation Service** – Jennifer Walser– Jennifer reports that they are signing new contracts. They are wrapping up contracts for end of the month funding. There's been about 50 applicants and half of them are from Marin. The hiring freeze is back on. They are getting a summer intern for a rangeland position.
- **Marin Agricultural Land Trust/SAP** – Michelle Cooper – Michelle reports that they are asking the dairy's to see if they need any assistance for any of our programs.
- **Students and Teachers Restoring a Watershed** – Vanessa Wyant – Vanessa reports that they have 4 new interns and they are helping with maintenance and irrigation which is gearing up. They will also be weeding at Pine Gulch & Straus. They will be working on 27 sites this summer and 9 of those sites are with the RCD.

RCD Program Updates:

- **Marin Permit Coordination Program Renewal:** Elise updates the Board with the PCP phases and how the RCD's is continuing to fund raise for additional funds.
- **2017 Proposed Projects** – Elise shared with the Board that the RCD has 12 proposed projects that will be funded by COW IV, COW V and Measure A.
- **Urban Streams Program:** The US Coordinator assisted many residents regarding soil bioengineering resources, regulatory process for bank stabilization projects, planting pallets, technical contact information and the emergency project process. As well, USC supported two watershed groups in Marin. USC presented on the Marin RCD's Permit

Coordination Program to the Gallinas Sanitary District in hopes to acquire financial support for its renewal. Finally, USC supported MMWD in their smolt monitoring efforts and has been working on two proposals; CA Dept of Fish & Wildlife's FRGP (Fisheries Restoration Grant Program) and Coastal Conservancy's Prop 1 for the Landowner Assistance Program projects.

- **Finance Committee:** No report
- **Marin Carbon Project** – 4 carbon farm plans are complete. 5 are underway. All will be complete by end of July.
- **Dairy CARES:** Staff is completing a series of maps for seven dairy producers to assist with compliance with the Dairy General Order located in the SF Bay Region. The General Order for the North Coast Region is expiring and public meetings will be held in the near future.
- **Americano Creek Watershed** – Gold Ridge RCD and Pasture Club will be pursuing funding for a couple of projects through the CDFA Alternative Manure Management Program. SludgeHammer was developed the [PondBot](#) which has potential for improving soil health, reducing nutrient loading and reducing GHGs. RCD is looking at some tank storage and spring development options for a dairy and looking for contractors to develop a rainwater catchment system.
- **Conserving Our Watersheds:** Twelve new projects were evaluated at site visits last week. They are presented as an action item at this board meeting.
- **Media/Outreach:** *Marin Farms a New Crop by Mark Prado, Marin Independent Journal.*
- **Grant Proposals:** RCD staff is currently working on a proposal to the State Coastal Conservancy to provide funding to two streambank projects in San Geronimo Valley in addition to funding the Permit Coordination program with Las Gallinas Sanitation District.
 - \$25,902k. North Bay Watershed Association. *Pending*
 - \$159k. CA Dept. Fish and Wildlife – San Geronimo. *Pending*
 - \$152k. CA Dept. Fish and Wildlife – Walker Roads. *Pending*
 - \$600k. CA State Water Resources Control Board. Dairy Assistance. *Awarded!*
 - \$46k. CA Dept. of Conservation. *Awarded!*
 - \$9k. Let's Give a Shuck. *Awarded!*
- **District:** Staff provided a presentation the Marin RCD's Permit Coordination Program to the North Bay Watershed Association. Staff investigated requirements of the CA Statewide Groundwater Elevation Monitoring Program and met with Local Agency Formation Commission staff regarding RCD services outside of district boundaries.
- **Landowner Requests:** Staff received 18 requests for assistance in February (4 agricultural and 14 urban landowners)

7. ANNOUNCEMENTS

- May 9. CDQAAP Spring Workshop at Farm Bureau.
- May 16 10.a.m. Market Hall Project (Farmers Market) goes before Supervisors.
- May 18. Seed Fund Tour at Toluma Farms
- May 31. 9-12. Ag Roundtable at Nicasio druids Hall
- July 14. Nominations for Leopold Conservation Award

8. CORRESPONDENCE

- LAFCO Draft Amendments to Policies on Outside Service Extensions.

9. PUBLIC COMMENT

Public comment for any matter not listed on this agenda, provided that no Board action is to be taken. All statements that require a response will be referred to staff to be placed on the next agenda.

10. MEETING ADJOURNED 11:30am