

AGREEMENT

(Santa Cruz Port-Mitigation Funds)

The State Coastal Conservancy ("the Conservancy") and the Santa Cruz Port District acting by and through its Port District Commission ("the Port"), agree as follows:

Pertinent Facts

- A. On March 18, 1987, a Memorandum of Understanding ("the 1987 MOU") among the Conservancy, the Port, the California Coastal Commission, and the California Department of Fish and Game became effective. The 1987 MOU established procedures for compensation for certain wetland losses resulting from construction in Santa Cruz Harbor.
- B. In accordance with the 1987 MOU, the Port designated certain funds ("the port-mitigation funds") to be used for environmental planning and mitigation.
- C. In accordance with the 1987 MOU, the Conservancy selected a site for environmental mitigation and enhancement.
- D. In order to carry out the intent of the 1987 MOU, the Conservancy must be able to direct the use of port-mitigation funds, and to enter into grant agreements and contracts to be paid out of these funds.
- E. In particular, in the nearest future, the Conservancy intends to enter into an agreement with the Nature Conservancy, a nonprofit organization, for preparation of an enhancement plan ("the enhancement plan") for the Azevedo Pocket Marshes of Elkhorn Slough, Monterey County. The agreement will be paid for out of the port-mitigation funds.
- F. The purpose of this agreement is to specify the manner in which the port-mitigation funds are to be treated.

In light of the pertinent facts, IT IS AGREED THAT:

1. The Port shall, at the direction of the Executive Officer of the Conservancy ("the Executive Officer"), immediately pay directly to the Nature Conservancy (or to any other specified entity or entities) amounts cumulatively totaling not more than \$20,000. These amounts shall be used toward completion of the enhancement plan.

Conservancy/Port of Santa Cruz Agreement

2. The Port shall, at the direction of the Executive Officer, transfer the balance of the port-mitigation funds to a State of California Special Deposit Account or to any other account or accounts under the control of the Conservancy, for use in accordance with the 1987 MOU.
3. The signatories to this agreement represent that they have authority to bind their respective agencies.
4. This agreement shall take effect on the latter of the two dates of execution below.

THE STATE COASTAL CONSERVANCY

By: 
Peter Grenell
Executive Officer

Date: 2/11/92

THE PORT OF SANTA CRUZ, acting by and through its Port District Commission

By: 
Brian E. Foss
Director

Date: 1-29-92



United States Department of the Interior

FISH AND WILDLIFE SERVICE

ECOLOGICAL SERVICES

Ventura Field Office

2140 Eastman Avenue, Suite 100

Ventura, California 93003

January 27, 1994

Jim King
California State Coastal Conservancy
1330 Brown Road, Suite 1100
Oakland, California 94612-2530

Subject: Santa Cruz Port Mitigation Site

Dear Mr. King:

The U.S. Fish and Wildlife Service (Service) has reviewed the information that you have provided regarding the Azevedo marshes as a suitable mitigation site to compensate for the loss of intertidal habitat from the 1972 expansion of the Santa Cruz Port. We also reviewed information regarding the "enhanced circulation alternative" which has been approved by the other agencies involved in this mitigation effort.

The Service believes that implementation of the "enhanced circulation alternative" at the Azevedo marshes would provide adequate compensation for the habitat loss that occurred when the Santa Cruz Port was expanded. We regret any inconvenience that our staffing shortage may have caused you. Please contact Carrie Phillips of my staff at (805) 644-1766 for future coordination on the Azevedo marsh project.

Sincerely,

Craig Faanes
Field Supervisor

JAN 31 1994
FISH AND WILDLIFE SERVICE
VENTURA FIELD OFFICE

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
640 CAPITOLA ROAD
SANTA CRUZ, CA 95062
(408) 479-3511



December 5, 1991

Jim King, Project Analyst
California State Coastal Conservancy
1330 Broadway, Suite 1100
Oakland, CA 94612-2530

Dear Jim:

We understand that the State Coastal Conservancy has identified the "Azevedo pocket marshes" in Monterey County adjacent to Elkhorn Slough as the project to utilize the Santa Cruz Port Mitigation Funds, pursuant to criteria of the Memorandum of Understanding.

The Coastal Commission, as signatories to the MOU, approve this project under point #3. Pursuant to point #6, we look forward to receiving an "enhancement project and concept plan" for our review and approval. It is heartening to see this project move forward. Good luck.

Sincerely,

Peter M. Douglas
Executive Director

A handwritten signature in black ink that reads "David Loomis".

David Loomis
Assistant District Director

PMD/DL/RH/cm

cc: Brian Foss, Harbor Manager
Bruce Elliott, District Supervisor,
Department of Fish and Game

5935A

RECEIVED
DEC 06 1991
STATE COASTAL CONSERVANCY
OAKLAND, CALIF.

DEPARTMENT OF FISH AND GAME

2201 GARDEN ROAD
MONTEREY, CA 93940
(408) 649-2870



September 24, 1991

Jim King
California State Coastal Conservancy
1330 Broadway, Suite 1100
Oakland, CA 94612-2530

Subject: Santa Cruz Port Mitigation Project

The Department of Fish and Game affirms as acceptable the selection of the "Azevedo pocket marshes" as mitigation for the subject project. We understand that this acceptance will serve to initiate release of funding for a habitat enhancement plan for the marshland areas.

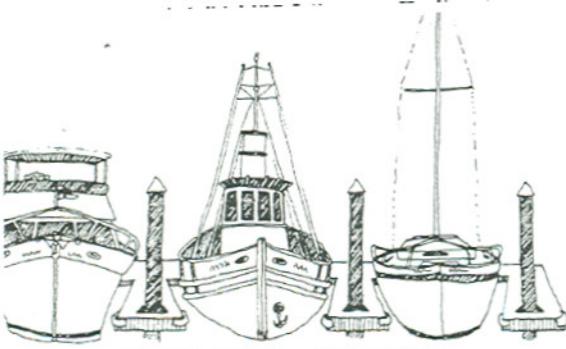
A handwritten signature in cursive script that reads "Bruce G. Elliott".

Bruce G. Elliott
District Supervisor, South
Wildlife

RECEIVED

SEP 26 1991

STATE COASTAL CONSERVANCY
OAKLAND, CALIF.



SANTA CRUZ HARBOR

September 27, 1991

Jim King
California Coastal Conservancy
1330 Broadway, Suite 1100
Oakland, CA 94612-2530

SUBJECT: Support for Azevedo Property as Port District Mitigation Solution

Dear Jim;

Joe Townsend and I have reported our findings to the full Port Commission and have received their full and enthusiastic support for the project. We look forward to its implementation.

We will have a Commission meeting approximately October 8 to 10 to authorize the \$20,000 planning funds.

Yours very truly,

A handwritten signature in cursive script that reads "Brian Foss".

Brian E. Foss
Port Director

BEF:jar
letter1 18

RECEIVED
SEP 30 1991
STATE COASTAL CONSERVANCY
OAKLAND, CALIF.