

**STATE COASTAL CONSERVANCY  
PUBLIC MEETING MINUTES**

March 10, 2005

10:00 a.m.

State Capitol – Hearing Room 126  
Sacramento, CA

**MEMBERS PRESENT:**

Douglas Bosco (Public Member), Chair  
Jeremy M. Hallisey (Public Member)  
Gary Hernandez (Public Member)  
Fred Klass (Designated Representative, Department of Finance)  
Meg Caldwell (Chair, California Coastal Commission)  
Don Wallace (Designated Representative, Resources Agency)  
Mike Chrisman (Secretary for Resources)  
Karen Scarborough (Designated Representative, Resources Agency)

**OVERSIGHT LEGISLATORS PRESENT:**

Wesley Chesbro (District 2)  
Sheila Kuehl (District 23)  
Fran Pavley (District 41)  
Reed Addis (designated representative for John Laird, District 27)  
Julia McIver (designated representative for Sheila Kuehl, District 23)

**OTHERS PRESENT:**

Sam Schuchat, Executive Officer  
Pat Peterson, Deputy Attorney General  
Elena Eger, Senior Legal Counsel

**2. APPROVAL OF MINUTES:**

The Minutes of the January 26, 2005 Public Meeting were approved without change.

**3. EXECUTIVE OFFICERS REPORT:**

Executive Officer Sam Schuchat gave a review of Conservancy Ocean Projects and briefed the Board on the Ocean Protection Council. Tom Gandesbery briefed the Board on recent developments at Hamilton Field.

**4. TOLAY LAKE RANCH**

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation.

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Speaking in favor of the Staff Recommendation: Assemblyperson Joe Nation, Assemblyperson Noreen Evans, Senator Wesley Chesbro, Mike Kerns, Sonoma County Supervisor, Grant Davis, representing The Bay Institute, Phillip Sales, representing Sonoma County Regional Parks Dept., Rita Cordoza, Property Owner

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million dollars (\$2,000,000) of Coastal Conservancy funds, together with any additional funds granted to the Conservancy for this purpose, to the Sonoma County Agricultural Preservation and Open Space District (“District”) for the purpose of acquiring Sonoma County Assessor Parcel Nos. 068-060-057; 068-060-058; 068-070-004; 068-070-005; and 068-080-001, known as the Tolay Lake Ranch, consisting of approximately 1,737 acres, subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition, the District shall submit for the review and approval of the Executive Officer of the Conservancy:
  - (a) All relevant acquisition documents, including, without limitation, the appraisal, purchase agreement, escrow instructions, environmental or hazardous materials assessment and title report.
  - (b) Evidence that sufficient funds are available to complete the acquisition.
2. The District shall pay no more than fair market value for the property, as approved by the Department of General Services, based on an appraisal of the property.
3. The District shall permanently dedicate the property for habitat preservation, open space protection and public access, through an irrevocable offer to dedicate an interest in the property or other instrument approved by the Executive Officer.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has been approved by the Executive Officer.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code Sections 31160-31164.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Motion passed by a vote of 6-0

*Fred Klass left at 10:30 am*

**5. SOKA PROPERTY**

Marc Beyeler of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff recommendation: Assemblymember Fran Pavley, Senator Sheila Kuehl, Assemblymember Joe Nation

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed ten million five hundred thousand dollars (\$10,500,000) to the Mountains Recreation and Conservation Authority (MRCA) to acquire the property commonly known as the “SOKA Property” (Los Angeles County Assessor Parcel Nos. 4455-015-002, 4455-016-032, 4455-016-033, 4455-035-001, 4455-033-006, 4455-033-005, 4455-028-043, 4455-033-021, part of 4455-033-003, 4455-033-026), in the Malibu Creek Watershed, Los Angeles County, as more specifically described in Exhibit 2 to the accompanying staff recommendation, to implement the Santa Monica Bay Restoration Plan, approved by the Conservancy on August 2, 2001, and to protect and preserve open space, habitat and watershed lands within the Malibu Creek Watershed. This authorization is subject to the following conditions:

1. Prior to the disbursement of any funds for the acquisition of the property, the MRCA shall submit for the review and approval of the Conservancy’s Executive Officer all relevant acquisition documents, including but not limited to appraisal, agreement of purchase and sale and documents of title.
2. The MRCA shall pay no more than fair market value for the property as established in an appraisal approved by the California Department of General Services;
3. The MRCA shall repay to the California State Coastal Conservancy for future Santa Monica Bay projects recommended to the Conservancy by the Santa Monica Bay Watershed Council up to two million five hundred thousand dollars (\$2,500,000) on the terms and conditions established by the Executive Officer of California State Coastal Conservancy but in no event later than December 31, 2005;
4. The MRCA shall dedicate the property for natural resource protection, open space preservation and public access in an appropriate instrument approved the Conservancy’s Executive Officer;
5. The California State Coastal Conservancy, Santa Monica Bay Restoration Commission and Proposition 12 funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has

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been reviewed and approved by the Conservancy's Executive Officer."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31251-31270 regarding enhancement of coastal resources; and
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

Motion passed by a vote of 5-0

**6. HAMILTON BEL MARIN KEYS**

Tom Gandesbery of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of up to one million, three hundred thousand dollars (\$1,300,000) from funds encumbered under the Hamilton Wetland Restoration Project Cooperation Agreement ("PCA"), in accordance with the PCA, to the Novato Sanitary District (NSD) for the construction of replacement dechlorination facilities, subject to the following conditions:

1. Work may not commence until NSD has received written approval by the Executive Officer of the work program, including the project schedule, budget and selection of contractors.
2. All necessary permits are obtained."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with and will help carry out the Hamilton Wetlands Restoration Plan / Feasibility Report and its Environmental Impact Report/Environmental Impact Study, adopted and certified by the Conservancy on April 22, 1999, pursuant to Chapter 6 of Division 21 of the Public Resources Code, concerning the enhancement of coastal resources, and with the Project Cooperation Agreement; and with

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- the final SEIR/EIS for the Bel Marin Keys Unit V Expansion of the Hamilton Wetland Restoration Project.
2. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, establishing the San Francisco Bay Area Conservancy Program.
  3. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
  4. The Conservancy has independently reviewed and considered the Initial Study and Mitigated Negative Declaration adopted by the NSD on January 24, 2005 and attached as Exhibit 4 to the accompanying staff recommendation and finds that the project, as mitigated, avoids, reduces or mitigates any potential significant environmental effects such that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

Motion passed by a vote 5-0

## **7. CALIFORNIA CURRENT MARINE CONSERVATION**

Ann Buell of the Coastal Conservancy presented the Staff Recommendation

Speaking in favor of the Staff Recommendation: Ellie Cohen representing Point Reyes Bird Observatory, Joe Caves representing Conservation Strategy Group

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred thousand dollars (\$300,000) to PRBO Conservation Science to implement the California Current Marine Conservation Project, which includes establishment of a California Current Joint Venture, participation in the Pacific Coast Ocean Observing System partnership, and continued research on fish, bird and mammal populations within the California Current System. Prior to disbursement of any Conservancy funds, PRBO Conservation Science shall submit for review and approval of the Executive Officer of the Conservatory a detailed work program, timeline, and budget; and the names and qualifications of any intended contractors.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth

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in Chapter 5.5 of Division 21 of the California Public Resources Code (Section 31120) regarding Integrated Coastal and Marine Resources Protection.

2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Point Reyes Bird Observatory (PRBO Conservation Science) is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”

Motion passed by a vote of 5-0

## **8. INVASIVE SPARTINA CONTROL PROGRAM**

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation

Resolution:

“The State Coastal Conservancy hereby authorizes the following:

1. Acceptance of three million dollars (\$3,000,000) as a grant from the Wildlife Conservation Board (WCB).
2. Disbursement of up to one million six hundred seventy-two thousand five hundred fifty dollars (\$1,672,550) of the WCB Funds for the following:
  - a. Ongoing environmental consulting services including the addition of a field operations assistant needed to plan, prepare for and comply with all regulatory requirements in connection with the *Spartina* Control Program (up to \$1,564,560).
  - b. One or more grants to a nonprofit organization to undertake preliminary tasks, including public outreach and education, necessary for 2005 and 2006 *Spartina* treatment and control work on private property (up to \$67,990).
  - c. To supplement an existing grant to the Bay Area Association of Governments (ABAG) to allow for an expanded *Spartina* Control Program signage program (up to an additional \$40,000).
3. Prior to disbursement of funds, there shall be in place a fully executed Memorandum of Understanding between the Conservancy and WCB authorizing the 2005/2006 ISP Control Program activities as an approved project under WCB Agreement Number WC-3032BT.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. Disbursement of additional funds to continue and expand *Spartina* Control Program’s environmental consultant services and disbursement of funds as a grant to a nonprofit organization for public outreach and pre-treatment purposes, is consistent with the Conservancy authorization and findings adopted September 25, 2003, as shown in the staff recommendation attached as Exhibit 2 to this staff recommendation.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Friends of Corte Madera Creek Watershed and the Coastal Conservancy Association are private nonprofit organizations existing under Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the California Public Resources Code. Any other nonprofit grantee to which funds will be awarded under this authorization shall meet the same requirement.”

Motion passed by a vote 5-0

*Fred Klass returned at 11:45 am*

**9. CODORNICES CREEK**

Brenda Buxton of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Judith Lieberman representing the City of Albany

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed eight hundred fifteen thousand dollars (\$815,000) to the City of Albany for habitat restoration along Codornices Creek, subject to the following conditions:

1. No Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has reviewed and approved in writing:
  - a. Any contractors to be used;
  - b. A final work plan, including a final budget and schedule; and

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- c. A signing plan acknowledging the Conservancy's funding of this project.
2. The City shall implement the Mitigation Monitoring Program measures as set forth in the Mitigation Monitoring Program, attached as Exhibit 3 to the accompanying staff recommendation.
3. The City shall maintain the habitat restoration improvements for a period of no less than 20 years."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 4.5 (Sections 31160-31164) of Division 21 of the Public Resources Code regarding the enhancement of natural resources of the San Francisco Bay Area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.
3. The proposed project is consistent with the City of Albany's General Plan, the City of Berkeley's West Berkeley Plan and University of California's University Village and Albany/Northwest Berkeley Properties Master Plan.
4. The Conservancy has independently reviewed the mitigated Negative Declaration and the Mitigation Monitoring Program for the Codornices Creek Improvement Plan, attached to the accompanying staff recommendation as Exhibits 2 and 3.
5. The project, as mitigated, avoids, reduces or mitigates the possible effects of the project to a level of insignificance and therefore there is no substantial evidence that the project, as revised, may have a significant effect on the environment."

Motion passed by a 6-0 vote

**10. FERNANDEZ RANCH**

Abe Doherty of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Tina Batt representing Muir Heritage Land Trust

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Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million one hundred twenty-five thousand dollars (\$1,125,000) to the Muir Heritage Land Trust (“MHLT”) for the acquisition of the approximately 702.47-acre Fernandez Ranch, Contra Costa County Assessor Parcel Numbers 362-040-002, 362-040-003, 362-040-004 and 362-050-005, and for planning for stream restoration on the property and further authorizes the disbursement of an amount not to exceed fifty eight thousand dollars (\$58,000) to the Bay Area Ridge Trail Council for trail planning on the Fernandez Ranch property. This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for acquisition, the MHLT shall submit for the review and approval of the Executive Officer of the Conservancy:
  - a. All relevant acquisition documents, including but not limited to the appraisal, environmental assessments, agreement of purchase and sale, escrow instructions, title reports, and documents of title necessary to the acquisition of the Fernandez Ranch property.
  - b. Evidence that sufficient funds other than Conservancy funds are available to complete the acquisition.
  - c. An agreement executed by MHLT under Government Code Section 831.5 regarding nondiscriminatory public access and tort immunity.
  - d. Evidence that the property will be permanently restricted to habitat restoration and preservation, protection of natural areas, and public access, pursuant to Public Resources Code Section 31116(b).
2. The MHLT shall pay no more than fair market value for the property.
3. Any future transfer of this property shall be subject to the approval of the Executive Officer of the Conservancy and any funds generated from such a transfer in excess of the grantee's costs, up to the total amount disbursed pursuant to this authorization, shall be repaid to the Conservancy.
4. The MHLT shall acknowledge Conservancy and NOAA funding by erecting and maintaining on the Fernandez Ranch property a sign that has been reviewed and approved by the Executive Officer.
5. Prior to the disbursement of funds to the MHLT for stream restoration planning, the Executive Officer of the Conservancy shall approve in writing a work plan, including budget and schedule, and any contractors proposed to be used.
6. Prior to the disbursement of funds to the Bay Area Ridge Trail Council for trail planning, the Executive Officer of the Conservancy shall approve in writing a work plan, including budget and schedule, and any contractors proposed to be used.”

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Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code 31160-31164.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The MHLT is a nonprofit organization existing under provisions of U.S. Internal Revenue Code Section 501(c)(3) whose purposes are consistent with Division 21 of the Public Resources Code.
4. The Bay Area Ridge Trail Council is a nonprofit organization existing under provisions of U.S. Internal Revenue Code Section 501(c)(3) whose purposes are consistent with Division 21 of the Public Resources Code.”

Motion passed by a vote of 6-0

MEETING ADJOURNED FOR LUNCH AND RESUMED AT 1:00 p.m.

**11. BAY AREA RIDGE TRAIL**

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Assemblymember Noreen Evans, Senator Wesley Chesbro

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred thirty-five thousand one hundred dollars (\$235,100) to the Sonoma County to construct trail improvements on the Johnson Ranch Expansion Property within Hood Mountain Regional Park in Sonoma County. Prior to the disbursement of any Conservancy funds for construction, Sonoma County shall submit for the review and approval of the Executive Officer of the Conservancy:

1. A work program, including project schedule and budget, and the names of any contractors and/or subcontractors to be employed on the project; and
2. Evidence that all permits and approvals necessary to implement the project have been obtained; and
3. A signing plan for the project.”

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Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring Program for the Hood Mountain Regional Park Expansion Project, attached to the accompanying staff recommendation as Exhibit 5, and finds that the project, as mitigated, avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

Motion passed by a vote of 6-0

*Gary Hernandez left at 1:45 pm*

**12. LIGHTHOUSE RANCH**

Karyn Gear of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the Wildlife Conservation Board (“WCB”) for the purpose of acquiring Humboldt County Assessor Parcel No. 308-041-006 known as the Lighthouse Ranch, consisting of approximately 5.5 acres.

1. Prior to the disbursement of funds for the acquisition, the WCB shall submit for the review and approval of the Executive Officer of the Conservancy (“Executive Officer”):
  - a. All relevant acquisition documents, including, without limitation, an appraisal, purchase agreement, escrow instructions, environmental or hazardous materials assessment and title report.
  - b. Evidence that sufficient funds are available to complete the acquisition.
2. The WCB shall pay no more than fair market value for the property, as established in an appraisal approved by the Department of General Services.

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3. The WCB or the Bureau of Land Management shall execute an agreement or other instrument as deemed appropriate by the Executive Officer permanently dedicating the property for the purposes of open space protection and public access.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the Property, the design and location of which has been approved by the Executive Officer.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives of the Public Access Program, Chapter 9 of Division 21 of the Public Resources Code Sections 31400-31409.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Motion passed by a vote of 5-0

**13. SAND HILL BLUFF**

Marina Cazorla of the Coastal Conservancy presented the Staff Recommendation

Speaking in favor of the Staff Recommendation: Catherine Elliott representing Trust for Public Land, Bill Range representing Agri-Culture, Karen Scarborough spoke on behalf of Mike Chrisman’s support, Assemblymember John Laird (someone mentioned his support)

Resolution:

“The State Coastal Conservancy hereby approves disbursement of an amount not to exceed two million dollars (\$2,000,000) to Agri-Culture toward the acquisition of the agricultural portion of the property known as Sand Hill Bluff, Santa Cruz County (Assessor’s Parcel Nos. 059-023-07 and 059-023-08), as shown in Exhibit 2 to the accompanying staff recommendation, subject to the following conditions:

1. Prior to disbursement of any funds for acquisition of the property:
  - a. Agri-Culture shall submit for review and approval of the Executive Officer of the Conservancy all relevant acquisition documents, including but not limited to an appraisal, agreement of purchase and sale, escrow instructions, and documents of title.

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- b. The grantee shall provide evidence that all funds necessary to complete the acquisition of the property are available.
2. Agri-Culture shall pay no more than fair market value for the agricultural portion of the property, as established in an appraisal approved by the Executive Officer.
3. Agri-Culture shall dedicate the property for protection of agriculture, habitat, scenic values and public access, as provided in Public Resources Code Section 31116(b).
4. Prior to conveying the fee interest in the property, Agri-Culture shall submit for review and approval of the Executive Officer an agricultural conservation easement that Agri-Culture will retain, and an easement-monitoring program.
5. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has been reviewed and approved by the Executive Officer.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Chapters 4 and 5.5 of Division 21 of the California Public Resources Code (Sections 31156 and Section 31220) regarding agricultural preservation, and coastal and marine resources protection and restoration, respectively.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Agri-Culture is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Motion passed by a vote of 5-0

**14. LAGUNA CANYON**

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred and ninety-five thousand four hundred and forty dollars (\$295,440) to the Laguna Canyon Foundation for final design, fabrication and installation of

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interpretive exhibits for the James and Rosemary Nix Nature Center in the Laguna Coast Wilderness Park (LCWP), subject to the following conditions:

1. Prior to disbursement of any funds, the Laguna Canyon Foundation shall submit for review and approval of the Executive Officer of the Conservancy:
  - a) Evidence that the Foundation has obtained all necessary permits and approvals and has conducted all necessary environmental review.
  - b) A final work plan (including the names of any subcontractors to be used in the completion of the project), and a project schedule and budget.
  - c) Evidence that the grantee has secured the necessary funding to complete this phase of the project.
2. The Foundation shall acknowledge Conservancy and "Proposition 12" funding by erecting and maintaining signs on the properties, the design and location of which has been approved by the Executive Officer."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Public Resources Code Sections 31400-31409 regarding development of a system of public accessways to along the State's coastline.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Laguna Canyon Foundation is a nonprofit organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Code, whose purposes, which include the preservation, restoration or enhancement of land for habitat protection, public access and recreation, are consistent with Division 21 of the California Public Resources Code."

Motion passed by a vote of 5-0

**15. COMPTON CREEK**

David Hayes of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Suzanne Dallman representing Los Angeles & Gabriel Rivers Watershed Council, Meredith Mccarthy, representing Heal the Bay

Resolution:

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“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the Los Angeles and San Gabriel Rivers Watershed Council (“Watershed Council”) to complete the Compton Creek Watershed Management Plan Implementation strategy to identify habitat and water quality demonstration projects and further authorizes disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to Heal the Bay (“HtB”) to finalize demonstration project plans and provide coordination for selected projects in the Compton watershed. These authorizations are subject to the condition that prior to disbursement of funds to both the Watershed Council and Heal the Bay, the Watershed Council and HtB shall submit for review and written approval by the Conservancy’s Executive Officer, a work plan, budget and contractors they propose to use, if any, to complete the projects.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorizations are consistent with Division 21 of the Public Resources Code, specifically Chapter 6 (sections 31251-31270) regarding enhancement of coastal resources, and Chapter 9 (Sections 31400-31409) regarding public access to and along the coast;
2. The proposed authorizations are consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001;
3. That the Los Angeles and San Gabriel Rivers Watershed Council and Heal the Bay are nonprofit organizations existing under Section 501(c)(3) of the United States Internal Revenue Code, and have among their principal charitable purposes the preservation of land for scientific, historic, recreational, educational, and open space opportunities; and
4. The proposed projects serve greater than local needs.”

Motion passed with a 5-0 vote

**16. CONSENT ITEMS**

**A. PEDRO POINT HEADLANDS:**

Resolution:

“The State Coastal Conservancy hereby authorizes the amendment of its June 4, 2003 authorization to use the Conservancy funds of an amount not to exceed two hundred thousand dollars (\$200,000) to the City of Pacifica for preconstruction costs associated with the development of the Coastal Trail connecting Pacifica State Beach with the Devils Slide right-of-way, subject to the following conditions:

1. Prior to the disbursement of funds for construction, the City of Pacifica (the City) shall submit for the review and approval of the Executive Officer of the Conservancy:

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- a. A signing plan for the project acknowledging Conservancy participation.
  - i. A final work plan (including the names of any subcontractors to be used in the completion of the project), and a project schedule and budget.
2. At construction, the City shall implement, or shall cause to be implemented, the mitigation measures contained in the City's Mitigated Negative Declaration, Exhibit 2 to the accompanying staff recommendation, for the project."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the amended project remains consistent with the Conservancy's June 4, 2003 findings regarding coastal access; the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001; and the California Environmental Quality Act."

**B. AVILA BEACH**

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred twenty thousand dollars (\$120,000) to the Port San Luis Marine Institute (the "Institute") to fabricate and install marine education displays in its education center in Avila Beach.

1. Prior to the disbursement of funds for construction, the Institute shall submit for the review and approval of the Executive Officer of the Conservancy:
  - a. Evidence that the Institute has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
  - b. A final work program, including a budget, schedule, and names of any contractors and subcontractors to be employed for these tasks.
  - c. A signing plan for the project acknowledging Conservancy participation.
2. The Institute shall enter into an agreement sufficient to protect the public interest in any improvement or development constructed as part of this proposed project, in accordance with the requirements of Public Resources Codes Section 31116(c)."

Findings:

1. The proposed project is consistent with the purposes and objectives of Sections 31400 31409 of Division 21 of the Public Resources Code regarding coastal access.

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2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
- 3 .The Port San Luis Marine Institute is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Motion to accept consent items by a vote 5-0

**17. DEPUTY ATTORNEY GENERAL’S REPORT:**

No report was given

**18. BOARD MEMBER COMMENTS:**

There were no Board Member comments.

**19. PUBLIC COMMENTS:**

The Coastal Conservancy was presented with a plaque from the Smith River Alliance by Patty McCleary for the Lake Earl Project.

Public asked to leave for closed session

**20. CLOSED SESSION**

The Conservancy adjourned to closed session to confer with legal counsel regarding *City of Malibu and David Geffen v. Access for All, California Coastal Commission, California Coastal Conservancy, et al., Los Angeles Superior Court, Case No BC277034; Frame v. City of Trinidad et al., Humboldt County Superior Court No. DR980359*; and possible legal action with respect to the blockage of legal access to the Conservancy’s Victorine Ranch property in Monterey County.

**21. AJOURNMENT:**

The meeting was adjourned at approximately 2:45 pm