COASTAL CONSERVANCY

Staff Recommendation
November 9, 2006

LOS CERRITOS WETLANDS
JOINT POWERS AUTHORITY

File No. 98-015
Project Manager: Mary Small

RECOMMENDED ACTION: Consideration and possible approval of the fiscal year 2006-2007 budget of the Los Cerritos Wetlands Authority, Cities of Long Beach and Seal Beach, Los Angeles and Orange Counties, respectively.

LOCATION: The Los Cerritos Wetlands complex is located near the mouth of the San Gabriel River, in the coastal zone. A portion of the site is in the city of Long Beach in Los Angeles County and a portion is in the city of Seal Beach in Orange County (Exhibit 1).

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

Exhibit 1: Project Location

Exhibit 2: Los Cerritos Wetlands Area

Exhibit 3: February 3, 2006 Staff Recommendation

Exhibit 4: Proposed Budget

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 and 31400 et seq. of the Public Resources Code:

"The State Coastal Conservancy hereby approves the fiscal year 2006-2007 budget for the Los Cerritos Wetlands Authority pursuant to its obligations under the Joint Exercise of Powers Agreement, approved by the Conservancy on February 3, 2006."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the Los Cerritos Wetlands Authority activities are consistent with and assist in carrying out the Los Cerritos Wetland Enhancement Plan approved by the Conservancy on June 25, 2001, and Chapters 6 and 8 of Division 21 of the Public Resources Code."

PROJECT SUMMARY:

On February 3, 2006, the Conservancy approved entering into a Joint Exercise of Powers Agreement (JPA) with the Los Angeles and San Gabriel Rivers and Mountains Conservancy (RMC), and the cities of Seal Beach and Long Beach to create the Los Cerritos Wetlands Authority (LCWA) (See Exhibit 3, Staff Recommendation).

The purpose of the LCWA is to provide for a comprehensive program of acquisition, protection, conservation, restoration, maintenance and operation and environmental enhancement of the Los Cerritos Wetlands area consistent with the goals of flood protection, habitat protection and restoration, and improved water supply, water quality, groundwater recharge and water conservation. Consistent with the Joint Exercise of Powers Act, codified in Chapter 5 of Division 7 of Title 1 of the Government Code, the Los Cerritos Wetlands Authority was created on March 17, 2006 to exercise the common powers of the participating agencies.

According to the terms of the Joint Exercise of Powers Agreement, the governing bodies of each of the member agencies must approve the annual budget of the LCWA. The City of Long Beach acts as the fiscal agent for the LCWA and uses the federal fiscal year, so the LCWA will use the federal fiscal year. The proposed budget, Exhibit 4, is for November 1, 2006 through October 31, 2007. The main source of revenue for the LCWA comes from an annual lease payment in the amount of $25,000 from Signal Hill Petroleum (SHP) that was negotiated as part of the purchase of the Bryant property, approved by the Conservancy on April 27, 2006. SHP's payment to the LCWA is for SHP's use of limited surface rights to access its oil operations over the Bryant property until such time as SHP terminates that operation and deeds the mineral rights back to the LCWA.

The budget also shows revenue in the amount of $6,229 from a Coastal Conservancy grant. These Conservancy funds were granted to the Trust for Public Land for the purchase of the Bryant property. When LCWA took title to the property, the grant agreement was assigned to LCWA because LCWA will have the on-going responsibility for the property. One of these responsibilities is to erect signs on the property identifying the property as public property; the remaining funds will be used for that task.

Site Description: The Los Cerritos Wetlands area includes portions of the Counties of Los Angeles and Orange, and portions of the Cities of Long Beach and Seal Beach (Exhibit 2). A more detailed description of the site is provided in Exhibit 3.

Project History: Please refer to Exhibit 3 for project history.

PROJECT FINANCING:

No Coastal Conservancy funds are recommended at this time.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION; CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S); CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA &

GUIDELINES; AND CONSISTENCY WITH COASTAL ACT AND LOCAL COASTAL PROGRAM POLICIES:

This approval remains consistent with the Conservancy's February 3, 2006 authorization. Please refer to Exhibit 3 for a detailed discussion.

CONSISTENCY WITH CEQA: Approval of the LCWA's budget is a ministerial act which does not have the potential for an environmental effect and as such is not a project under CEQA. Projects identified within the proposed LCWA budget may be subject to CEQA and, if so, at the time these projects are undertaken, will be analyzed pursuant to CEQA by the LCWA, a public agency.