

**STATE COASTAL CONSERVANCY  
PUBLIC MEETING MINUTES**

June 5, 2005  
10:00 a.m.  
State Capitol – Hearing Room 126  
Sacramento, Ca

**MEMBERS PRESENT:**

Doug Bosco (Public Member), Chair  
Ann Notthoff (Public Member), Vice Chair  
Marisa Moret (Public Member)  
Karen Finn (Designated Representative, Department of Finance)  
Bryan Cash (Designated Representative, Resources Agency)

**OVERSIGHT LEGISLATORS PRESENT:**

Senator Joe Simitian  
Annette Porini, designee for Senator Simitian  
Linda Barr, designee for Senator Christine Kehoe

**OTHERS PRESENT:**

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

**1. ROLL CALL**

**2. APPROVAL OF MINUTES**

Moved and seconded: the minutes of the April 24, 2008 public meeting were approved without change, 5-0.

**3. CONSENT ITEMS**

**A. PARKER CREEK**

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Resolution:

“The State Coastal Conservancy hereby approves the Access Management Plan for the Tsurai Village Site, attached as Exhibit 2 to the accompanying staff recommendation, and authorizes the disbursement of an amount not to exceed thirty thousand dollars (\$30,000) to the City of Trinidad for the installation of drainage improvements to redirect flows away from the Tsurai Village Site, subject to the following conditions:

- a. Prior to the disbursement of any Conservancy funds, the City shall submit for review and written approval of the Executive Officer of the Conservancy (“Executive Officer”) a work plan, budget and schedule; the names and qualifications of any contractors to be employed for the project; evidence that the City has obtained all necessary permits to carry out the project as designed; and a recorded easement in favor of the City from the owner of the private land on which the project will be implemented.
- b. Conservancy funding shall be acknowledged either by erecting and maintaining a sign, or by another appropriate means, the design and place of which have 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 establishing a system of public coastal access ways.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines updated by the Conservancy on September 20, 2007.
3. The project will serve greater than local needs.”

**B. POMO BLUFFS PARK**

Resolution:

“The State Coastal Conservancy hereby modifies its December 2, 2004 authorization to restore native vegetation and construct access improvements at Pomo Bluffs Park by authorizing an additional disbursement of up to thirty-one thousand two hundred dollars (\$31,200) to the City of Fort Bragg to allow the extension of trail, fencing and signage improvements along three public access easements to Pomo Bluffs Park. This authorization is subject to the same conditions as the December 2, 2004 authorization and to the following additional conditions:

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1. Prior to disbursement of any funds, the Executive Officer of the Conservancy shall approve in writing an addendum to the Pomo Bluffs Park Management Plan to reflect the trail extension.
2. On request of the Conservancy, the City shall permit alignment of a segment of the California Coastal Trail on the City's new access easements, and shall install and maintain sign(s) identifying the property as a segment of the California Coastal Trail, the design, number and placement of which has been 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 project, as modified, remains consistent with the Conservancy's December 2, 2004 findings regarding the project's purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, for the implementation of a system of public accessways to and along the state's coastline.
2. The proposed project, as modified, remains consistent with the Conservancy's December 2, 2004 findings under Project Selection Criteria and Guidelines, and as updated by the Conservancy on September 20, 2007.
3. The proposed project, as modified, continues to serve greater than local needs.
4. The Conservancy has independently reviewed and considered the City of Fort Bragg's Negative Declaration, attached to the accompanying staff recommendation as Exhibit 4, and finds that the project will not have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382."

**C. MENDOCINO ACCESS EASEMENTS**

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$41,000 (forty-one thousand dollars) to the Coastal Land Trust (CoLT) to facilitate the transfer and associated management of approximately 74 public access easements on the Mendocino coast from the American Land Conservancy to qualified nonprofit organizations and public agencies. This authorization is subject to the condition that prior to the disbursement of any funds, CoLT shall submit for the review and approval of the Executive Officer of the Conservancy a work program, budget, schedule, and the names of any contractors to be employed in carrying out the project."

Findings:

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

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1. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding the implementation of a system of public accessways to and along the state's coastline.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
3. The CoLT 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.”

**D. OAKLAND ESTUARY SF BAY TRAIL**

Resolution:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse an amount not to exceed \$400,000 (four hundred thousand dollars) of the total Conservancy funds authorized on September 20, 2007 to the City of Oakland to construct two approximately 450-foot segments of the San Francisco Bay Trail along the Oakland estuary in Alameda County (the Cryer Boathouse segment and the Derby Avenue to Lancaster Street segment), subject to the following conditions:

1. Prior to the disbursement of funds, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and a grant agreement between ABAG and the City of Oakland.
2. ABAG shall ensure installation of signs identifying the trail segments and acknowledging the Conservancy and displaying its logo in a manner approved by the Executive Officer.
3. In carrying out the project, ABAG shall ensure compliance by the City of Oakland with all project actions, components and mitigation measures that are identified as needed to reduce or avoid significant environment effects in the Environmental Impact Report certified by the City of Oakland on February 13, 2008 pursuant to the California Environmental Quality Act (CEQA), and accompanying the project staff recommendation as Exhibit 6.
4. ABAG shall provide documentation during the course of the project that the required project actions and mitigation measures have been implemented by or on behalf of the City of Oakland.”

Findings:

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

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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, Sections 31160-31165.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
3. The Conservancy has independently reviewed the Environmental Impact Report for the “City of Oakland Measure DD Implementation Project” certified by the City of Oakland on February 13, 2008 pursuant to CEQA and finds no substantial evidence that the project as proposed, and with the identified measures to avoid, reduce or mitigate the possible significant environmental effects, will have a significant effect on the environment.”

**E. JAMESON CANYON**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$55,000 (fifty-five thousand dollars) to the Solano Transportation Authority to prepare a multi-jurisdiction plan for regional trails along and across State Route 12 between Interstate 80 and State Route 29, in the Jameson Canyon area of Solano and Napa Counties. No Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing a final work plan, including a budget and schedule, and any contractors proposed to be used.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-31165), regarding the San Francisco Bay Area Conservancy Program.”

**F. GUALALA BLUFF TRAIL**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed twenty-four thousand dollars (\$24,000) to the Redwood Coast Land Conservancy to operate and maintain public access improvements along the Gualala Bluff segment of the California Coastal Trail, subject to the condition that prior to disbursement of funds, the Redwood Coast Land Conservancy shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget,

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names of any contractors it intends to employ for the project, and plans for signs acknowledging Conservancy funding.”

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 Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. Redwood Coast Land Conservancy is a private nonprofit organization, existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Service Code and its purposes are consistent with Division 21 of the Public Resources Code.
4. The proposed project serves greater than local needs.”

**G. MOAT CREEK BEACH**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed ten thousand dollars (\$10,000) to Moat Creek Managing Agency to operate and maintain public access improvements at Moat Creek Beach and along the Moat Creek segment of the California Coastal Trail in Mendocino County, subject to the condition that prior to the disbursement of funds, Moat Creek Managing Agency shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget, names of any contractors it intends to employ for the project, and plans for signs acknowledging Conservancy funding.”

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 Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. Moat Creek Managing Agency is a private nonprofit organization, existing under

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the provisions of Section 501(c)(3) of the U.S. Internal Revenue Service Code and its purposes are consistent with Division 21 of the Public Resources Code.

4. The proposed project serves greater than local needs.”

**H. SAN GERONIMO CREEK WATERSHED**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$100,000 (one hundred thousand dollars) to the County of Marin (“County”) to develop an enhancement plan to support the restoration of natural biological and hydrological functions in the San Geronimo Creek Watershed, subject to the condition that, prior to disbursement of any funds, the County shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, schedule, budget, and the names of any contractors to be employed for preparation of the restoration plan.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 of the Public Resources Code, regarding preparation of coastal resource enhancement plans.
3. The proposed project area has been identified in the certified Local Coastal Plan of Marin as requiring public action to resolve existing or potential resource protection problems.”

**I. PARCEL 4 OTD**

Resolution:

“The State Coastal Conservancy hereby authorizes the Redwood Region Audubon Society to accept the Offer to Dedicate an open space easement over approximately 15 acres of land located on Humboldt Bay in Eureka, California (APN 007-061-06 and 007-071-14), made by the City of Eureka on December 20, 1985.”

Findings:

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

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1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding the enhancement of coastal resources.
2. The Redwood Region Audubon Society is a nonprofit organization existing under section 501(c)(3) of the Internal Revenue Service Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

**J. BALLONA WETLANDS**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed six hundred seventy five thousand dollars (\$675,000) to Santa Monica Bay Restoration Foundation (Foundation) for data collection, planning, seed collection and technical review to support the restoration planning for the Ballona Wetlands, approved by the Conservancy on December 2, 2004. Prior to disbursement of funds, the Conservancy’s Executive Officer shall approve the work plan, budget and any contractors the Foundation proposes to engage for this work.”

Findings:

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

1. The proposed project authorization is consistent with Public Resources Code Sections 31251-31270, regarding the Conservancy’s mandate to protect and enhance coastal resources.
2. The proposed authorization is consistent with Public Resources Code Sections 31400 *et seq.* , regarding the Conservancy’s mandate to provide public access to and along the coast.
3. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy last updated in September 2007.
4. The project serves greater than local need.
5. The Santa Monica Bay Restoration Foundation is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code and which purposes are consistent with Division 21 of the Public Resources Code.”

**K. BALLONA WETLANDS EARLY ACTION PLAN**

Resolution:

“The State Coastal Conservancy hereby authorizes an amount not to exceed one hundred seventy five thousand dollars (\$175,000) to the Mountains Recreation and

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Conservation Authority (MRCA) to complete final design and permit applications for the implementation access and interpretive improvements identified in the Ballona Wetlands Early Action Plan. Prior to disbursement of any funds, MRCA shall submit to the Conservancy's Executive Officer for approval a work plan, including budget, and any contractors MRCA proposes to use for the project."

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding System of Public Accessways.
3. The project serves greater than local need."

Moved and seconded. All consent items were approved by a vote of 5-0.

Agenda Item 12 was presented at this time.

**12. SAN CLEMENTE DAM REMOVAL**

Trish Chapman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Kent Turner, President, California American Water.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed six million dollars (\$6,000,000), of which up to half, three million dollars (\$3,000,000), will be contributed by California American Water, to prepare final design plans and prepare permits for the removal of San Clemente Dam on the Carmel River in Monterey County. Prior to the disbursement of any funds, the Executive Officer of the Conservancy (Executive Officer) shall approve the work plan, budget, and contractor for that work. The Conservancy further authorizes the Executive Officer to make the findings necessary for Department of Industrial Relations review of a Labor Compliance Program if needed for the project."

Findings:

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

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1. The proposed project is consistent with Chapter 5.5 of Division 21 of the California Public Resources Code (Section 31220), regarding integrated marine and coastal resource enhancement.
2. The proposed project is consistent with applicable local watershed management plans and water quality control plans.
3. The proposed project is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007.”

Moved and seconded. Approved by a vote of 5-0.

The Conservancy returned to the regular agenda items beginning with Item 4.

**4. FERNANDEZ RANCH**

Michelle Jesperson of the Coastal Conservancy presented the Staff Recommendation  
Speaking in support of the Staff Recommendation: Linus Eukel, Muir Heritage Land Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred fifteen thousand dollars (\$515,000) to the Muir Heritage Land Trust (“MHLT”) for site preparation, grading, and riparian re-vegetation along Rodeo, Fern and Slot Creeks on the Fernandez Ranch and construction of 1.4 miles of Bay Area Ridge Trail and the associated staging area on the Fernandez Ranch, Contra Costa County. This authorization is subject to the condition that no Conservancy funds shall be disbursed to MHLT until the Executive Officer of the Conservancy has approved in writing a work plan, including budget and schedule, a sign plan, and the names and qualifications of any contractors proposed to be used to carry out the project.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165 regarding the San Francisco Bay Area Conservancy.
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 Conservancy has independently reviewed and considered the Mitigated Negative Declaration approved by the County of Contra Costa on June 2, 2008, attached to the accompanying staff recommendation as Exhibit 7, and finds that the project, as

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mitigated, avoids, reduces or mitigates any potential 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.”

Moved and seconded. Approved by a vote of 5-0.

**5. EDGEWOOD PARK**

Michelle Jespersion of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Julia Bott, Executive Director, Edgewood County Park.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred and fifty thousand dollars (\$250,000) to the San Mateo County Parks and Recreation Foundation for design, fabrication, and installation of environmental education exhibits for a new Interpretive Center at the Edgewood County Park and Natural Preserve in San Mateo County. Prior to the disbursement of funds, the San Mateo County Parks and Recreation Foundation shall submit for the review and approval of the Executive Officer of the Conservancy, a detailed work program, budget, schedule and sign plan, and the names and qualifications of any subcontractors that it intends to employ.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
3. The San Mateo County Parks and Recreation Foundation is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code and whose purposes are consistent with Division 21 of the California Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0.

**6. SUISUN CREEK**

Melanie Denninger of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the staff Recommendation: Laura Marquez, California Land Stewardship Institute.

Resolution:

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“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$350,000 (three hundred fifty thousand dollars) to the California Land Stewardship Institute (CLSI) to carry out stream and riparian habitat restoration projects on Suisun Creek and two of its tributaries, White and Wooden Valley Creeks, subject to the condition that prior to the disbursement of any funds, CLSI shall submit for the review and written approval of the Executive Officer of the Conservancy:

1. A work program, budget and schedule.
2. The name and qualifications of any contractors that CLSI intends to retain to carry out the project.
3. A written agreement between CLSI and the owner of any property on which project restoration project work will occur, permitting the work to be undertaken and allowing for access to the property for the purposes of undertaking the work and for subsequent monitoring and maintenance.”

**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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-31165).
3. CLSI is a non-profit 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.”

Moved and seconded. Approved by a vote of 5-0.

**7. DIAS RIDGE TRAIL**

Moira McEnespy of the Coastal Conservancy presented the Staff Recommendation.

Power Point presentation in favor of the Staff Recommendation was given by: Janet McBride, Bay Area Ridge Trail Council.

**Resolution:**

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred eighty five thousand dollars (\$385,000) to the Golden Gate National Parks Conservancy (GGNPC) to undertake public access and habitat restoration improvements of the Dias Ridge Trail, a segment of the Bay Area Ridge Trail, Golden Gate National Recreation Area (GGNRA), Marin County. This authorization is subject to the condition that prior to the disbursement of funds, the GGNPC shall submit for the

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review and approval of the Executive Officer of the Conservancy a detailed work program, budget, schedule and sign plan and the names and qualifications of any subcontractors that it intends to employ.”

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 set forth in Chapter 4.5 of the Public Resources Code (Sections 31160 – 31165) regarding the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007.
3. The Conservancy has independently reviewed and considered the Environmental Assessment/Initial Study prepared and approved by the National Park Service and the California Department of Parks and Recreation on April 18, 2008, which is attached as Exhibit 4 to the accompanying staff recommendation, and finds that the Dias Ridge project, as mitigated, avoids, reduces or mitigates any potential 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.”

Moved and seconded. Approved by a vote of 5-0.

**8. BAY AREA RIDGE TRAIL**

Moira McEnpsy of the Coastal Conservancy presented the Staff Recommendation.

Power Point presentation in favor of the Staff Recommendation: Janet McBride, Bay Area Ridge Trail Council

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred eighty-five thousand dollars (\$185,000) to the San Francisco Public Utilities Commission to prepare detailed plans, engineering designs and environmental documents for the Southern Skyline Boulevard Extension of the Bay Area Ridge Trail in San Mateo County. Prior to the commencement of work and the disbursement of funds, the San Francisco Public Utilities Commission shall submit for the review and written approval of the Executive Officer of the Conservancy, a detailed work program, schedule and budget and the names and qualifications of any contractors to be employed in carrying out the project.”

Findings:

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

1. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed project is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 (Sections 31160-31165) of Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0

**9. PENITENCIA CREEK**

Moira Mcenepsy of the Coastal Conservancy presented the Staff recommendation.

Power Point presentation speaking in favor of the Staff Recommendation: Janet McBride, Bay Area Ridge Trail.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred eighty-five thousand dollars (\$185,000) to the San Francisco Public Utilities Commission to prepare detailed plans, engineering designs and environmental documents for the Southern Skyline Boulevard Extension of the Bay Area Ridge Trail in San Mateo County. Prior to the commencement of work and the disbursement of funds, the San Francisco Public Utilities Commission shall submit for the review and written approval of the Executive Officer of the Conservancy, a detailed work program, schedule and budget and the names and qualifications of any contractors to be employed in carrying out the project.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed project is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 (Sections 31160-31165) of Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0.

**10. NON-NATIVE OYSTER ERADICATION**

Moira McEnepsy presented the Staff Recommendation.

Resolution:

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“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$225,000 (two hundred twenty-five thousand dollars) to the San Francisco Estuary Institute to eradicate non-native oysters in San Francisco Bay. Prior to disbursement of any Conservancy funds, the San Francisco Estuary Institute shall submit for review and approval of the Executive Officer of the Conservancy a detailed work program, timeline, and budget, and the names and qualifications of any intended contractors for the project.”

Findings:

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

1. The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-65), regarding the Conservancy’s mandate to address the resource goals of the San Francisco Bay Area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy Board on September 20, 2007.
3. San Francisco Estuary Institute is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0.

**11. WAVE ORGAN ACCESS IMPROVEMENT**

Moira McEnepsey of the Coastal Conservancy presented the Staff Recommendation.

Presenting a Power Point presentation and speaking in favor of the Staff Recommendation: Thomas Rockwell, Exploratorium.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to two hundred four thousand dollars (\$204,000) to The Exploratorium to improve an access path and construct an access ramp to the wave organ, located at the San Francisco Marina Yacht Harbor, City and County of San Francisco, subject to the following conditions:

1. Prior to the disbursement of funds, The Exploratorium shall submit for the review and approval of the Executive Officer of the Conservancy:
  - a. A final work program, schedule and budget.
  - b. The scopes of work and the roster of contractors to be employed in the project.
  - c. A sign plan identifying the wave organ from the nearest public road, and acknowledging the Conservancy and displaying its logo in a manner approved by the Executive Officer.

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2. Prior to initiating construction, the Exploratorium shall provide written evidence to the Executive Officer that all permits and approvals necessary to the implementation and completion of the project under applicable local, state and federal laws and regulations have been obtained.
3. The Exploratorium and the landowner shall enter into an agreement sufficient to protect the public interest in the project pursuant to Public Resources Code Section 31116(c).”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. 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, Sections 31160-31165.
3. The Exploratorium 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.”

Moved and seconded. Approved by a vote of 5-0.

**13. COWELL PURISIMA COASTAL TRAIL**

Tim Duff of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby:

1. Authorizes the disbursement of an amount not to exceed two million nine hundred eighty thousand dollars (\$2,980,000) to the Peninsula Open Space Trust (“POST”) to construct and operate a three-mile segment of the California Coastal Trail at the North Cowell Ranch and Purisima Farms properties as shown on Exhibit 2 to the accompanying staff recommendation.
2. Approves the implementation/disposition plan attached as Exhibit 3 to the accompanying staff recommendation; approves the transfer of Conservancy-held property interests at North Cowell Ranch and South Cowell Ranch as shown on Exhibit 4 to the accompanying staff recommendation; and delegates to the Conservancy’s Executive Officer selection of transferees of these property interests consistent with the plan.

This authorization is subject to the following conditions:

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

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- a. Evidence that POST has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
  - b. A final work program, including final construction drawings, a budget, schedule, and names of any contractors to be employed for these tasks.
  - c. A signing plan for the project acknowledging Conservancy participation.
2. POST shall enter into an agreement to protect the public interest in the improvements, consistent with Public Resources Code Section 31116(c).
  3. POST shall comply with all permit conditions associated with the construction and operation of the trail and access support facilities.
  4. Prior to opening the trail to the public, POST shall prepare and submit for the review and approval of the Executive Officer of the Conservancy an access management and operation plan that is consistent with all permit conditions.
  5. *If the California Department of Parks and Recreation (DPR) is selected as the Transferee, prior to any transfer of the Conservancy-held property interests to DPR, the Conservancy shall approve the transfer.”*

Findings:

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

1. The proposed project is consistent with Sections 31400 *et. seq.* of Division 21 of the Public Resources Code, regarding coastal access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by the County of San Mateo on October 10, 2007, under the California Environmental Quality Act (“CEQA”) and attached to the accompanying staff recommendation as Exhibit 5, and finds that there is no substantial evidence that the project as mitigated will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
4. POST is a nonprofit organization existing under the provisions of 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.
5. The proposed conveyance of property interests at North Cowell Ranch and South Cowell Ranch is consistent with Public Resources Code Section 31107 regarding the transfer of Conservancy-held property interests pursuant to an approved implementation/disposition

plan.

6. The proposed conveyance of Conservancy-held property interests is necessary to the completion of the Conservancy's longstanding efforts under Division 21 of the Public Resources Code to provide for public access to the coast, including along the California Coastal Trail; preserve agriculture and open space; and preserve, protect, and enhance natural resources on the North Cowell Ranch and South Cowell Ranch properties.
7. The proposed project serves greater than local needs."

Moved and Seconded. Approved as amended by a vote of 5-0. Amendment is identified in italics above.

#### **14. WILLOW CANYON PROPERTY**

Laura Engeman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Kathleen Farrell, Trust for Public Land.

"The State Coastal Conservancy hereby authorizes the disbursement of up to \$1,500,000 (one million five hundred thousand dollars) to the Wildlife Conservation Board for the purpose of acquiring Santa Cruz County Assessor Parcel Nos. 053-131-23 (portion), 044-261-54 and 044-261-57, consisting of approximately 64 acres, commonly known as the Willow Canyon Property (Property) in the unincorporated community of Aptos, County of Santa Cruz, subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition, the Wildlife Conservation Board (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, 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 WCB shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. The WCB shall permanently dedicate the property for habitat preservation, open space and public access, through an appropriate instrument approved by the Executive Officer.
4. The WCB, through the California Department of Fish and Game, shall prepare a management plan for the property consistent with Fish and Game Code Section 2794.
5. 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:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270), with respect to enhancement of coastal resources.
3. The Willow Creek property has been identified in the Santa Cruz County Local Coastal Program (LCP) as an environmentally sensitive habitat area which should be preserved and restored.”

Moved and seconded. Approved by a vote of 5-0.

**15. SHINGLE MILL GULCH FISH PASSAGE**

Kate Goodnight of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Chris Coburn, Santa Cruz County  
Resolution:

“The State Coastal Conservancy (the “Conservancy”) hereby authorizes the disbursement of an amount not to exceed \$300,000 (three hundred thousand dollars) to the County of Santa Cruz (the “County”) to retrofit one culvert and replace another along Eureka Canyon Road to implement the Shingle Mill Gulch Fish Passage Improvement Program and adopts the Mitigation Monitoring and Reporting Program (Exhibit 5). This authorization is subject to the following conditions:

1. Prior to the County’s commencement of work, the Executive Officer of the Conservancy shall approve in writing a work program, schedule of completion, project budget, and any contractors to be employed.
2. The County shall submit evidence that all necessary permits have been obtained.
3. The County shall provide evidence, for the Conservancy’s Executive Officer’s approval, that it has obtained rights in the project sites adequate for construction, maintenance and monitoring of the project.
4. The County shall provide evidence to the Conservancy’s Executive Officer that it has implemented the Mitigation Monitoring and Reporting Program, attached to the accompanying staff recommendation as Exhibit 5.
5. The County shall implement post-project effectiveness monitoring for three years following construction according to a monitoring plan approved by the Conservancy’s Executive Officer.”

Findings:

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

1. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed project is consistent with the purposes and criteria set forth in Chapter 5.5 of Division 21 of the Public Resources Code regarding integrated coastal and marine resources protection.
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration adopted by the County of Santa Cruz on May 15, 2008, pursuant to the California Environmental Quality Act (“CEQA”), for the Shingle Mill Gulch Fish Barrier Removal project (Exhibit 4). The Conservancy finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

Moved and seconded. Approved by a vote of 5-0.

**16. LOWER CARMEL RIVER FLOORPLAN**

Trish Chapman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Dawn Myers, Big Sur Land Trust

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to two hundred fifty thousand dollars (\$250,000) to the Big Sur Land Trust (BSLT) for preparation of planning documents, including project designs and environmental review documents, for the Lower Carmel River Floodplain Restoration project, subject to the condition that prior to the disbursement of funds, the Executive Officer of the Conservancy shall approve in writing a work program, including budget and schedule, and any contractors to be employed for these tasks.”

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 current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding Integrated Coastal and Marine Resources Protection.
3. The proposed project is consistent with local watershed management plans and water quality control plans.

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4. BSLT is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue code, whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0.

**17. MATILJA DAM RESTORATION PROJECT**

Robert Thiel of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Jeff Pratt, Director, Ventura County Watershed Protection District.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four million five hundred thousand dollars (\$4,500,000) to the Ventura County Watershed Protection District (District) to implement several pre-construction elements of the Matilija Dam Ecosystem Restoration Project, including acquisition of the Matilija Hot Springs Property (Ventura County Assessor’s Parcel No. 010-0-180-430), preparation of engineering designs for two bridge components, and related pre-construction costs associated with the two bridge components. This authorization is subject to the following conditions:

1. Prior to the disbursement of any funds, the District shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, schedule, and the names of any contractors to be employed in carrying out the work.
2. Prior to the disbursement of any funds for the acquisition of the Matilija Hot Springs Property, the District shall submit for the review and approval of the Conservancy’s Executive Officer: 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 Matilija Hot Springs Property.
3. In the acquisition of the Matilija Hot Springs Property, the District shall pay no more than fair market value for the property.
4. The District shall permanently dedicate the Matilija Hot Springs Property for habitat and resource protection, open space preservation, or public access consistent with Public Resources Code Section 31116(b).
5. The District shall acknowledge Conservancy funding of the acquisition of the Matilija Hot Springs Property by erecting and maintaining on that property, or at another approved location, a sign that has been reviewed and approved by the Conservancy’s Executive Officer.

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6. The District shall ensure that the Corps of Engineers (Corps) complies with all applicable mitigation and monitoring measures that are required by any permit and that are identified in the “Final Environmental Impact Statement/Environmental Impact Report for the Matilija Dam Restoration Project” (FEIS/R), adopted by the Conservancy on October 27, 2005.”

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 of Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding enhancement of coastal resources and with the resolutions, findings and discussion accompanying the Conservancy authorizations of October 27, 2005, as shown in the approved recommendation attached as Exhibit 5 to this staff recommendation.
2. The proposed project is consistent with the current Project Selection Criteria and Guidelines adopted by the Conservancy.
3. The project area has been identified in the certified Local Coastal Program of the County of Ventura as requiring public action to resolve existing or potential resource protection problems.
4. The proposed project remains consistent with the Conservancy’s findings of October 27, 2005 regarding the environmental documentation for the Matilija Dam Restoration Project (See Exhibit 5).”

Moved and seconded. Approved by a vote of 5-0.

**18. SURFERS POINT**

Kara Kemmler of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Brian Brennan, City Councilman, City of Buenaventura.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$1,500,000 (one million five hundred thousand dollars) to the City of San Buenaventura (City) to implement the Surfers Point Managed Retreat Project in the City of San Buenaventura, subject to the following conditions:

1. Prior to the disbursement of any funds, the City shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, schedule and budget for the project; all contractors to be employed for the project; evidence of all permits and approvals for the project; and evidence that the grantee has secured the necessary funding to undertake the project;

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2. The City shall acknowledge Conservancy funding by erecting and maintaining on the property, or at another approved location, a sign that has been reviewed and approved by the Conservancy's Executive Officer; and
3. The City shall comply with all applicable mitigation and monitoring measures that are required by any permit and that are identified in the "Surfers Point Managed Shoreline Retreat Final Environmental Impact Report adopted by the City on July 21, 2003."

Findings:

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

1. The project is consistent with the current Project Selection Criteria and Guidelines.
2. The authorization is consistent with the purposes and objectives of Chapter 6 and 9 of Division 21 (§§ 31251-31270 and 31400 *et seq.*) of the Public Resources Code, regarding the enhancement of coastal resources and public access.
3. The project will serve greater than local needs.
4. The Conservancy has independently reviewed and considered the information contained in the Surfers Point Managed Shoreline Retreat Final Environmental Impact Report (EIR) adopted by the City, pursuant to its responsibilities under California Code of Regulations Sections 15091 and 15096, and finds that the project avoids, reduces or mitigates the possible significant environmental effects to a level of insignificance, and there is no substantial evidence that the project, as mitigated, will have a significant adverse effect on the environment, as defined in 14 Cal. Code Regulations Section 15382."

Moved and seconded. Approved by a vote of 5-0.

**19. RIVERDALE AVE. GREEN STREET DEMO PROJECT**

Joan Cardellino of the Coastal Conservancy presented the Staff Recommendation.

Power Point presentation and speaking in favor of the Staff Recommendation: Deborah Deets, Bureau of Sanitation, Watershed Protection Division, City of Los Angeles; Paula Daniels, City of Los Angeles Commissioner of Public Works; Assembly Member Deleon.

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of up to \$500,000 (five hundred thousand dollars) to the City of Los Angeles Department of Public Works (the "City") for the purpose of constructing street infrastructure improvements to one block of Riverdale Avenue to improve infiltration, subject to the following conditions:

1. Prior to the City's commencement of work, the Executive Officer of the Conservancy shall approve in writing a work program, schedule of completion, project budget, and any contractors to be employed.

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2. The City shall submit evidence that all necessary permits have been obtained.
3. The City shall implement post-project effectiveness monitoring for three years following construction according to a monitoring plan approved by the Executive Officer of the Conservancy.
4. A signing plan for the project.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapters 5.5 and 7 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resources and protection and urban waterfront restoration.”

Moved and seconded. Approved by a vote of 5-0.

**20. SAN DIEGO RIVER CANYON**

Megan Johnson of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mike Nelson, Executive Director, San Diego River Conservancy.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$150,000 (one hundred fifty thousand dollars) to the San Diego River Conservancy (SDRC) to develop a plan for public access improvements along the lower San Diego River and its tributary canyons. This authorization is subject to the condition that prior to the disbursement of any funds, the SDRC shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, schedule, and the names of any contractors to be employed in carrying out the work.”

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 current Project Selection Criteria.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
3. The San Diego River Conservancy has approved this project for funding.
4. The proposed project serves greater than local needs.”

Moved and seconded. Approved by a vote of 5-0.

**21. CA COASTAL TRAIL – DEL NORTE**

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Martha McClure, Del Norte County Supervisor.

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$641,000 (six hundred forty-one thousand dollars) to the County of Del Norte for the construction of approximately 1.86 miles of California Coastal Trail, including construction of waterfront bike lanes, safe road crossings, trail signage, and improved public parking along Pebble Beach Drive in Del Norte County, subject to the condition that prior to the disbursement of any funds the grantee shall submit for the review and approval of the Executive Officer:

1. A work program, schedule and budget for the project; the names all contractors to be employed on the project; and evidence of all permits and approvals necessary for implementation of the project; and
2. A plan for erecting and maintaining signs recognizing Conservancy funding and Identifying the trail as part of the California Coastal Trail.”

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 Chapter 9 of Division 21 of the Public Resources Code, regarding implementation of a system of accessways along the coast.
2. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
3. The project will serve greater than local needs.”

Moved and seconded. Approved by a vote of 5-0.

**22. COASTAL PRAIRIE ENHANCEMENT**

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Power Point presentation and speaking in favor of the Staff Recommendation: Dr. Claudia Luke, Assistant Director and Program Development Reserve Manager, UC Davis Bodega Marine Lab; Kathleen Kraft, Board Member, Ocean Song Farm and Wilderness Center.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$639,000 (six hundred thirty nine thousand dollars) to Ocean Song Farm and Wilderness Center (“OSFWC”) to prepare a coastal prairie enhancement feasibility study for coastal prairie

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habitat in Sonoma and Marin counties, subject to the condition that prior to disbursement of Conservancy funds, OSFWC shall submit for the review and approval of the Conservancy's Executive Officer a work program, including a schedule and final budget, and the names of all contractors that OSFWC intends to use to complete the project."

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 Chapter 6 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
3. OSFWC is a nonprofit organization existing under Section 501(c)(3) of the Internal Revenue Service Code and whose purposes are consistent with Division 21 of the Public Resources Code."

Moved and seconded. Approved by vote of 5-0.

### **23. BACHOFER AND WATSON ACQUISITIONS**

Su Corbaley 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 twenty five thousand dollars (\$225,000) to Friends of the Dunes Land Trust ("FOD") toward the acquisitions of the Bachofer and Watson properties in the town of Manila, Humboldt County (Humboldt County Assessor's Parcel Nos. 506-111-004, and 506-111-013, respectively), depicted in Exhibit 1 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of Conservancy funds for each acquisition, FOD shall submit for review and written approval of the Executive Officer of the Conservancy ("the Executive Officer") all relevant acquisition documents, including but not limited to, appraisals, agreements of purchase and sale, escrow instructions and documents of title necessary to the acquisition of the properties.
2. FOD shall pay no more than fair market value for the property as established in an appraisal approved by the Executive Officer.
3. Conservancy funding shall be acknowledged by erecting and maintaining on the properties a sign or signs, the design and placement of which have been approved by the Executive Officer.
4. FOD shall permanently dedicate the properties for public access, open space, habitat conservation, and outdoor recreation, in a manner acceptable to the Executive Officer."

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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 Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*) regarding public access to the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. FOD is a nonprofit organization existing under Internal Revenue Code Section 501(c)(3), and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0.

**24. WOODACRE CREEK FISH PASSAGE**

Joel Gerwein of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation; Kallie Kull, Marin County Public Works.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$185,000 (one hundred eighty-five thousand dollars) to the County of Marin (the “County”) to fund the construction of a fish passage improvement in Woodacre Creek at Carson Road, subject to the following conditions:

1. Prior to the disbursement of funds for the project, the County shall submit for the review and written approval of the Executive Officer of the Conservancy:
  - a. A work program, including schedule, budget and detailed site plans for the project and a plan for a minimum of three years of post-implementation monitoring to evaluate the success of the project.
  - b. The names and qualifications of any contractors to be employed on the project.
  - c. Documentation that all permits and approvals necessary to the completion of the project have been obtained.”

Findings:

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

1. The proposed projects are consistent with the purposes and criteria set forth in Chapter 6 of Division 21 (sections 31251 – 31270) of the Public Resources Code, regarding the enhancement of coastal resources.

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2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. The project area has been identified in the certified Local Coastal Plan of Marin as requiring public action to resolve existing or potential resource protection problems.”

Moved and seconded. Approved by a vote of 5-0.

**25. HUMBOLDT SPARTINA ERADICATION PROJECT**

Joel Gerwein presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the following in order to complete Phase 1 of the Humboldt County Invasive Spartina Eradication Project: 1) acceptance of \$150,000 (one hundred fifty thousand dollars) in Coastal Impact Assistance Program (CIAP) grant funds from the U.S. Minerals Management Service through the California Resources Agency; 2) disbursement of an amount not to exceed \$115,000 (one hundred fifteen thousand dollars) in CIAP grant funds; and 3) disbursement of an amount not to exceed \$60,000 (sixty thousand dollars) in Conservancy funds. The total disbursement of up to \$175,000 (one hundred seventy-five thousand) will be made in roughly equal amounts to the U.S. Fish and Wildlife Service (USFWS) for data collection on the distribution of invasive Spartina and on the effectiveness and impacts of Spartina eradication methodologies, and to engage a qualified environmental services consultant for the preparation of the Spartina Eradication Plan. Prior to disbursement of any funds, the USFWS and the consultant shall submit for the review and approval of the Conservancy’s Executive Officer a work plan, schedule, budget, and the names of any contractors or subcontractors to be retained for implementation of the project.”

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 Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resource protection projects.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.”

Moved and seconded. Approved by a vote of 5-0.

**26. MA-LE’L DUNES COOPERATIVE MANAGEMENT PLAN** - Removed from the Agenda.

**27. TOLOWA COAST ACCESS**

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Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Sandra Jerebek, Susan Calla, Tolowa Dunes Stewards.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$164,000 (one hundred sixty-four thousand dollars) to Smith River Alliance Inc. to work in coordination with Tolowa Dunes Stewards to complete pre-restoration surveys and project permitting for dune restoration in Tolowa Dunes State Park and Lake Earl Wildlife Area, and to develop a coastal access strategy for Tolowa Dunes, Lake Earl Wilderness Area and Point Saint George, in Del Norte County. Prior to the disbursement of any funds, the Smith River Alliance, Inc. shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget and the names and qualifications of any contractors it intends to employ for the project.”

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 Chapters 6 and 9 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources, and implementation of a system of accessways along the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed project will serve greater than local needs.
4. Smith River Alliance, Inc. is a 501(c)(3) organization, with a mission consistent with the purposes and objectives of Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0.

**28. EXECUTIVE OFFICER REPORT**

Executive Officer Sam Schuchat announced the promotion of Glenn Alex to Senior Staff Counsel, Supervisor, replacing Marcia Grimm.

Mr. Schuchat also reported that the Bike to Work month competition was a success. One of four SCC teams, the Flounders (which included EO) came in 2<sup>nd</sup> place overall in Alameda County.

- a. Mary Small of the Coastal Conservancy gave an update and additional information about the work plan and budget for the City of Los Angeles Stormwater Best Management Practices Implementation Project, approved at the April meeting as part of the project to implement the Santa Monica Bay Restoration Plan.
- b. Mr. Schuchat reported on several issues involving Specialized License Plates.

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c. **HELLMAN PROPERTY ACQUISITION**

Bob Thiel of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Terry Fujimoto, Deputy Attorney General for the Los Cerritos Wetlands Authority.

Resolution:

“The State Coastal Conservancy hereby authorizes its Executive Officer (or his designee), as a member of the board of the Los Cerritos Wetlands Authority, to vote to approve the acquisition of the approximately 100-acre Hellman Ranch lowlands property (as more particularly described in the accompanying staff recommendation) by the Los Cerritos Wetlands Authority.”

Moved and seconded. Approved by a vote of 5-0.

- d. Ocean Protection Council update given. (attached to minutes) A teleconference meeting for the OPC will be planned to discuss H.R. 21 – Farr.
- e. Neal Fishman of the Coastal Conservancy gave the Legislative Report (attached to minutes)

**29. DEPUTY ATTORNEY GENERAL’S REPORT**

No report was given.

**30. BOARD MEMBER COMMENTS**

No comments were made.

**31. PUBLIC COMMENTS**

No public comments were given.

**32. CLOSED SESSION**

The Conservancy conferred staff counsel regarding potential claims of the Golden Gate Bridge District against the Conservancy regarding the proposed Conservancy San Francisco Bay Program specialized license plate; and other claims related to the environmental license plate program. The session was closed to the public pursuant to Government Code section 11126(e).

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**33. CLOSED SESSION**

The Conservancy conferred with counsel regarding *Sonoma Land Trust v. Port Sonoma Associates et al.*, Sonoma County Superior Court Case No. SCV-239392. Session was closed to the public pursuant to Government Code Section 11126(e).

**34. ADJOURNMENT**

Meeting was adjourned at 4:50 pm.

**SCC Board Meeting  
June 5, 2005  
EO Report - OPC Updates**

**Past OPC Meeting Highlights**

- May 15, 2008 in Sacramento
- Council approved a resolution to endorse the *Ocean and Coastal Community Call for Action* that calls for
  - Establishment of a National Ocean Trust Fund
  - Federal support for state and local government efforts to prepare for the impacts of climate change
  - Reauthorization of the Coastal Zone Management Act.
- Aquatic invasive species (AIS)
  - OPC voted to provide up to \$1,000,000 to conduct six vector risk assessments which will
    - Synthesize information on specific vectors – like aquaculture and the live bait trade
    - Provide management recommendations for future prevention
- Low impact development (LID)
  - The OPC voted to approve a resolution which outlined several policy actions the OPC could endorse to promote LID statewide.
- Other approved projects:
  - Central Coast Marine protected area **monitoring projects**
  - A study of **sediment** transport in Tijuana Estuary
  - A study to prioritize **steelhead** restoration efforts
  - A study to examining **sea level rise** impacts to coastal resources

**Next OPC Meeting**

- September 11, 2008 in Half Moon Bay
- Fisheries Focus – Some expected staff recommendations and actions include:
  - Panel discussion on salmon and steelhead status and recovery plans
  - A 2008-2010 OPC Fisheries Action Plan Resolution will be presented to the Council for their possible approval
    - This will be a framework to help guide OPC's future funding and policy decisions
  - A recommendation to fund an Executive Director for a Collaborative Fisheries Research Institute.
  - Funding for the second half of planning and implementation of the California Seafloor Mapping Program.
- We hope to see you there!

**Legislative Report June 2008**  
(Bills may be located at [www.leginfo.ca.gov](http://www.leginfo.ca.gov))

**Restoration**

**AB 2133 (Hancock)** State contracts: Cost Limits

This bill would increase the cost limit, from \$500,000 to \$5 million, under which the Department of General Services (DGS) may delegate its contracting authority for a public works contract to departments, boards and commissions within the Resources Agency.

- Status: SEN Governmental Organization 6/10/08

**AB 2537 (Furutani)** Public Works: exemption: volunteers

Under existing law, all workers employed on public works projects must be paid not less than the general prevailing per diem wage rate, except for public works projects of \$1,000 or less, or except for any work performed until January 1, 2009 by a volunteer, a volunteer coordinator, or by members of the CA Conservation Corps or of certified Community Conservation Corps. *This bill* would extend the exemption until January 1, 2012.

- Status: SEN Labor and Industrial Relations Committee

**AB 2954 (Lieber)** San Francisco Bay Restoration Authority

This bill would establish the San Francisco Bay Restoration Authority to raise and allocate resources for San Francisco Bay and shoreline restoration and enhancement. The authority would be funded through gifts, donations, grants, state or local bonds, assessments, and other appropriate financial assistance from public and private sources. The bill would establish a governing board composed of SCC's executive officer and local government officials.

Status: SEN Rules Committee

**Land Transactions**

**SB 1285 (Corbett)** Resource Conservation Lands: acquisitions

This bill would require the Department of General Services, in consultation with the Department of Parks and Recreation, the Wildlife Conservation Board, and state conservancies, to develop and adopt standards, subject to the approval of the Resources Agency, with respect to the acquisition of conservation lands concerning the appraisal

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process, availability of appraisal information, and valuation for purposes of a charitable contribution.

- Status: ASM desk

**AB 2455 (Laird)** State Lands: Resource Lands Transactions

This bill would add to and amend Division 5 of the Public Resources Code as follows: (1) establish requirements regarding the timing and contents of appraisals and the qualifications of appraisers for all acquisitions of land, or interests in land, for conservation or recreation purposes by resource agencies; (2) add the Department of Parks and Recreation to the definition of “acquisition agency” for major acquisitions (>\$25 million proposed for payment by a State agency); and (3) add new requirements regarding the timing and contents of appraisals for major acquisitions.

Of particular note is the fact that the bill would require an appraisal for transactions where there is no cost to the state (donations of land, acceptance of offers-to-dedicate) or where the value of the property is clearly higher than the price.

- Status: SEN Rules Committee

**AB 2255 (Aghazarian)** Real property: Resource land acquisition and conservation easement registry.

Existing law requires the Secretary of the Resources Agency to establish a central public registry of all conservation easements held or required by the state, or purchased with state grant funds provided by an agency, department, or division of the state on or after January 1, 2000, and to make the registry available for use by the general public on or before January 1, 2009. *This bill would add to the registry State acquisitions and funding of interests in properties that have cultural, natural, or recreational resource value. This bill would significantly broaden the scope of the registry and would require the agency to make this information available on the registry by January 1, 2011.*

- Status: SEN Natural Resources and Water 6/10/08

**Delta Conservancy Program**

**SB 1108 (Machado)** Sacramento-San Joaquin Delta Conservancy Program

This bill establishes the Delta Conservancy Program in SCC. It requires that SCC legislative oversight appointments be balanced among coastal California, the San Francisco Bay Area, and the Delta.

Status: ASM Desk

**SB 27 (Simitian)** Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008

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This bill has been amended to strike out creation of a Delta Conservancy Program in SCC and an independent Delta Land Use Authority. The resulting bill, dealing with emergency preparedness issues surrounding levees, no longer impacts SCC.

**Prop 84 Implementation**

**AB 2687 (Krekorian) Parks and Nature Education Facilities**

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute adopted by the voters at the November 7, 2006, statewide general election, among other things, makes \$100,000,000 in bond funds available to the Department of Parks and Recreation (department) for grants for nature education and research facilities and equipment to nonprofit organizations and public institutions, including natural history museums, aquariums, nature education and research facilities, and botanical gardens. This bill would require the department to establish a program to offer grants, on a competitive basis, to eligible projects submitted by eligible nonprofit or publicly operated nonprofit organizations, and public institutions, including natural history museums, aquariums, research facilities, or botanical gardens. The bill would provide that eligible projects are grants for buildings, structures, and exhibit galleries.

- Status: SEN Rules Committee

**Other**

**SB 1428 (Kehoe) San Diego River Conservancy**

Existing law authorizes the San Diego River Conservancy to acquire and manage certain public lands in the San Diego River area. These provisions are repealed on January 1, 2010, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date. This bill would extend the repeal date to January 1, 2020 and would provide that the mayor of San Diego is a voting member.

- Status: ASM Desk

**AB 2785 (Ruskin) Wildlife Conservation**

Requires the Department of Fish and Game (DFG) to investigate, study, and identify those areas in the state that are most essential as wildlife corridors and habitat linkages. Requires DFG to develop and maintain a standardized spatial data system on vegetation and land cover, identifying those areas most essential for habitat connectivity, including wildlife corridors and habitat linkages, and to make that data available to the public and other government entities.

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- Status: SEN Rules Committee

**AB 1991 (Mullin)** Subdivisions: Tentative Maps

This bill reinstates an expired subdivision map for the Beachwood Property in Half Moon Bay for purposes of implementing a settlement agreement resulting from a federal ruling in favor of a developer, finding the City inappropriately denied the project because of “manmade” wetlands on the property (Federal District Judge Vaughn Walker awarded the developer \$41 million in damages for property purchased fire-sale for \$1 million; City general fund is \$10.1 million). The bill excludes the property from the coastal zone (unprecedented) for the purposes of the California Coastal Act. It exempts the approved development from any requirement for a coastal development permit under the CA or the city’s certified LCP; it exempts the project from all environmental regulations, state and federal and CEQA; and it exempts the subdivision from inclusionary affordable housing requirements. All exemptions apply to any future successor in interest in perpetuity.

Status: SEN Rules Committee

**SB 1464 (Maldonado)** State Agencies: Resources Agency

This bill would rename the Resources Agency the Natural Resources Agency. *The bill would prohibit any supplies, forms, insignias, signs, or logos from being destroyed or changed as a result of the name change and would require their continued use until exhausted or unserviceable.*

Status: ASM Natural Resources Committee (6/09/08)