

STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES
State Capitol, Hearing Room 437
Sacramento, CA
Thursday, May 27, 2010
10:00 am

MEMBERS PRESENT

Douglas Bosco (Public Member), Chairman
Marisa Moret (Public Member)
Ann Notthoff (Public Member)
Jack Baylis (Public Member)
Bryan Cash (Designated Representative, Natural Resources Agency)
Susan Hansch (Designated Representative, Coastal Commission)

OVERSIGHT MEMBERS PRESENT

Annette Porini representing Senator Joseph Simitian
Deanna Spehn representing Senator Christine Kehoe
Bethany Westfall representing Assemblymember William Monning
Lucy Krohn representing Assemblymember Lori Saldaña

OTHERS PRESENT

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General
Glenn Alex, Legal Counsel

1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

Moved and seconded. The minutes of the Conservancy April 1 teleconference meeting were approved without change by a vote of 6-0

3. **CONSENT**

Item A, HAMILTON WETLAND RESTORATION PROJECT, was removed from consent calendar at the request of the chairman. The remaining items B through E were then voted on.

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B. SOUTH BAY SALT PONDS RESTORATION PROJECT

Resolution:

“The Conservancy hereby modifies its June 4, 2009 authorization to accept and disburse funds from the National Oceanic and Atmospheric Administration for implementation of projects under the South Bay Salt Ponds Restoration Project by redirecting \$300,000 (three hundred thousand dollars) of American Recovery and Reinvestment Act of 2009 funds (“ARRA grant funds”) and by authorizing the acceptance and disbursement of up to \$300,000 (three hundred thousand dollars) in additional ARRA grant funds or other NOAA funds to be disbursed to the Resources Legacy Fund (RLF), both for fish-related applied studies under the South Bay Salt Ponds Restoration Project. Prior to the disbursement by the Conservancy of any funds, RLF shall submit for the review and approval of the Conservancy’s Executive Officer a work program for the project, including schedule and budget, and the names of any contractors it 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 project is consistent with the current Project Selection Criteria and Guidelines, last updated by the Conservancy on June 4, 2009.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the Conservancy’s mandate to address the resource and recreational goals of San Francisco Bay Area.
3. Resources Legacy Fund 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.”

C. WATSONVILLE SLOUGH

Resolution:

“The State Coastal Conservancy hereby augments its November 6, 2008 authorization to the Land Trust of Santa Cruz County to include the acquisition of approximately 3.9 acres ”the Wait Trust property”, (Santa Cruz County Assessor’s Parcel Nos. 05-221-04 and 05) and restoration planning in Middle Watsonville Slough. This authorization remains subject to the conditions of the Conservancy’s November 6, 2008 authorization and the U.S. Fish and Wildlife National Coastal Wetland Conservation grant.”

Findings:

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

1. The proposed authorization remains consistent with the findings made in the Conservancy’s November 6, 2008 authorization.

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2. The proposed authorization is consistent with the Conservancy's revised Project Selection Criteria and Guidelines."

D. WETHERELL DAIRY, SENESTRARO PROPERTY AND McNAMARA DAIRY

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$70,000 (seventy thousand dollars) to the Northcoast Regional Land Trust to conduct pre-acquisition planning for a conservation easement over the approximately 160-acre Wetherell Dairy in Fort Dick, California (Del Norte County Assessor's Parcel Numbers 105-020-02 and 105-020-03) and the potential acquisition of fee title to the 40-acre Senestraro Property on Martin Slough in Eureka, California (Humboldt County Assessor's Parcel Numbers 301-211-06, 301-211-07, 301-221-01, and 302-161-03), and to prepare a Restoration and Management Plan for the 77-acre McNamara Dairy (Humboldt County Assessor's Parcel Numbers 520-191-021, 520-201-009, and 520-211-006), as shown on Exhibit 1 to the accompanying staff recommendation. Prior to the disbursement of any Conservancy funds for the project, the Northcoast Regional Land Trust 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 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 Conservancy's current Project Selection Criteria and Guidelines.
2. The proposed authorization of funding to support pre-acquisition studies for the Dairy is consistent with the purposes and objectives of Section 31111 of Wetherell Division 21 of the Public Resources Code, regarding plans and feasibility studies, and Chapter 4 (Sections 31150-31156), regarding the preservation of agricultural land.
3. The proposed authorization of funding to support pre-acquisition studies for the Senestraro Property is consistent with the purposes and objectives of Section 31111 of Division 21 of the Public Resources Code, regarding plans and feasibility studies, and Chapter 4 (Sections 31150-31156), regarding the preservation of agricultural land, and with Chapter 6 (Sections 31251-31270), regarding the enhancement of coastal resources.
4. The proposed authorization of funding to support restoration and management planning for the McNamara Dairy is consistent with the purposes and objectives of Section 31111 of Division 21 of the Public Resources Code, regarding plans and feasibility studies, and Chapter 6 (Sections 31251-31270), regarding the enhancement of coastal resources.

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5. The Northcoast Regional Land Trust 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.”

E. SOUTHERN CALIFORNIA WETLANDS RECOVERY PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to fifty- one thousand five hundred dollars (\$51,500) to augment its October 5, 2006 authorization to the Southern California Coastal Water Research Project to manage the Science Advisory Panel of the Southern California Wetlands Recovery Project. This augmentation is subject to the October 5, 2006 authorization’s conditions, attached to the accompanying staff recommendation as Exhibit 2.”

Findings:

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

1. The proposed augmentation of funds is consistent with the Conservancy’s most recent Project Selection Criteria and Guidelines updated on June 4, 2009.
2. The proposed augmentation of funds remains consistent with the findings made under the Conservancy’s October 5, 2006 authorization, attached to the accompanying staff recommendation as Exhibit 2.”

Moved and seconded. The consent items with exception of item A were approved by a vote of 6-0.

The Conservancy next addressed Item **3A**.

HAMILTON WETLAND RESTORATION PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two million seven hundred fifty thousand dollars (\$2,750,000) to the U.S. Army Corps of Engineers for implementation of the Hamilton Wetlands Restoration Project.”

Findings:

“Based on the accompanying staff report and attached exhibit, 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 June 4, 2009.

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2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding restoration and enhancement of natural habitats in the San Francisco Bay Area and public access improvements to and around the Bay, and with Chapter 6 of Division 21, concerning the enhancement of coastal and bay resources.”

Moved and seconded. Approved by a vote of 6-0. The Conservancy also directed by consensus that staff not enter into an amendment of the Project Cooperation Agreement with the U.S. Army Corps of Engineers that would require the Conservancy to pay more than 25 percent of the cost of implementing the project at Bel Marin Keys.

4. EXECUTIVE OFFICER’S REPORT

- A. Mary Small, the Conservancy’s Southern California Regional Manager, provided an update on the Hellman Ranch acquisition project at Los Cerritos in Los Angeles County.
- B. Deputy Executive Officer, Nadine Hitchcock, provided an update on the development of the Conservancy’s Climate Change Guidance.
- C. Amy Hutzel, the Conservancy’s San Francisco Bay Area Program Manager discussed pending federal legislation HR 5061, the San Francisco Bay Improvement Act of 2010. David Lewis, Executive Director of Save the Bay, spoke in favor of HR 5061. By consensus, the Conservancy authorized the sending of a letter in support of the legislation.
- D. Trish Chapman of the Coastal Conservancy provided an update on the San Clemente Dam Removal Project on the Carmel River in Monterey County. The dam owner has submitted a dam removal application to the Department of Water Resources, and the parties are working on issues of cost, future land ownership, and risk assessment.
- E. Deborah Ruddock of the Coastal Conservancy provided a brief report on developments in the Legislature.

The remaining agenda items, as numbered below, were taken up in the following order:

SAN FRANCISCO BAY AREA

6. EASTSHORE STATE PARK

Tom Gandesbery of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Tom Bates, Mayor, City of Berkeley.

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Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred fifty five thousand dollars (\$355,000) to the City of Berkeley (“City”) to construct an extension of the San Francisco Bay Trail within the Eastshore State Park, and a water access ramp at the Berkeley Marina, subject to the following conditions:

1. Prior to disbursement of any funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a work program, including a budget and schedule, the names of any contractors to be hired, and a signing plan to acknowledge the Conservancy’s funding for these projects.
2. Prior to initiating construction of the project, the City shall provide written evidence to the Executive Officer of the Conservancy 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. Conservancy funding for the project shall be acknowledged by erecting and maintaining one or more signs near the project, 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 authorization is consistent with the purposes and objectives of Chapter 4.5 (Sections 31160-31165) of Division 21 of the Public Resources Code, regarding public access improvements to and around the San Francisco Bay.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy on June 4, 2009.
3. The Conservancy has independently reviewed and considered the Initial Study and Mitigated Negative Declaration adopted by the City of Berkeley on January 27, 2004, (Exhibit 3) accompanying this staff recommendation and finds that the project 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 6-0.

5. BAY AREA RIDGE TRAIL

Moira McEnespy of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Janet McBride, Executive Director of the Bay Area Ridge Trail Council.

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Resolution:

“The State Coastal Conservancy hereby authorizes disbursement to the Bay Area Ridge Trail Council of an amount not to exceed one million two hundred thousand dollars (\$1,200,000) to conduct planning and feasibility studies, data collection and resource evaluation activities to support future development and construction of, and/or acquisition of interests in real property for, new Bay Area Ridge Trail segments. Prior to the disbursement of any Conservancy funds, the Bay Area Ridge Trail Council shall submit for review and approval of the Executive Officer of the Conservancy a work program, schedule and budget, and the names and qualifications of any subcontractors that it intends to employ for this planning 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 and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the recreational goals of the San Francisco Bay Area, including public access to, within and around the bay and ridgetops.
3. The Bay Area Ridge Trail Council 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.”

Moved and seconded. Approved by a vote of 6-0.

The chair then recognized Assemblymember Wes Chesbro, who spoke in favor of agenda item 11, enhancement of the lower Mattole River watershed in Humboldt County; Assemblymember Lori Saldaña, who spoke in support of the tall ships festival in San Diego (tentatively scheduled for inclusion on the Conservancy’s August 2010 agenda); and Pete Conaty of the Maritime Museum of San Diego and Dana Point capacities, who spoke about the tall ships festival and the replica of the San Salvador that the Maritime Museum is building.

Following a lunch break, the agenda resumed with item 7.

7. OCEAN BEACH MASTER PLAN

Moira McEnespy of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Gabriel Metcalf, San Francisco Planning and Urban Research Association.

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Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to \$300,000 (three hundred thousand dollars) to the San Francisco Planning and Urban Research Association (SPUR) to develop a Master Plan for Ocean Beach (Master Plan), City and County of San Francisco. This authorization is subject to the following conditions:

1. Prior to the disbursement of funds, SPUR shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget; and the scopes of work and the roster of contractors to be employed in the project.
2. To the extent appropriate, SPUR shall ensure that the Master Plan is consistent with the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and shall incorporate the requirements of all applicable federal and state statutes, regulations and guidelines for disabled access into the Master Plan.
3. SPUR shall develop the Master Plan in consultation with the Golden Gate National Recreation Area and the City and County of San Francisco.
4. Conservancy funds shall not be disbursed toward implementation of any proposed pilot visitor-serving improvement projects, which will be solicited in tandem with the master planning process, unless:
 - a. The Executive Officer determines that a proposed project is categorically or statutorily exempt from the California Environmental Quality Act and authorizes the project.
 - b. The grantee provides documentation that the proposed project complies with the National Environmental Quality Act (NEPA) and the Golden Gate National Recreation Area Draft General Management 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 current Project Selection Criteria and Guidelines, last updated by the Conservancy on June 4, 2009.
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 regarding public access.
3. The San Francisco Planning and Urban Research Association is a non-profit organization existing under 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 6-0.

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SOUTH COAST

16. BAYSIDE BIRDING AND WALKING TRAIL

Megan Cooper of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$300,000 (three hundred thousand dollars) to the U.S. Fish and Wildlife Service to construct a portion of the Bayside Birding and Walking Trail in the San Diego Bay National Wildlife Refuge, San Diego County and adopts the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the project, attached as Exhibit 4. Prior to the disbursement of any funds, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy:

1. A work program, budget, schedule, and the names of any contractors to be employed in carrying out the project.
2. Documentation that all permits and approvals necessary to the completion of the project components have been obtained.”

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 9 of Division 21 of the Public Resources Code, regarding the Conservancy’s mandate to assist in the development of system of public accessways to and along the coast.
3. The proposed project serves greater than local need.
4. There is no substantial evidence that the project will have a significant effect on the environment, and the Mitigated Negative Declaration attached as Exhibit 4 reflects the Conservancy’s independent judgment and analysis.”

Moved and seconded. Approved by a vote of 6-0.

17. ROSE CREEK WATERSHED TRAIL

Megan Cooper of the Coastal Conservancy presented the Staff recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$200,000 (two hundred thousand dollars) to the San Diego County Bicycle Coalition to complete technical studies, project design, and stakeholder coordination for a new bridge and approximately three miles of new trail to connect two existing trails in the lower Rose Creek Watershed, San Diego County. This authorization is subject to the condition that prior to the disbursement of any funds, the San Diego County Bicycle Coalition shall submit

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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:

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 current Project Selection Criteria and Guidelines.
3. The proposed project will serve greater than local needs.
4. The San Diego County Bicycle Coalition 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 6-0.

SAN FRANCISCO BAY AREA (continuation)

8. SAN FRANCISCO BAY TRAIL – BAIR ISLAND

Lisa Ames of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes (1) disbursement of up to \$800,000 (eight hundred thousand dollars) to Ducks Unlimited to construct a pedestrian and bicycle bridge linking the San Francisco Bay Trail to Inner Bair Island in Redwood City, San Mateo County, and (2) the Association of Bay Area Governments (ABAG) to disburse an amount not to exceed \$200,000 (two hundred thousand dollars) of the total Conservancy funds authorized on September 20, 2007 to Ducks Unlimited for this project, 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 grant agreement between ABAG and Ducks Unlimited.
2. Prior to the disbursement of funds, ABAG and Ducks Unlimited shall each submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget.
3. ABAG and Ducks Unlimited shall each ensure installation of signs identifying the pedestrian/bicycle bridge and acknowledging the Conservancy and displaying its logo in a manner approved by the Executive Officer.

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4. ABAG and Ducks Unlimited shall ensure compliance by Ducks Unlimited with all project actions, components and mitigation measures that are identified as needed to reduce or avoid significant environmental effects in the Environmental Impact Report certified by California Department of Fish and Game on January 22, 2008 pursuant to the California Environmental Quality Act (CEQA), and accompanying the project staff recommendation as Exhibit 4.
5. ABAG and Ducks Unlimited shall provide documentation to the Executive Officer that the required project actions and mitigation measures have been implemented by or on behalf of Ducks Unlimited.”

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, Sections 31160-31165.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on June 4, 2009.
3. Ducks Unlimited 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.
4. The Conservancy has independently reviewed the Environmental Impact Statement/Report for the Bair Island Restoration and Management Plan certified by California Department of Fish and Game on January 22, 2008 pursuant to CEQA and finds no substantial evidence that the portion of the project to be funded by the Conservancy, as mitigated, will have a significant effect on the environment.”

Moved and seconded. Approved by a vote of 6-0.

9. ETICUERA CREEK

Betsy Wilson of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred eighteen thousand, two hundred dollars (\$118,200) to The Land Trust of Napa County (“Land Trust”), in cooperation with the Blue Ridge Berryessa Natural Area Conservation Partnership, to implement invasive plant control and riparian habitat restoration in the Eticuera Creek watershed in northeastern Napa County, subject to the condition that no Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing:

1. A final work plan, including a budget and schedule.

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2. The name and qualifications of any contractors that the Land Trust intends to retain to carry out the project.
3. A signage plan that acknowledges Conservancy funding.
4. Documentation that the Land Trust has obtained all permits and approvals required for the project under federal, state, and local law.
5. A written agreement between the Land Trust and the owner of any property on which 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 project is consistent with the current Project Selection Criteria and Guidelines.
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.
3. The Conservancy has independently reviewed the Mitigated Negative Declaration and Mitigation Monitoring Plan adopted on January 22, 2009 by the California Department of Fish and Game, and attached to the accompanying staff recommendation as Exhibit 2, and finds that there is no substantial evidence that the implementation of the Eticuera Creek Watershed Invasive Plant Control and Habitat Restoration project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
4. The Land Trust of Napa County is a non-profit organization existing under 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 6-0.

NORTH COAST

10. CORDA RANCH

Su Corbaley of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Jeff Stump, Marin Agricultural Land Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$1,000,000 (one million dollars) to the Marin Agricultural Land Trust for the acquisition of an agricultural conservation easement over the Corda Ranch property in

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Marin County (Marin County Assessor's Parcel No. 125-100-11), subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the Marin Agricultural Land Trust shall submit for review and approval of the Executive Officer of the Conservancy (the "Executive Officer"):
 - a. All relevant acquisition documents, including, without limitation, appraisals, purchase agreements, conservation easement, escrow instructions and documents of title.
 - b. A Baseline Conditions Report certified by the grantor and a Monitoring and Reporting Plan.
 - c. Documentation that all other funds necessary to the acquisition have been obtained.
2. The purchase price of the conservation easement shall not exceed fair market value, as established in an appraisal approved by the Executive Officer.
3. The easement interest acquired under this authorization shall be managed and operated in a manner consistent with the purpose of agricultural conservation, open space preservation and natural resource protection. The property interests acquired under this authorization shall be permanently dedicated to those purposes in accordance with Public Resources Code Section 31116(b).
4. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign, the design and placement of which has been reviewed and approved by the Executive Officer."

Mr. Cash asked that the resolution include an additional condition requiring that the property appraisal be updated and the update be approved by the Department of General Services before disbursement of Conservancy funds. Moved and seconded with the proposed change. Approved by a vote of 6-0 as amended.

11. LOWER MATTOLE RIVER WATERSHED

Su Corbaley of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation and presenting slides: Jeremy Wheeler, Executive Director of the Mattole Restoration Council.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed six hundred thousand dollars (\$600,000) to the Mattole Restoration Council, Inc. ("MRC"), a nonprofit organization, to implement Phase III of Mattole River watershed enhancement, including sediment reduction (road decommissioning or rehabilitation), riparian reforestation, and invasive plant removal, in the Mattole River watershed to improve anadromous salmonid habitat and coastal resources. This authorization is subject to the following conditions:

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1. Prior to the disbursement of any Conservancy funds, the MRC shall submit for review and approval by the Executive Officer a work program, schedule, budget, and the names of any contractors to be used for the activities under this authorization, and provide evidence that all permits and approvals necessary to this project have been issued.
2. Conservancy funding shall be acknowledged in signage or other documentation appropriate to the project, as approved by the Executive Officer of the Conservancy.
3. With respect to work funded by the Conservancy and constituting an improvement or development, an agreement or agreements to protect public interest shall be entered into and recorded in Humboldt County, consistent with Public Resources Code Section 31116(c).
4. With respect to work funded by the Conservancy and requiring access to land not owned by MRC, an agreement or agreements to allow access to MRC to perform the work shall be entered into.”

Findings:

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

1. The proposed authorization is consistent with Chapter 5.5 of Division 21 of the Public Resources Code (Section 31220) regarding protection of integrated coastal and marine resources.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on June 4, 2009.
3. The Conservancy has reviewed the two proposed Mitigated Negative Declarations (attached to the accompanying staff recommendation as Exhibits 2a and 2b adopted by the California Department of Fish and Game on June 12, 2008 and February 25, 2009, respectively, pursuant to the California Environmental Quality Act, and the Mitigation Monitoring Programs developed to mitigate potentially significant environmental effects, and finds that the projects avoid, reduce or mitigate the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the enhancement activities and habitat improvements in the lower Mattole River watershed may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.
4. The Mattole Restoration Council 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 California Public Resources Code.”

Moved and seconded. Approved by a vote of 6-0.

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12. LOWER REDWOOD CREEK RESTORATION

Joel Gerwein of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Carolyn Shoulders of the Golden Gate National Recreation Area and Sharon Farwell of the Golden Gate National Parks Conservancy.

Resolution:

“The State Coastal Conservancy authorizes the acceptance of one million dollars (\$1,000,000) in grant funds from the U.S. Fish and Wildlife Service, the disbursement of these funds and up to an additional one million dollars (\$1,000,000) of Conservancy funds to the Golden Gate National Parks Conservancy (“GGNPC”) to implement the Lower Redwood Creek Restoration Project in Muir Beach, subject to the following conditions:

1. Prior to disbursement of any funds, GGNPC 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 implementation of the project.
2. GGNPC shall acknowledge Conservancy and USFWS funding by erecting and maintaining signs that have been reviewed and approved by the Executive Officer.
3. GGNPC shall insure compliance with and assist the Conservancy complying with the grant terms of the U.S. Fish and Wildlife Service.
4. GGNPC shall monitor and insure compliance with the provisions of the Mitigation and Monitoring Plan attached to the accompanying staff report as part of Exhibit 2.”

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 6 of Division 21 of the Public Resources Code (Sections 31251-31270), regarding the enhancement of coastal resources. The Redwood Creek estuary adjacent to the property is identified in the Marin County Local Coastal Program as an area in need of resource enhancement.
3. The Golden Gate National Parks Conservancy is a non-profit organization existing under section 501(c)(3) of the Internal Revenue Service code whose purposes are consistent with Division 21 of the Public Resources Code.
4. The Conservancy has reviewed the Final Environmental Impact Statement and Final Environmental Impact Report (attached to the accompanying staff recommendation as Exhibit 2) adopted by the County of Marin Board of Supervisors on May 13, 2008, pursuant to the California Environmental Quality Act, public comment to the FEIS/FEIR, and the Mitigation Monitoring and Reporting Program developed to mitigate potentially significant environmental effects, and finds that the project as designed avoids, reduces or mitigates the potentially significant environmental effects to

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a less-than-significant level, and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.”

Moved and seconded. Approved by a vote of 6-0.

CENTRAL COAST

13. MASTER COASTAL TRAIL PLAN (Santa Cruz County)

Laura Engeman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Cory Caletti of the Santa Cruz County Regional Transportation Commission.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$250,000 (two hundred fifty thousand dollars) to the Santa Cruz County Regional Transportation Commission (SCCRTC) for the preparation of a Master Coastal Trail Plan (the Plan) and environmental analysis for the Santa Cruz County segment of the California Coastal Trail/Monterey Bay Sanctuary Scenic Trail Network, subject to the following conditions:

1. Prior to the commencement of work and the disbursement of funds, SCCRTC 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.
2. To the extent appropriate, SCCRTC shall ensure that the Plan designs are consistent with the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and all applicable federal and state statutes, regulations and guidelines for disabled access.”

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 public access.
3. The project will serve greater than local needs.”

Moved and seconded. Approved by a vote of 6-0.

14. SAVE OUR SHORES

Doug George of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Laura Kasa of Save Our Shores.

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Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to Save Our Shores to develop a cigarette litter abatement demonstration project to determine best practices for reducing watershed and beach cigarette litter in Santa Cruz County. Prior to the disbursement of funds, the Executive Officer of the Conservancy shall review and approve in writing a work program, budget and schedule for the project and any contractors proposed to be engaged 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 current Project Selection Criteria and Guidelines.
2. The proposed project is consistent with the purposes and criteria set forth in Chapter 5.5 (Section 31220) of Division 21 of the Public Resources Code, regarding undertaking coastal watershed and coastal and marine habitat water quality projects to reduce contamination of waters within the coastal zone or marine waters, to protect and restore fish and wildlife habitat within coastal and marine waters and coastal watersheds, and to reduce threats to coastal and marine fish and wildlife.
3. Save Our Shores 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 6-0. The Conservancy asked that staff report to the Conservancy about the project in fall 2010.

SOUTH COAST (continuation)

15. COAST TO CREST TRAIL

Chris Kroll of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred seventeen thousand dollars (\$317,000) to the San Dieguito River Park Joint Powers Authority (the JPA) for planning and construction related to the Coast to Crest Trail and construction of the Mesa Loop Trail, subject to the following condition:

Prior to commencement of the project, the JPA shall submit for the review and written approval of the Conservancy’s Executive Officer the following:

1. Evidence that the JPA has obtained all necessary permits and approvals and has conducted all necessary environmental review.
2. A signing plan for the project acknowledging Conservancy participation.

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3. A final work plan (including the names of any contractors to be used in the completion of the project), and a project schedule and budget.
4. An agreement between the JPA and the City of San Diego sufficient to allow the Mesa Loop Trail to be built, operated for public access and maintained for a period of no less than twenty years.”

Chairman Bosco left the meeting room. Moved and seconded. Approved by a vote of 5-0.

18. DEPUTY ATTORNEY GENERAL’S REPORT

No report given

19. CONSERVANCY MEMBER COMMENTS

No comments

20. PUBLIC COMMENTS

No comments beyond those taken before the lunch recess

21. CLOSED SESSION

The Conservancy met in closed session under Government Code section 11126(e) to discuss with counsel pending litigation. *Malibu-Encinal Homeowners Association v. Mountains Recreation and Conservation Authority*, Los Angeles County Superior Court Case No. BC431798.

22. ADJOURNMENT - The meeting was adjourned at 3:15 p.m.