

**STATE COASTAL CONSERVANCY**  
**PUBLIC MEETING MINUTES**  
Tsakopoulos Library Galleria - West Meeting Room  
Sacramento, CA  
10:00 a.m.

**MEMBERS PRESENT**

Douglas Bosco (Public Member), Chairman  
Ann Notthoff, (Public Member)  
Peter Sadowski (Public Member)  
Mary Shallenberger, Chair, Coastal Commission  
Karen Finn (Designated Representative, Department of Finance)

**OVERSIGHT MEMBERS PRESENT**

Bethany Westfall representing Assembly Member William Monning  
Assembly Member Das Williams

**OTHERS PRESENT**

Sam Schuchat, Executive Officer  
Elena Eger, Legal Counsel

**1. ROLL CALL**

**2. APPROVAL of Minutes of Conservancy March 29, 2012 Public meeting**

Moved and seconded. March minutes approved by a vote of 4-0.

**3. CONSENT ITEMS**

**A. SEA OTTER RECOVERY**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to sixty thousand dollars (\$60,000) to the Regents of the University of California, Santa Cruz (UCSC), to undertake a study to examine potential risk factors for mortality in southern sea otters due to shark attacks, subject to the condition that, prior to the disbursement of any funds, UCSC shall submit for the review and written approval of the Executive Officer of the Conservancy a work program, including scope of work, budget and schedule.”

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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 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 Coastal and Marine Resource Protection.”

**B. TALL SHIPS FESTIVAL OF 2012**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed seventy thousand dollars (\$70,000) to the Maritime Museum of San Diego to plan and host the Festival of Sail 2012, to be held in two locations, San Diego and Dana Point, including and not limited to sponsorship of visits by historic tall sailing ships, international maritime training vessels, and other crafts, and the development of other related activities. Prior to the disbursement of Conservancy funds, the Maritime Museum of San Diego shall submit for review and written approval of the Executive Officer, a work program, including scope of work, budget and schedule, and the names of any contractors it intends to use 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 current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapters 7 of Division 21 of the Public Resources Code, regarding urban waterfront restoration.
3. The Maritime Museum of San Diego 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.”

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**C. BAY RIDGE TRAIL – SANBORN PARK**

Resolution:

“The State Coastal Conservancy (Conservancy) hereby authorizes disbursement of an amount not to exceed one hundred sixty-nine thousand dollars (\$169,000) to the County of Santa Clara (County) for construction, realignment and upgrade of segments of the San Francisco Bay Area Ridge Trail at Sanborn Park.

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

1. Evidence that the County has obtained all necessary permits and approvals.
2. A signing plan for the project acknowledging Conservancy participation and identifying the trail as part of the San Francisco Bay Area Ridge Trail system.
3. A final work plan (including the names of any contractors to be used in the completion of the project), project schedule and budget.

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 resource and recreation goals of the San Francisco Bay area.
3. The Conservancy has independently reviewed the Mitigated Negative Declaration (attached to the accompanying staff recommendation as Exhibit 3) adopted by the County on April 24, 2007 for the proposed project pursuant to the California Environmental Quality Act. 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.”

**D. 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

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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, last updated by the Conservancy on November 10, 2011.
3. Moat Creek Managing Agency 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.

The proposed project serves greater than local needs."

**E. VENTURA RIVER STEELHEAD PRESERVE**

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred eleven thousand dollars (\$111,000) to the Ojai Valley Land Conservancy (OVLC) to prepare a feasibility study and preliminary designs for the Ventura River Steelhead Preserve Education and Conservation Center. Prior to disbursement of funds, OVLC shall submit for the review and written approval of the Conservancy's Executive Officer:

1. A detailed work program, including budget and schedule.
2. The names and qualifications of any contractors to be employed on the project.
3. A sign plan to acknowledge Conservancy funding 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 November 10, 2011 Project Selection Criteria and Guidelines.

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2. The proposed authorization is consistent with Chapter 5.5 of Division 21 of the Public Resources Code, regarding the protection of coastal and marine resources.
3. OVLC 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.”

**F. LOS PEÑASQUITOS LAGOON**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of two hundred and fifty thousand dollars (\$250,000) to the Southwest Wetlands Interpretive Association to continue physical, chemical, and biological monitoring of Los Peñasquitos Lagoon consistent with the Los Peñasquitos Lagoon Enhancement Plan, subject to the following conditions:

1. The Southwest Wetlands Interpretive Association shall submit for the review and approval of the Conservancy’s Executive Officer a work program, including schedule, budget and deliverables; and
2. The names of any contractors it intends to use to conduct the studies.”

Findings:

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

1. The proposed disbursement of funds is consistent with the purposes and criteria set forth in Sections 31251-70 of the Public Resources Code, regarding enhancement of coastal resources.
2. The proposed disbursement is consistent with the Los Peñasquitos Lagoon Enhancement Plan approved by the Conservancy on October 30, 1985.
3. The proposed disbursement is consistent with the City of San Diego, North City Local Coastal Program as necessary for restoring and enhancing the environmental qualities of the lagoon.
4. The proposed disbursement is consistent with the purposes of the Los Peñasquitos Special Deposit Fund established to provide for management and enhancement of the lagoon.
5. SWIA is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code, and has among its principal charitable purposes the restoration of Los Peñasquitos Lagoon, and the preservation of land for scientific,

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historic, educational, ecological, recreational, scenic or open space opportunities.”

**G. TIJUANA ESTUARY SEDIMENT FATE & TRANSPORT STUDY**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$130,000 (one hundred thirty thousand dollars) to augment the Conservancy’s September 25, 2008 authorization to the Southwest Wetlands and Interpretive Association (SWIA) to implement the Tijuana Estuary Sediment Fate and Transport Study. This augmentation is subject to the September 25, 2008 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 remains consistent with the findings made under the Conservancy’s September 25, 2008 authorization. (See Exhibit 2).
2. The proposed project is consistent with the additional Project Selection Criteria adopted by the Conservancy on June 4, 2009.”

Moved and seconded. Consent items were approved by a vote of 4-0.

**4. EXECUTIVE OFFICER REPORT**

Executive officer announced Karen Bane of the Conservancy will be moving to Germany and we will send her off on June 22 with a farewell party at Sam’s home.

Sam congratulated Amy Hutzel, on the 15 year SF Bay Report just distributed to the Conservancy and the public. Amy mentioned there would be a blog available highlighting the report with the partners. Mary Shallenberger asked if it was possible for the Conservancy to provide reports for the rest of the coastal regions, depending on the cost.

- A. Ocean Protection Council meeting was cancelled in May. Cat Kuhlman, Deputy of Ocean and Coastal Matters was appointed by Secretary Laird to replace Brian Baird and Amber Mace. Next OPC meeting may be in September.
- B. Deborah Ruddock of the Coastal Conservancy presented the May Legislative Report.
- C. Mary Small of the Coastal Conservancy distributed a memo (attached) to the Conservancy with outline and timeline for the Strategic Plan update. A draft is planned to be presented at the August 2012 meeting for discussion.

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Conservancy Member, Annie Notthoff arrived at the meeting a 10:25 am.

Conservancy Chair introduced Assembly Member Wes Chesbro who spoke in support of two North Coast Staff Recommendations: Russian River Floodplain and Toste Acquisition.

**NORTH COAST**

**5. RUSSIAN RIVER FLOODPLAIN RESTORATION**

Michael Bowen of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Nancy Schaeffer, Endangered Habitats Conservancy.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred thousand dollars (\$300,000) to the Endangered Habitats Conservancy (“EHC”) to complete a feasibility study and the conceptual design of a floodplain restoration project for the Hanson Aggregates property on the Russian River near Windsor.

Prior to the Conservancy’s disbursement of funds, EHC shall provide for the approval of the Executive Officer of the Coastal Conservancy (“the executive officer”) evidence that all needed matching funds have been received, the names of contractors that will work on the project, and written site-access permission from the property owner.

EHC shall use its best efforts to have the results of the feasibility study and design incorporated into the reclamation plan for the property under the Surface Mining and Reclamation Act, California Public Resources Code Section 2710 et seq. Then, if deemed appropriate, at the request of the executive officer, EHC shall exercise its option to acquire the fee interest in the Hanson Aggregates property and shall work with the Conservancy to ensure that the ecological and recreational values of the property, once transferred, will be permanently restricted.”

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 adopted by the Conservancy on November 10, 2011.
2. The proposed authorization is consistent with Sections 31111 and 31251-31270 (Chapter 6 of Division 21) of the Public Resources Code, regarding feasibility studies and coastal resource enhancement.

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3. The Endangered Habitats Conservancy is a nonprofit organization existing under section 501(c)(3) of the Internal Revenue Service, and whose purposes are consistent with Division 21 of the Public Resources Code.”

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

**6. TOSTE ACQUISITION**

Michael Bowen of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to two hundred ten thousand dollars (\$210,000) to the Salt River Watershed Council (“Council”) to acquire the 23-acre Toste property (Humboldt County Assessor Parcel No. 100-281-002) for future expansion of the Salt River Ecosystem Restoration Project.

1. Prior to the disbursement of any Conservancy funds for acquisition, the Council shall submit for review and approval by the Executive Officer all relevant acquisition documents including but not limited to, the appraisal, an agreement of purchase and sale, escrow instructions, and documents of title.
2. The Council shall dedicate the property for agricultural open space, flood control, habitat conservation and public access in a manner acceptable to the Executive Officer and in accordance with Public Resources Code § 31116(b).
3. The Council shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property that 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 acquisition is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with Chapter 6 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources.
3. The acquisition remains consistent with the May 19, 2011 Conservancy authorization, as shown in the staff recommendation attached as Exhibit 3 to the accompanying staff recommendation.

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4. The Conservancy finds that the project will not have any new significant environmental effects there we not identified in the Final Environmental Impact Report for the project which was adopted at the May 19, 2011 meeting the Conservancy.
5. The Salt River Watershed Council is a nonprofit organization existing under section 501(c)(3) of the Internal Revenue Service, and whose purposes are consistent with Division 21 of the Public Resources Code.”

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

**AGENDA ITEM #10 PRESENTED NEXT**

**10. MESA LANE BEACH**

Rachel Couch of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Assembly Member Das Williams; Jill Zachary, City of Santa Barbara.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$200,000 (two hundred thousand dollars) to the City of Santa Barbara to reconstruct the lower portion of a public stairway to Mesa Lane Beach in Santa Barbara, as shown on Exhibit 1 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the City of Santa Barbara shall submit for review and approval of the Executive Officer of the Conservancy:
  - a. A work program, including final design plans and specifications, schedule and budget for construction.
  - b. Evidence that all necessary permits and approvals have been obtained.
  - c. A signing plan for the project acknowledging Conservancy funding.
2. The City of Santa Barbara or its successor in interest shall manage and maintain the project for a period of not less than twenty years.”

Findings:

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

1. The proposed project is consistent with the Conservancy Project Selection Criteria and

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Guidelines updated in November, 2011.

2. The proposed project is consistent with Chapter 9 of Division 21 of the Public Resources Code (Sections 31400-31410) regarding public access to the coast.
3. The proposed project will serve greater than local needs.”

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

**NEXT ITEM PRESENTED OUT OF ORDER WAS ITEM 12**

**SOUTH COAST**

**12. TIJUANA RIVER VALLEY TRAIL SYSTEM**

Sam Jenniches of the Coastal Conservancy presented the Staff Recommendation.

Speaking favor of the Staff Recommendation: Greg Cox, Supervisor, County of San Diego; Brian Albright, Director of Parks and Recreation, County of San Diego.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed four hundred fifty thousand dollars (\$450,000) to the County of San Diego (County) for the construction of a trail as part of the Tijuana River Valley Regional Park Trail System, subject to the following conditions:

1. Prior to the disbursement of funds for construction, the County shall submit for the review and approval of the Executive Officer of the Conservancy:
  - a. A final design plan, project work program, budget, and timeline.
  - b. The names of any contractors that the County will retain to carry out all or part of the project.
  - c. A signing plan that acknowledges Conservancy funding.
  - d. Documentation that the County has obtained all permits and approvals required for the project.
2. In carrying out the project, the County shall comply with all applicable mitigation and monitoring measures for the project that are identified in the Tijuana River Valley Regional Park Trails and Habitat Enhancement Project Environmental Impact Report adopted by the County on December 13, 2006, and attached to the accompanying staff recommendation as Exhibit 3.”

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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 November 10, 2011 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 (sections 31400-31410) regarding a system of Public Accessways.
3. The Conservancy has independently reviewed the Tijuana River Valley Regional Park Trails and Habitat Enhancement Project Environmental Impact Report adopted by the County on December 13, 2006 pursuant to CEQA (Exhibit 3) and finds that the project, as mitigated, avoids, reduces or mitigates possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
4. The proposed project serves greater than local need.”

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

**SAN FRANCISCO BAY AREA**

**7. STENZEL PROPERTY NEAR BRENTWOOD**

Amy Hutzel of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Alex Greenwood, City of Brentwood; Kathryn Lyddam, Brentwood Agricultural Land Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$1,371,450 (one million three hundred seventy-one thousand four hundred fifty dollars) to the Brentwood Agricultural Land Trust toward acquisition of an agricultural conservation easement over each of the four contiguous parcels that constitute the 166-acre Stenzel property in unincorporated Contra Costa County (Assessor’s Parcel Nos. 011-050-027, 011-050-028, 011-050-029 and 011-050-031), subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the Brentwood 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, the conservation easements, escrow instructions and documents of title.
  - b. For each of the parcels, a baseline conditions report certified by the Brentwood Agricultural Land Trust and a monitoring and reporting plan.

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- c. Documentation that all other funds necessary for the acquisitions have been obtained.
2. The purchase price of the conservation easements shall not exceed fair market value, as established in an appraisal approved by the Executive Officer.
3. The easement interests acquired under this authorization shall be managed and operated in a manner consistent with the purposes 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.”

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 Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-65) regarding the preservation of agricultural lands.
3. The Brentwood Agricultural Land Trust is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes, which include the preservation of land for agricultural and open space uses, are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 4-0. 1 abstention.

**8. NOLAN RANCH**

Jeff Melby of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mike Conner, Senior Project Director, The Nature Conservancy; Tim Heffington, County of Santa Clara.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$500,000 (five hundred thousand dollars) to The Nature Conservancy (TNC) for acquisition of Assessor’s Parcel Numbers 627-06-002, 627-07-013, 627-07-014 in Santa Clara County which compose the 1,155-acre Nolan Ranch (shown in Exhibit 1, which is attached to the accompanying staff recommendation), for the purposes of preserving open space, scenic resources, plant and wildlife communities, and other natural resources; protecting watersheds; and enabling public access that is compatible with those purposes. This authorization is subject to the following conditions:

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1. Prior to disbursement of any Conservancy funds, TNC shall submit for review and approval by the Executive Officer of the Conservancy (“the Executive Officer”):
  - a. All relevant acquisition documents including but not limited to the appraisal, environmental assessments, agreement of purchase and sale, easements, escrow instructions, title reports and documents of title necessary for the purchase of the property.
  - b. Evidence that there is legal access to the property.
  - c. Evidence that sufficient funds are available to complete the acquisition.
  - d. A stewardship plan, budget, and schedule describing the actions that TNC will take, prior to the anticipated transfer of the property to Santa Clara County Department of Parks and Recreation (County Parks), to monitor and maintain existing natural resources on the property and any natural resource-compatible public access, and any grazing proposed for the property.
  - e. A plan showing the design and placement of signs acknowledging Conservancy funding for the acquisition.
2. TNC shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. TNC shall permanently dedicate the property for the purposes of preserving open space, scenic resources, plant and wildlife communities, and other natural resources; protecting watersheds, and enabling public access that is compatible with those purposes, by recording an offer to dedicate or other instrument acceptable to the Executive Officer and consistent with Public Resources Code Section 31116(b).
4. TNC shall submit a written monitoring report to the Executive Officer before close of escrow on acquisition of the property, and at five-year intervals thereafter for as long as it holds a property interest, identifying the conditions and circumstances of the property as relevant to the purposes of preserving open space, scenic resources, plant and wildlife communities, and other natural resources, protecting watersheds, and enabling public access that is compatible with those purposes.”

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 San Francisco Bay Area Conservancy Program.

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3. TNC is a nonprofit organization existing under the provisions of Section 501(c)(3) of the United States 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.

**CENTRAL COAST**

**9. ELKHORN SLOUGH**

Rachel Couch of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Bryan Largay, Elkhorn Slough Foundation  
Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$600,000 (six hundred thousand dollars) to the Elkhorn Slough Foundation (“ESF”) for preparation of design, engineering, environmental analysis and permit application documents for restoration of tidal marsh and connected uplands in Elkhorn Slough, subject to the condition that prior to the disbursement of funds, the ESF shall submit for review and approval of the Conservancy’s Executive Officer a work program, budget, schedule and any contractors to be employed for these tasks and evidence that ESF can provide all remaining funds needed to complete the documents.”

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 Project Selection Criteria and Guidelines as updated in November 2011.
2. The proposed project is consistent with the purposes and objectives set forth in Chapter 6 of Division 21 the Public Resources Code (Section 31251-31270) regarding enhancement of coastal resources.
3. The Elkhorn Slough has been identified in the Certified Local Coastal Program of Monterey County as environmentally sensitive habitat area that requires public action to resolve existing resource protection problems.
4. Elkhorn Slough Foundation 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.

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**11. PIGEON POINT LIGHT STATION**

Janet Diehl of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Cecille Caterson, California State Parks Foundation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to the California State Parks Foundation (“CSPF”) for the purpose of producing detailed construction drawings for the structural restoration of the Pigeon Point Light Station, so the lighthouse tower and oil house can be re-opened to the public. This authorization is subject to the following conditions:

1. Prior to the disbursement of Conservancy funds, CSPF shall submit for review and approval of the Executive Officer:
  - a. A work plan, schedule and budget.
  - b. The names and qualifications of any contractors.
  - c. An agreement between CSPF and the California Department of Parks and Recreation authorizing CSPF to access the site and produce the construction drawings.
2. The construction drawings shall be consistent with the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development,’ and with the ‘Secretary of the Interior’s Standards for the Treatment of Historical Properties.’”

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 establishment of a system of public accessways to and along the California Coast.
3. The California State Parks Foundation is a nonprofit organization that qualifies under section 501(c)(3) of the United States 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.

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**13. CONSERVANCY MEMBER COMMENTS:**

Member Mary Shallenberger asked for clarification from staff on San Francisco Bay Program authorities, specifically regarding its agricultural and open space projects.

**14. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Greg Cox, Supervisor, County of San Diego, addressed the Conservancy and urged support (and distributed a letter from the San Diego Board of Supervisors) for use of any settlement funds received by the Conservancy in resolution of litigation in *127.60 Acres of Land, more or less, situated in San Diego County, State of California* for trails and habitat improvements in the Tijuana River Valley.

**15. CLOSED SESSION**

There was no closed session.

**16. ADJOURNMENT**

Meeting was adjourned at 1:30 pm.



# Memo

Date: May 24, 2012  
To: State Coastal Conservancy Board  
From: Sam Schuchat, Executive Officer  
Mary Small, Deputy Executive Officer  
CC: Oversight Members  
RE: 2012 Strategic Planning Update

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This memo provides an update on our progress developing the new strategic plan for the Coastal Conservancy. As discussed at previous meetings, this planning process will be ongoing through this year. This memo summarizes some of the key ideas informing the development of the plan. Attached is a revised, annotated outline for the new strategic plan.

## **Stakeholder Outreach**

As discussed in our March memo, one of our initial steps in developing the new strategic plan is to conduct interviews with many of our key stakeholders and partners. The purpose of these interviews is to ask our partners what they believe are our core strength and weaknesses. We are also using these conversations to discuss how the Conservancy's work can be relevant to and support the priorities of our partners in the future and to hear their ideas about what the Conservancy should focus on. We have completed interviews with about 30 partners and we expect the interviews to continue through the middle of June.

Below is a brief summary of some of the themes that have come out of these conversations:

- Stakeholder comments about the Conservancy are overwhelmingly positive.
- The Conservancy is viewed as a highly collaborative, responsive, efficient, innovative, and problem-solving agency.
- Conservancy staff are highly valued by local partners for their competence, expertise and credibility.
- Local partners appreciate the flexibility and interactive nature of our grant process and find it is more effective than once-a-year grant rounds used by most state and federal

agencies because it allows the grantees to work with the Conservancy to develop the best possible projects rather than trying to fit a project into a preset program.

- Many see it as a high priority for the Conservancy to find new sources of funding for grants to local partners and to continue the projects we manage.
- Several partners recommended that the Conservancy better describe the ecosystem services and economic benefits being provided by our projects to coastal communities: for example water quality, carbon sequestration and/or prevention of sprawl that increases GHG emissions, adaptation to climate change for wildlife and communities, alternative transportation, tourism, etc.
- Local jurisdictions anticipate that climate change, and in particular sea level rise, will have a major impact on coastal access, which could in turn significantly impact local economies. Along with growing our work in the realm of adaptation, partners recommend that the Conservancy play a role in carbon sequestration efforts.
- Water quality issues will remain a paramount concern and the Conservancy should be involved and take leadership on the issue.
- The Conservancy should be involved in the development of regional Sustainable Communities Strategies and engaged with regional transportation and land use planning and funding.
- Preservation of agricultural lands and economies is a growing concern among many of our partners, particularly with a significant interest by coastal communities in increasing availability of local foods.
- Several partners would like Conservancy assistance resolving project permitting roadblocks.

### **Mission Statement**

The mission statement in the Coastal Conservancy's 2007 Strategic Plan is:

*The Coastal Conservancy acts with others to preserve, protect, and restore the resources of the California coast, ocean, and the San Francisco Bay Area. Our vision is of a beautiful, restored, and accessible coastline, ocean and San Francisco Bay Area.*

This mission is still valuable, relevant and important to the people of California. We do not propose making any changes to our mission.

### **Fundamental Assumptions**

While our mission is the same, this plan is being written in a period of dramatic change for the agency that requires rethinking how we achieve that mission. Funding both for our operations and for our projects is in decline and will have to come from new sources in the future. This will require reorganizing and in some instances re-prioritizing our work. In addition, external factors force us to re-evaluate our approach to many projects. Impacts from climate change have profound implications on our work. Similarly, sustained budget cuts to State Parks and other public land management entities require that we explore new approaches to conserving

land and providing public access to the coast. The new strategic plan will be based on the following fundamental assumptions:

*1. The Conservancy will need to generate its own operational funding.*

There is no dedicated source of funding to pay for the functions of the Conservancy; it does not receive any general fund money for its support budget. The Coastal Conservancy has relied on the bond funds it administers to pay for much of the organization's operational costs during the past decade. These funds are running out. Given the enormous deficit in the state budget, this plan assumes that the Conservancy will be responsible for generating much of the funds needed to support the organization.

We have identified and are pursuing many opportunities for generating operational funding. Pursuing many of these options will require reorganizing our staffing and modifying job descriptions.

*2. Grant funds will be limited.*

The Conservancy experienced a huge surge in capital outlay funding for projects during the last decade. In its first 20 years, the Conservancy spent approximately \$200 million on restoration, acquisition, and access projects. In the decade that followed, the Conservancy spent nearly \$1 billion in bond funds from Propositions 12, 13, 40, 50 and 84. In its last strategic plan, the Conservancy anticipated expenditure of \$600 - 650 million on projects. This wealth of funding allowed us to identify (and achieve) significant implementation objectives. Between 2000 and 2012, the Conservancy protected more than 189,000 acres of coastal and watershed resource properties; built more than 240 miles of trails; and restored more than 18,400 acres of coastal habitat.

During the next five years, the Conservancy's funding situation will be very different. The Conservancy currently has about \$95 million for capital projects out of the remaining balances from the previous bonds. In addition, the Conservancy will have about \$5 million per year of non-bond funds, including Habitat Conservation Funds, Violation Remediation Account and Coastal Access funds. Assuming there are no new bonds, project funds will be increasingly scarce.

The 2007 Strategic Plan focused on projects we expected to fund, the new plan will examine a broader role for the Conservancy to achieve its mission. There are many ways that the Conservancy can help preserve the resources of the coast and improve public access to them beyond grant funding, these include:

- Technical assistance to partners
- Facilitating and coordinating regional collaborations to develop plans, address emerging issues, and identify and implement recommended plan priorities
- Securing grant funds to support our projects Providing leadership on innovative pilot projects

- Providing leadership on climate change mitigation and adaptation, as it relates to conservation
- Facilitating agency coordination and helping resolving potential permit roadblocks to help implement regionally important projects.

### 3. Funding for public land management will continue to be limited

While this is not a new situation, it is a persistent and important factor for many Conservancy projects. Management costs for restoration and acquisition projects are very limited and these needs must be addressed upfront. Years of budget cuts to the agencies that manage parks and public lands have put these systems under enormous stress. In order to have long-term, sustained benefits we need to consider innovative approaches to protecting coastal resources. These could include:

- When appropriate, purchase a larger proportion of conservation easements rather than fee title
- Expand efforts to work on private lands by helping to develop and permit climate resilient restoration projects that private landowners can implement
- Work with farmers and ranchers to support their efforts to manage their lands for multiple benefits: local foods, public access, water quality, wildlife habitat, carbon sequestration, etc.
- Support innovative partnerships with ngos to manage lands
- Develop projects that generate revenue or reduce operational costs of parks

### 4. Climate change will change everything.

Impacts associated with global climate change are already occurring and will continue, even if there is a successful global effort to reduce emissions. Global warming is affecting weather patterns, average sea level, ocean acidification, precipitation rates and other climactic and geographic variables. The impacts of rising sea levels and increased coastal erosion (from increased frequency and intensity of storms and flooding) will over time re-shape the coastline of California. Changing temperatures are altering the seasonal timing of flowering, leaf and insect emergence, bird migration, and wildlife migration. Alteration of these and other natural processes affects aquatic and terrestrial species and the ecosystem services derived from them.

- Though we cannot precisely predict the types and severity of impacts to coastal resources, it is clear that nearly every type of project that the Conservancy supports could be affected by a changing climate. As such, we will modify how we conceive, design, and implement natural resource, public access, recreation, urban waterfront and agricultural preservation projects. For example: restoration of natural resources will be defined to mean restoration of natural processes rather than conditions at a historic point in time.
- Tidal wetland restoration projects will need to be designed, built, and managed to allow for the marsh to migrate with rising sea level, and sediment supply will be considered as a key indicator of marsh evolution over time. Terrestrial habitat conservation projects

must consider protection of migration corridors and implementing management measures that will reduce stressors to species and support greater long term biodiversity, rather than focus on single species survival.

- Public accessways must be sited, designed and built to withstand increased floodwaters and shoreline erosion.
- Urban waterfront structures, such as piers, promenades, educational facilities, and other public structures must be designed to withstand changing conditions for at least the expected life of the project and so as not to require or encourage development of shoreline protection structures that may increase shoreline erosion or disrupt natural processes.
- To the extent permitted by the Conservancy's statutory authority, support entirely different projects that will assist coastal communities in planning for and addressing climate change impacts. Some examples include supporting development of climate change assessments, adaptation planning, Local Coastal Plan climate change amendments, projects that reduce heat islands in urban areas, and projects that sequester significant amounts of carbon.
- Align our work with climate related efforts (AB 32 funding, carbon credits, etc)

### **New Sources for Operational Funds**

Clearly one of the most pressing issues facing the Coastal Conservancy is the need to identify and raise new sources of money to pay for the agency's on-going operation. We have assigned staff to investigate several ideas to raise these operational funds. Over the next few months we will be exploring these ideas (and others) in more detail to evaluate how feasible they are and whether we will pursue them. Some of the most promising are summarized below:

- **Forest Carbon Credits:** The Conservancy could fund acquisition of timber land with the intent of generating carbon credits through sustainable forest management. Some portion of the proceeds from the carbon credits would be returned to the Conservancy.
- **In-lieu Fee Programs:** The Conservancy could create an in-lieu fee program whereby it would collect and administer mitigation funds. Ideally, this would allow the Conservancy to aggregate mitigation funds to implement regionally important projects rather than small acre by acre mitigation projects.
- **Mitigation Settlements:** The Conservancy could enter into an agreement with a utility or other partner to act as the implementation entity for a mitigation program decreed as part of a settlement. For example, we could implement a natural resource restoration program in conjunction with a dam relicensing settlement.
- **Fee for Service - administrative services to other state conservancies:** Several other state Conservancies have approached us about providing administrative services such as human resources, information technology and fiscal services. To the extent that we can achieve efficiencies providing these services to our partner agencies, these agreements could help support the Conservancy.

- Fee for Service - planning services: Some of our partners have suggested that Conservancy staff could provide assistance in managing or facilitating regional planning efforts. Staff time would be compensated on a fee for service basis.
- Environmental License Plate Funds (ELPF): Most other state conservancies get a large part of their operating budget from ELPF. The Coastal Conservancy does not receive any ELPF for its operation and, while these funds are over-subscribed, we will continue to make the case for a small allocation to the Conservancy.
- San Francisco Bay Restoration Authority Local Tax Measure: The San Francisco Bay Restoration Authority is a regional government agency created by state law. The Authority is charged with raising and distributing funds for the restoration of San Francisco Bay and its shoreline and is exploring local/regional revenue options.
- Grants for staff: The Conservancy has been very successful in applying for and being awarded grants for our projects. When we had sufficient operating funds, we preferred to direct the full amount of funding to the project implementation and did not ask for support for our staff. In the future, we would like to increase the amount of staff costs that we recover from all incoming grants, and to use our grant writing skills to apply for grants that would fund staff to conduct substantive tasks, rather than fund the project in other ways. Ecosystem Services: There are regional efforts underway to value and establish markets for ecosystem services. Many of these services align with the Conservancy's work and it is possible there could be a role for the Conservancy to implement this kind of market.
- Wetland carbon credits: Initial studies indicate that coastal wetlands may be very effective at sequestering carbon. The Conservancy is working with partners to identify the feasibility of establishing a wetland carbon protocol that would allow us to generate carbon credits through wetland restoration. Some portion of the proceeds from the carbon credits would be returned to the Conservancy.

### Next Steps

Our goal is to complete the new strategic plan by the end of this year. Here's a summary of the schedule and remaining tasks:

June and July	Complete stakeholder interviews & write first draft	Staff
July 27	First draft to Board & posted for public comment	Board/Public
Aug 2	Board meeting discussion	Board
Oct 12	Next Draft to board	Mary
Oct 18	Board meeting and discussion	Board
Nov 1	Plan back out for public comment	Public
Dec 6	Board meeting, final adoption	Board

## Annotated Outline

### I. Mission and Vision

#### Coastal Conservancy's Mission and Vision

*The Coastal Conservancy acts with others to preserve, protect, and restore the resources of the California coast, ocean, and the San Francisco Bay Area. Our vision is of a beautiful, restored, and accessible coastline, ocean and San Francisco Bay Area.*

#### What are our core jobs? And core strengths?

(This section will be filled in based on partner interviews, which are currently in progress)

- Relationships with local governments, ngos and other agencies
- Solving problems - making things happen
- Broad authorities – includes multiple issues, resource protection and economic development
- Collaborating – bringing parties together
- Responsiveness – flexibility, adaptability
- Planning – integrating issues and information, bringing science to bear, identifying large scale solutions
- Funding projects and planning
- Identifying and addressing emerging issues

#### How do we do these things? (Business Principles from old plan)

The Conservancy is a problem-solving agency, emphasizing “doing” projects that solve problems (including needed project planning) rather than “planning” (for the purpose of adopting public policy).

- The Conservancy works in cooperation with others and strives to be an agency whose involvement is sought by others.
- The Conservancy works on landscape-wide projects that serve significant regional or statewide objectives.
- The Conservancy employs the best available science for each project, subjecting its projects to independent scientific review when necessary and feasible.
- The Conservancy values and employs bottom-up community-based planning. The Conservancy believes that the best resource protection ensues when local citizens participate in planning the future of their own natural heritage.
- The Conservancy staff adds value by its combination of technical knowledge, commitment to community involvement, and skill at communicating the needs of the coast to political decision makers. That skill level is a resource for California and should be constantly improved and kept current.

- The Conservancy is accountable to the citizens of California, and all of the Conservancy projects are discussed and acted upon by the board with a full opportunity for public involvement.
- The Conservancy strives to minimize procedural delay and complexity in its work.

#### **What do we need to accomplish our core jobs?**

- Skilled staff
- Lots of \$\$
- Retain flexibility

#### **How and why this plan is different from previous plans**

##### Fundamental assumptions

- The Conservancy will need to generate its own operational funding.
- Grant funds will be limited throughout the duration of this plan.
- There will be limited funding for public land management.
- The changing climate will change nearly every aspect of our work.

#### **Purpose of this plan**

Identify priorities and strategies to lead the agency through the next five years, a period of transition from away from a primary role administering grant funds.

## **II. General Framing**

### **Statutory Authorities and Programs**

(Statutory programs were written up in 2007 plan, we need to update/review)

- COASTAL ACCESS (Public Resources Code (PRC) Section 31400, 31400.1, 31402.2, 31408, 31409)
- URBAN WATERFRONTS (PRC Section 31300 et seq.)
- ENVIRONMENTAL EDUCATION (PRC Section 31316)
- NATURAL RESOURCE RESTORATION AND ENHANCEMENT (PRC Sections 31053, 31251, 31251.2)
- ACQUISITION OF SIGNIFICANT COASTAL SITES (PRC Sections 31350, 31351)
- SOLVING LAND-USE AND DEVELOPMENT CONTROVERSIES (PRC Sections 31052, 31200, 31203)
- WATERSHED RESTORATION (PRC Section 31220)
- PRESERVATION OF AGRICULTURAL LAND (PRC Section 31150)
- COASTAL ZONE MANAGEMENT/ CONFLICT RESOLUTION
- SAN FRANCISCO BAY AREA CONSERVANCY PROGRAM (PRC Sections 31160, 31161, 31162, 31163)
- OCEAN RESOURCES (PRC Section 31220, 35625, and 35650)

### **Climate Change**

- Sea Level Rise
- Wetland Restoration
- Land Acquisition
- Coastal Access
- Adaptation Planning

### **Funding sources and uses**

- Bond Funds
- Habitat Conservation Fund
- Violation Remediation Account
- Coastal Access Funds
- Coastal Trust Fund

### **Things we can do without a lot of capital**

- Planning
- Coordination
- Facilitation
- Local assistance (technical assistance to local partners, writing grants, building partnerships, etc.)
- Environmental Education

### **Relationships and Partners**

- Coastal Commission
- BCDC
- Other Conservancies and key agencies
- Regional Partners: National Estuary Projects, Wetland Recovery Project, Bay Area Open Space Council
- Local Governments
- Nonprofit organizations

### **Building New Constituencies**

- Tourism
- Health
- Jobs
- Planning – sustainable development and transportation
- Others?

### III. Goals and Objectives by Region

#### What is special about each region?

(update regional descriptions from the website)

#### Funding Scenarios

Goals and objectives will be identified under two funding scenarios:

Scenario 1: Water bond approved after 2014 (or equivalent funding measure)

Scenario 2: No new bonds during the next five years

#### Goals and Objectives by Program Area

- Coastal Access and Coastal Trail
- Conservation of Coastal Habitats
- Preservation of Coastal Agriculture
- Urban Waterfronts
- Conflict Resolution
- San Francisco Bay Conservancy

#### Other Obligations (things we are required to do)

- Accept OTDs
- Coordinate development of the CA Coastal Trail, and when bonds are available, open 3 public accessways/year
- Real estate and post project monitoring
- Fish Passage Forum, quarterly meetings
- Participate in and support interagency actions and partnerships in SF Bay to implement long term resource and recreation goals
- Lead implementation of SF Bay Water Trail Plan
- Serve on steering committees and staff working groups
- Reporting
- Other

Here are the goals from the last plan, are they still the right ones?

Do we want to put more emphasis on other authorities, such as agricultural preservation, urban waterfronts, environmental education, etc?

#### PUBLIC ACCESS

Goal 1: Coastal Trail

Goal 2: Coastal Accessways, Open Space, Parks

Goal 3: Coastal and Inland Waterfronts

#### COASTAL RESOURCES CONSERVATION

- Goal 4: Coastal and Watershed Resource Protection
- Goal 5: Restore Biological Diversity in Watersheds
- Goal 6: Water Quality, Habitat in Watersheds and the Ocean
- Goal 7: Preserving Working Landscapes
- Goal 8: Reducing Conflicting Uses

#### SAN FRANCISCO BAY AREA CONSERVANCY

- Goal 9: Resource and Recreational Goals
- Goal 10: Restoring Natural Habitats and Open Space
- Goal 11: Public Access, Recreation, and Education
- Goal 12: Farmland and Rangeland

#### ~~OCEAN PROGRAM/OCEAN PROTECTION COUNCIL~~

- ~~Goal 13: Coordinating and Administering OPC Affairs~~
- ~~Goal 14: Healthy and Productive Ocean and Coastal Ecosystems~~

#### ~~ORGANIZATIONAL/OPERATIONAL ISSUES~~

- ~~Goal 15: Efficiency and Effectiveness~~
- ~~Goal 16: Using Information Technology~~
- ~~Goal 17: Communications~~

## IV. Organizational Considerations

### **New Sources of Funding – for operations and projects**

- Forest Carbon Credits
- In-lieu Fee Programs
- Mitigation Settlements
- Fee for Service: Administrative services to other Conservancies
- Fee for Service: Planning services
- ELPF
- Ecosystem Services
- Wetland carbon credits
- SFB Restoration Authority Local Tax Measure
- Grants for staff

### **Reducing Costs**

We are creating a staff committee to look at our OE&E budget and identify ideas for how to save costs.

However, 75% of the operating budget for the Conservancy is staff costs. We expect to reduce our staff but need to evaluate the proper size of the staff once we have determined what roles the agency will play and how it may need to be reorganized. This analysis will be done at the end of the planning process.

### **Getting more credit, building constituents**

- Public relations plan generally

- Develop shared goals and objectives and develop preliminary projects with others
- Invite more electeds to ribbon cuttings
- Make grantees give us more credit
- Better web presence
- Other things...

### **Changes – Cultural and Operational**

To implement this plan, the Coastal Conservancy will have to reorganize its staff and change their priorities. For example, staff could develop topical expertise to assist the Conservancy in addressing emerging financial and programmatic issues, with the expectation that most staff contributes in some way other than through project work.