

COASTAL CONSERVANCY

Staff Recommendation
December 6, 2018

**EXPEDITED PERMITTING FOR AQUATIC HABITAT RESTORATION:
AUGMENTATION**

Project No. 18-022-01
Project Manager: Joel Gerwein

RECOMMENDED ACTION: Authorization to disburse up to \$200,000 received from the California Department of Water Resources to augment the Conservancy's September 6, 2018 authorization of \$320,000 to Sustainable Conservation to advance the adoption of programmatic permits for aquatic habitat restoration and water quality improvement projects.

LOCATION: Statewide

PROGRAM CATEGORY: Integrated Coastal and Marine Resources Protection

EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [Expedited Permitting for Aquatic Habitat Restoration staff recommendation dated September 6, 2018.](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Section 31220 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to two hundred thousand dollars (\$200,000) to Sustainable Conservation to advance the adoption of programmatic permits for aquatic habitat restoration and water quality improvement projects.

This authorization is subject to all of the conditions imposed upon Sustainable Conservation through the September 6, 2018 Conservancy authorization for this project (Exhibit 2).”

Staff further recommends that the Conservancy adopt the following findings:

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

1. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
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2. The proposed project is consistent with Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resources protection projects.
 3. Sustainable Conservation 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.”
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PROJECT SUMMARY:

On September 6, 2018, the Conservancy authorized a grant to Sustainable Conservation to advance the adoption of programmatic permits by the US Army Corps of Engineers (Corps), the State Water Resources Control Board (SWRCB), and the US Fish and Wildlife Service (FWS) for aquatic habitat restoration and water quality improvement projects. Staff recommends the Conservancy augment the existing authorization by authorizing the disbursement of up to an additional \$200,000 received from the California Department of Water Resources (DWR). The Conservancy previously authorized a grant to Sustainable Conservation of \$320,000 in funds received from the Delta Stewardship Council (DSC), California Natural Resources Agency (CNRA), and California Department of Parks and Recreation (State Parks) for the project. After augmentation, the total amount of the grant would be \$520,000. The scope of the project remains as described in the September 6, 2018 Staff Recommendation (Exhibit 2). That staff recommendation identified the DWR funds as matching funds, as DWR had planned to provide its funds to Sustainable Conservation directly. DWR has now determined that it will be preferable to enter into an agreement with the Conservancy whereby the Conservancy, pursuant to this authorization, will grant the funds to Sustainable Conservation and administer the grant.

The project is fully described in the September 6, 2018 staff recommendation (Exhibit 2). No significant changes have been made to the project.

Site Description: The project will provide statewide Corps, SWRCB, and FWS permit coverage for projects in wetlands, streams, floodplains, and riparian corridors, benefiting both coastal and interior watersheds.

Grantee Qualifications: The grantee is fully qualified to carry out the project, as discussed in the September 6, 2018 staff recommendation (Exhibit 2).

Project History: The project history is described in the September 6, 2018 staff recommendation (Exhibit 2).

PROJECT FINANCING

Grant Augmentation

Coastal Conservancy (California Department of Water Resources funds) **\$200,000**

September 6, 2018 Authorization

Coastal Conservancy (Delta Stewardship Council funds) \$250,000

Coastal Conservancy (California Natural Resources Agency funds) \$50,000

Coastal Conservancy (California Department of Parks and Recreation funds)	\$20,000
Subtotal September 6, 2018 Authorization	\$320,000
Conservancy Authorizations Total	\$520,000

The DSC, CNRA, and State Parks funds are discussed in the September 6, 2018 staff recommendation (Exhibit 2). The funds for this augmentation are derived entirely from funds provided to the Conservancy specifically for this project by DWR through an interagency agreement.

The overall project cost and additional funding secured to implement it are described in the September 6, 2018 staff recommendation.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapter 5.5 of Division 21 of the Public Resources Code (Section 31220) as described in Exhibit 2 and remains consistent with the purposes of this Chapter.

CONSISTENCY WITH CONSERVANCY’S 2018-2022 STRATEGIC PLAN GOALS & OBJECTIVES:

The project is consistent with the Conservancy’s 2018-2022 Strategic Plan Goals and Objectives, as discussed in the September 6, 2018 staff recommendation.

CONSISTENCY WITH CONSERVANCY’S PROJECT SELECTION CRITERIA & GUIDELINES:

The project remains consistent with the Conservancy project selection criteria and guidelines.

COMPLIANCE WITH CEQA:

The California Environmental Quality Act (CEQA) requires that public entities conduct environmental review prior to approving or funding a project. The CEQA Guidelines at 14 Cal. Code Regs. § 15378(b)(5) provide that the term “project” excludes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. The project will involve only the development of programmatic permits, which is an administrative activity of governments that does not directly affect the environment. Therefore, the proposed development of programmatic permits is not a “project” within the meaning of CEQA and funding the project does not trigger the requirement for environmental review under CEQA.

Aquatic habitat restoration projects that may be covered in the future under the programmatic permits will undergo review under CEQA before they are funded or approved.