

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

Teleconference Meeting

19 February 2004
1:00 p.m.

Conference Room
State Coastal Conservancy
1330 Broadway, 11th Floor
Oakland, California

Conference Room
Resources Agency
1416 9th Street, #1305
Sacramento, California

Sonnenschein Nath & Rosenthal LLP
685 Market Street, 6th Floor
San Francisco, California

First Floor Conference Room
City Hall
505 Forest Avenue
Laguna Beach, California

MEMBERS PRESENT:

Location

Paul Morabito (Public Member), Chairman	Laguna Beach
Gary Hernandez (Public Member)	San Francisco
Susan Hansch (Designated Representative, Coastal Commission)	Oakland
Mike Spear (Designated Representative, Resources Agency)	Sacramento

OVERSIGHT LEGISLATORS PRESENT:

Joanne Wong, representing Assemblymember John Laird (District 27)	Sacramento
Jeff Arthur, representing Assemblymember Hannah-Beth Jackson (District 35)	Sacramento
Adrienne Alvord, representing Assemblymember Fran Pavley (District 41)	Sacramento

OTHERS PRESENT:

Sam Schuchat, Executive Officer	Oakland
Pat Peterson, Deputy Attorney General	Oakland

2. APPROVAL OF MINUTES:

The Minutes of the December 11, 2003 Public Meeting were approved without change.

3. MALIBU ACCESS: DAN BLOCKER BEACH:

Marc Beyeler of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seven hundred thousand dollars (\$700,000) to Los Angeles County to construct beach access improvements at Dan Blocker Beach, as more specifically described in the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of any funds for the construction of improvements at Dan Blocker Beach, the County shall submit for the review and written approval of the Conservancy’s Executive Officer:
 - a. A final work program, budget and construction schedule;
 - b. The names and qualifications of any contractors or subcontractors that the County intends to employ to implement the project;
 - c. A signing plan for the project acknowledging Conservancy participation; and
 - d. Written evidence 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.
2. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has been reviewed and approved by the Conservancy’s Executive Officer.”

Findings:

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

1. The proposed authorization is consistent with Public Resources Code Sections 31400 *et seq.* regarding public access to the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project serves greater than local need.
4. The Conservancy has independently reviewed the County’s Final Mitigated Negative Declaration attached to the accompanying staff recommendation as Exhibit 4, and finds that the project avoids, reduces or mitigates the possible significant effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 Cal. Code of Regulations Section 15382.”

Motion passed on a roll-call vote of 4-0.

4. MALIBU CREEK WATERSHED HABITAT RESTORATION:

Marc Beyeler of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed four hundred thousand dollars (\$400,000) to Heal the Bay to undertake habitat restoration activities along Malibu Creek within the Malibu Creek Watershed in Los Angeles and Ventura Counties to restore riparian habitat and eliminate barriers to fish passage for the southern steelhead trout, more specifically described in the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of any funds, Heal the Bay shall submit for the review and written approval of the Executive Officer of the Coastal Conservancy:
 - a. A final work program, schedule and budget for the project;
 - b. All contractors to be employed for the project;
 - c. Evidence of all permits and approvals for the project; and
 - d. A program for the installation of sign(s).
2. Heal the Bay shall enter into an agreement with the Conservancy sufficient to protect the public’s interest pursuant to Public Resources Code Section 31116(c).”

Findings:

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

1. The proposed authorization is consistent with Public Resources Code Sections 31251-31270 regarding enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Heal the Bay 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.”

Motion passed on a roll-call vote of 4-0.

5. VENTURA RIVER PARKWAY: CONFLUENCE PROPERTY ACQUISITION:

Peter S. Brand of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four hundred fifty thousand dollars (\$450,000) to the Ojai Valley Land Conservancy for the acquisition of interests in the Confluence property including 14 acres in fee and 16 acres under a conservation easement, as described in the accompanying staff recommendation, for related acquisition costs, and for preparation of a public access, restoration and resource management plan for the property and adjacent related properties. The Conservancy further authorizes the acceptance of funds from the

Resources Agency and other sources to defray or reimburse the Conservancy's costs of acquisition, planning or restoration of the Confluence property. This authorization is subject to the following conditions:

1. Prior to the disbursement of any funds for acquisition, the Executive Officer shall review and approve all title and acquisition documents including but not limited to the appraisal, agreement of purchase and sale, the grant deed and conservation easement, environmental assessments, escrow instructions and documents of title.
2. The Ojai Valley Land Conservancy shall pay no more than fair market value for the interests acquired, as established by an appraisal approved by the Executive Officer.
3. The property shall be permanently protected for public access, open space and habitat conservation in a manner acceptable to the Executive Officer and in accordance with Public Resources Code Section 31116(b)."

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of the Division 21 of the Public Resources Code (Sections 31241-31270) regarding enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The portion of the Ventura River that is within the Coastal Zone is identified is designated as a sensitive habitat area to be preserved and where possible restored and is to be protected from any actions that would adversely affect flows necessary for anadromous fish.
4. The Ojai Valley Land Conservancy is a nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.
5. The Conservancy is authorized under Section 31104 of the Public Resources Code to apply for and accept financial grants and financial support from public and private sources."

Motion passed on a roll-call vote of 4-0.

6. STANLY RANCH WETLAND ACQUISITION:

Mary Small of the Conservancy staff presented the Staff Recommendation.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred sixty thousand dollars (\$160,000) to the Wildlife Conservation

Board (“WCB”) for the acquisition of Parcels 8 and 18 of the Stanly Ranch in Napa County, as described in Exhibit 1 to the accompanying staff recommendation and incorporated by reference, for resource protection and public access, subject to the following conditions:

1. Prior to disbursement of funds, WCB shall submit for the review and approval of the Executive Officer of the Conservancy (“Executive Officer”):
 - a. All relevant acquisition documents, including, without limitation, the appraisal, purchase agreement, hazardous materials assessments, escrow instructions and title reports; and
 - b. A sign plan for the property.
2. WCB shall pay no more than fair market value for each property interest, as established in an appraisal approved by the Executive Officer.
3. WCB shall permanently dedicate the property interests acquired pursuant to this authorization for the protection of fish and wildlife habitat, and the provision of public access consistent with those uses.
4. Conservancy funding shall be acknowledged by erecting and maintaining signs on the properties, which have been reviewed and approved by the Executive Officer.
5. WCB may transfer its interests in the properties to a public entity or nonprofit organization acceptable to the Executive Officer for purposes consistent with resource protection and public access and subject to agreements and other instruments deemed appropriate 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 Public Resources Code Sections 31160-31164, which authorizes the Conservancy to award grants to address resource and recreational goals of the San Francisco Bay Area.
2. The proposed acquisition is consistent with the Conservancy’s Project Guidelines and Selection Criteria, adopted by the Conservancy on January 24, 2001.
3. The proposed acquisition has the approval of the California Water Resources Control Board, San Francisco Bay Region, for eligibility for funding pursuant to Administrative Civil Liability Complaint No. 98-002.”

Motion passed on a roll-call vote of 4-0.

7. GLEASON PROPERTY ACQUISITION:

Ann Buell of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two million two hundred thousand dollars (\$2,200,000) to the East Bay Regional Park District toward the acquisition of the 673-acre Gleason property in Contra Costa County, Assessor Parcel Numbers 189-090-002; 189-090-006; 189-090-007; 189-090-008; 189-090-009; 189-110-003; 189-110-004; 258-020-003; 258-030-001; 258-040-001, as shown on Exhibit 2 to the accompanying Staff Recommendation, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the East Bay Regional Park District shall:
 - a. Submit for review and approval of the Executive Officer of the Conservancy (the "Executive Officer") all relevant acquisition documents including but not limited to, the appraisal, agreement(s) of purchase and sale, escrow instructions and documents of title; and
 - b. Dedicate the property for open space, habitat conservation and public access, and as a wildlife corridor, in a manner acceptable to the Executive Officer.
2. The East Bay Regional Park District shall have paid no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign 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 project is consistent with Public Resources Code Sections 31160-31164, regarding the Conservancy's mandate to address the resource and recreational goals of the San Francisco Bay Area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

Motion passed on a roll-call vote of 4-0.

Assemblymember Fran Pavley called in to express her support for Agenda Items 4 and 5.

8. SAN LUIS OBISPO COUNTY FISH PASSAGE DESIGN:

Prentiss Williams of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred fifty thousand dollars (\$350,000) to the Land Conservancy of San Luis Obispo County to prepare engineering designs, environmental documentation and permit applications for fish passage improvement projects in San Luis Obispo County coastal streams, subject to the condition that prior to the disbursement of any funds, the Land Conservancy of San Luis Obispo County shall submit for the review and written approval of the Executive Officer of the Conservancy a work program, budget and schedule, and the names of any contractors to be employed in carrying out the work.”

Findings:

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

- 1 The proposed project is consistent with the purposes and criteria in Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding enhancement of coastal resources.
- 2 The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
- 3 The project area has been identified in the certified Local Coastal Programs of San Luis Obispo County as requiring public action to resolve existing or potential resource protection problems.
4. The Land Conservancy of San Luis Obispo County is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Motion passed on a roll-call vote of 4-0.

9. BUENA VISTA PROPERTY ACQUISITION:

Prentiss Williams of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Karen Frankel, representing the Trust for Public Land.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million one hundred sixty thousand dollars (\$1,160,000) to the Wildlife Conservation Board ("WCB") for the acquisition of the property commonly known as the Buena Vista property, County of Santa Cruz Assessors Parcel Nos. 046-041-01, 046-041-03 and 046-051-24, consisting of approximately 289 acres, subject to the following conditions:

1. Prior to the disbursement of any funds for the acquisition, the WCB shall submit for the review and approval of the Executive Officer of the Conservancy ("Executive Officer"):
 - a. All relevant acquisition documents, including, without limitation, the appraisal, purchase agreement, escrow instructions, environmental or hazardous materials assessment and title report.
 - b. Evidence that sufficient funds are available to complete the acquisition.
2. The WCB shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. The WCB shall permanently dedicate the property for habitat preservation, open space and limited public access consistent with endangered species habitat, through an appropriate instrument approved by the Executive Officer.
4. The WCB, through the California Department of Fish and Game, shall prepare a management plan for the property consistent with Fish and Game Code Section 2794.
5. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has been approved by the Executive Officer."

Findings:

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

1. The proposed project is consistent with Chapter 8 of Division 21 of the California Public Resources Code (Sections 31350-31356) regarding reservation of significant coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

Motion passed on a roll-call vote of 4-0.

10. COAST DAIRIES WATER RESOURCES PLANNING:

Prentiss Williams of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Joanne Wong, representing both Assemblymember John Laird and Santa Cruz County Supervisor Marty Wormhoudt, expressed their strong support for the Staff Recommendation.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred thousand dollars (\$300,000) to the County of Santa Cruz to conduct site studies and environmental analysis, and to draft applications for submit-

tal to the State Water Resources Control Board for permits to appropriate water from streams; and to conduct feasibility studies pertaining to the development of water storage reservoirs on the Coast Dairies property, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the County shall submit for the review and written approval of the Executive Officer of the Conservancy a work plan, budget and schedule for the completion of the work and the names and qualifications of any contractors to be employed to carry out the work plan.
2. Prior to the disbursement of any Conservancy funds, the County shall provide the Conservancy with written evidence that it has obtained permission from the owner of the Coast Dairies property to enter the property for purposes of carrying out the work.
3. The Conservancy does not anticipate providing funds for water-resource planning or studies beyond the current authorization, or for implementation of future water-development projects on the property.”

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 criteria in Chapter 4 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*) regarding the preservation of agricultural land.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Motion passed on a roll-call vote of 4-0.

11. COASTAL FISHERY HABITAT INVENTORY:

Michael Bowen of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred fifty thousand dollars (\$250,000) to the Center for Ecosystem Management and Restoration (“CEMAR”) for the preparation of the Central and South Coast Fishery Habitat Inventory (“Inventory”), subject to the condition that prior to commencement of work, CEMAR shall submit for the review and approval of the Executive Officer of the Conservancy a work program, schedule for completion and project budget, and the names and qualifications of any contractors to be employed in the preparation of the Inventory.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 (Sections 31251-31270) of Division 21 of the Public Resources Code regarding the enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.
3. The Center for Ecosystem Management and Restoration is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Service Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Motion passed on a roll-call vote of 4-0.

12. CONSENT ITEMS:

A: CENTRAL COAST REGIONAL COLLABORATION:

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement to Greenbelt Alliance of an amount not to exceed seventy-five thousand dollars (\$75,000) to develop a regional plan and map for land conservation in collaboration with Central Coast land trusts, and to coordinate land conservation information, training and other needs of Central Coast land trusts, as described in the accompanying staff recommendation, subject to the condition that prior to the disbursement of any Conservancy funds:

1. Greenbelt Alliance 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.
2. The Resources Agency shall have entered into an agreement with the Conservancy to provide funding for this 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 purposes and criteria set forth in Chapters 4 and 6 of Division 21 of the Public Resources Code regarding the preservation of coastal agriculture and the enhancement of coastal resources, and with the authority of the Conservancy under Public Resources Code Section 31111 to award grants to nonprofit organizations to undertake plans and feasibility studies for these purposes.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.

3. Greenbelt Alliance 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.”

B: DUTCH SLOUGH RESTORATION PLANNING:

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to \$300,000 to the Natural Heritage Institute (“NHI”) for restoration planning for the Dutch Slough Project, as described in the accompanying staff recommendation, subject to the condition that prior to disbursement of any funds, the NHI shall submit for review and approval by the Executive Officer of the Conservancy a work program, schedule and budget, and the names and qualifications of any contractors to be employed in 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 Public Resources Code Sections 31160 *et seq.*, regarding the Conservancy’s mandate to address the resource and recreational goals of the San Francisco Bay Area and with the authority of the Conservancy under Section 31104 to apply for and accept funding from public and private sources;
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Natural Heritage Institute 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.”

C: SAN FRANCISCO BAY AREA UPLAND HABITAT GOALS:

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed sixteen thousand five hundred dollars (\$16,500) to Greenbelt Alliance to undertake a feasibility study, including a detailed scope of work and budget, for an upland habitat goals analysis for the San Francisco Bay Area, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, Greenbelt Alliance shall submit for the review and written approval of the Executive Officer a detailed work program, budget and schedule for the feasibility study; and the names and qualifications of any contractors and subcontractors that it intends to employ.

2. All Conservancy funds disbursed under this authorization shall be reimbursed from the Resource Agency's Legacy Project."

Findings:

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

1. The San Francisco Bay Area Upland Habitat Goals feasibility study is consistent with the purposes and criteria set forth in Public Resources Code Sections 31160-31164 regarding the Conservancy's mandate to address the resource and recreation goals of the San Francisco Bay Area, and with the authority of the Conservancy under Public Resources Code Section 31111 to award grants to non-profit organizations for these purposes.
2. The San Francisco Bay Area Upland Habitat Goals project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Greenbelt Alliance 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."

D: SEASIDE BEACH AND MEADOW: MANAGEMENT PLANNING & DESIGN:

Resolution:

"The State Coastal Conservancy hereby redirects disbursement of up to eight thousand sixteen dollars (\$8,016) previously granted by the Conservancy in June 2001 to the Coastal Land Trust to acquire an additional parcel at Seaside Beach (known as Seaside Meadow), to conduct management planning and design tasks for the Seaside Beach and Meadow property."

Finding:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the proposed project remains consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding a system of public accessways to and along the coast, and with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

E: MATTOLE RIVER WATERSHED ENHANCEMENT PROGRAM: UPSLOPE HABITAT IMPROVEMENTS:

Resolution:

"The State Coastal Conservancy hereby authorizes the Mattole Restoration Council to use funds that the Conservancy approved on January 23, 2003 for planning purposes

in the Mattole River watershed additionally for upslope habitat-improvement projects. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for each project, the Mattole Restoration Council shall submit for review and approval of the Executive Officer of the Conservancy:
 - a. A work program, schedule and budget;
 - b. The names and qualifications of any contractors; and
 - c. Evidence of all necessary permits and authorizations.
2. The grantee shall enter into an agreement with each landowner to protect the public interest in the project, consistent with Public Resources Code Section 31116(c) and additionally where deemed appropriate by the Executive Officer.
3. Conservancy and Proposition 12 funding shall be acknowledged in signage or other documentation appropriate to 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 criteria of Chapter 6 of Division 21 of the Public Resources Code (Sections 31251 to 31270) regarding enhancement of coastal resources.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. 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.
4. The Mattole River is identified in the Humboldt County Local Coastal Plan, South Coast Area Plan as environmentally sensitive habitat and a significant coastal stream for which the biological productivity should be maintained.
5. The Conservancy has reviewed the Mitigated Negative Declaration (attached to the accompanying staff recommendation as Exhibit 2) adopted by the California Department of Fish and Game, Central Coast Region on June 25, 2002 pursuant to the California Environmental Quality Act, and the Mitigation Monitoring Program developed to monitor mitigations of potentially significant environmental effects, and finds that the project avoids, reduces or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the habitat improvement activities in the upper Mattole River watershed may have a significant effect on the environment, as defined in 14 Cal. Code of Regulations Section 15382.
6. There is no evidence before the Conservancy that the habitat improvement activities will have a potentially adverse effect on wildlife resources as defined under Cal. Fish and Game Code 711.2.

7. The Conservancy has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in 14 Cal. Code of Regulations Section 753.5(d) regarding the potential for adverse effect on wildlife resources as defined under Cal. Fish and Game Code Section 711.2.”

F: ADOPT-A-WATERSHED EDUCATION PROGRAM:

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to Adopt-A-Watershed to establish and support teams of educators, resource managers, and interested citizens and organizations, to provide environmental education programs to elementary, middle and high schools, focusing on the functioning, protection and restoration of watersheds. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, Adopt-A-Watershed shall submit for the review and approval of the Executive Officer a work program including a detailed project budget and schedule for completion of project tasks.
2. Conservancy funding shall be acknowledged in publications/curricula produced as a result of this project, in a manner which has been reviewed and approved by the Executive Officer.
3. The program shall meet State Board of Education adopted content standards and the other requirements of Public Resources Code Section 31119(a)(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 Public Resources Code Section 31119 regarding educational projects and programs.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed program is consistent with the Conservancy’s Strategic Plan, approved on June 4, 2003.
4. Adopt-A-Watershed is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Service Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Motion passed on a roll-call vote of 4-0.

13. EXECUTIVE OFFICER’S REPORT:

Mr. Schuchat presented a proposed policy on Educational Assistance projects.

Resolution:

"The Coastal Conservancy hereby adopts the following policy regarding its education program:

1. The Conservancy's education program should relate to Conservancy projects and program areas as closely as possible in order to avoid duplication with other existing education programs and to maximize public benefit from the Conservancy's public investment in its projects.
2. The Conservancy's education program should place high priority on educational programs that serve poorer neighborhoods.
3. The Conservancy's education program should seek to provide opportunities for school age children to visit the coast, particularly to Conservancy-funded project sites.
4. The Conservancy's efforts in education should be focused on increasing the use of existing curricula that relates to the coast and coastal resources and processes, as opposed to funding the development of new curricula.
5. Prop. 50 funds for education/nature centers should be spent according to the criteria and priorities indicated in the legislation. Two categories of facilities are recommended under the Prop. 50 legislation: training and research facilities for watershed protection and water conservation; and nature centers that are in or adjacent to wetlands identified for protection. (See Attachment B for full text.)
6. Prop. 50 funds for education/nature centers should be divided in some equitable fashion between the regions, and each region should recommend a priority list of projects for funding. Criteria to use for evaluating projects proposed for each region include: lack of existing facilities (*i.e.*, demonstration of need); proposed location should be capable of serving a large audience; and each region should get at least one education grant.
7. Taken as a whole, the Conservancy grants for education projects and facilities should represent a diverse range of subjects and disciplines relating to coastal resources."

Motion passed on a roll-call vote of 4-0.

Mr. Schuchat and Deborah Ruddock of the Conservancy staff presented staff's proposed adoption of findings regarding the Laguna Coast Wilderness Park in Orange County, pursuant to Section 5096.3075 of the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12).

Finding:

"Pursuant to Section 5096.3075 of the Public Resources Code, the State Coastal Conservancy hereby finds that funds allocated to the State Coastal Conservancy under Public Resources Code Section 5096.352(g) are in excess of the total needed for Laguna Coast Wilderness Park projects."

Motion passed on a roll-call vote of 4-0.

Mr. Schuchat said that if a quorum could be confirmed, the meeting currently scheduled for Thursday, July 29 would be moved to Wednesday, August 4.

The next meeting will be held in the Laguna Beach City Hall on Thursday, March 25, 2004.

14. DEPUTY ATTORNEY GENERAL'S REPORT:

There was no Deputy Attorney General's report.

15. BOARD MEMBER COMMENTS:

There were no other comments by Board Members.

16. PUBLIC COMMENTS:

There were no other comments by members of the public.

19. ADJOURNMENT:

The meeting was adjourned at 2:00 p.m.

TDS