

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

June 30, 2004
10:00 a.m.

Arcata City Hall
736 F Street, Arcata, California

MEMBERS PRESENT:

Douglas Bosco (Public Member), Acting Chairman
Jeremy M. Hallisey (Public Member)
Gary Hernandez (Public Member)
Mike Reilly (Chairman, Coastal Commission)

OVERSIGHT LEGISLATORS PRESENT:

There were no Oversight Legislators present.

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General

22. PUBLIC COMMENTS:

This agenda item was taken out of order. Diane Beck, representing the Sierra Club, North Group, Redwood Chapter, and Mike Bittner expressed concern regarding the proposal by the City of Eureka to place a roadway through Palco Marsh. Karyn Gear, Conservancy North Coast Program Manager, advised the Board that Conservancy staff is aware of the issue and concerned and that staff will monitor the situation and provide appropriate comment on any assessment and/or environmental documentation that may occur on this issue.

2. APPROVAL OF MINUTES:

The Minutes of the May 27, 2004 Public Meeting were approved without change.

3. COASTAL OCEAN CURRENTS MONITORING PROGRAM:

Sam Schuchat, Executive Officer of the Conservancy, provided an overview of this project.

Sheila Semans of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Newell (Toby) Garfield, representing San Francisco State University; Eric Terrill, representing Scripps Oceanographic Institution; and Jeff Paduan, representing the Naval Post-Graduate School.

Resolution:

“The State Coastal Conservancy hereby authorizes acceptance of a grant from the State Water Resources Control Board (SWRCB) of seven million dollars (\$7,000,000) for implementation of the Coastal Ocean Currents Monitoring Program. The Conservancy further authorizes the disbursement of an amount not to exceed three million five hundred thousand dollars (\$3,500,000) of the SWRCB funds and six million seven hundred thousand dollars (\$6,700,000) of Conservancy funds to Scripps Institution of Oceanography, U.C. San Diego, and the disbursement of an amount not to exceed three million five hundred thousand dollars (\$3,500,000) of the SWRCB funds and six million seven hundred thousand dollars (\$6,700,000) of Conservancy funds to San Francisco State University to implement the Coastal Ocean Currents Monitoring Program, subject to the following conditions:

1. Prior to disbursement of Conservancy funds, the grantees shall each submit for the review and written approval of the Executive Officer of the Conservancy the following:
 - a. A final work program, schedule, and budget.
 - b. The names and qualifications of any contractors to be employed in carrying out the work.
 - c. Evidence that all necessary permits and/or approvals have been obtained.
 - d. Evidence that the grantees have available all other funds necessary 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 Public Resources Code Section 31220, regarding the Conservancy’s mandate to protect and restore marine resources.
2. The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Motion passed by a vote of 4-0.

4. BAYVIEW RANCH:

Sheila Semans of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Dan Hauser, City Manager, representing the City of Arcata, Julie Neander, City of Arcata staff, representing the City of Arcata, Connie Stewart on behalf of State Assembly Member Patty Berg and as a City Council member, and Zuretti Goosby on behalf of State Senator Wesley Chesbro.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed seven hundred fifty thousand dollars (\$750,000) to the City of Arcata for the acquisition of the Bayview Ranch property in Humboldt County (Humboldt County Assessor’s Parcel Numbers: 501-04-208, 501-04-205, and 501-04-216), and associated transaction costs, for the purposes of resource enhancement, public access, open space and scenic protection, and agricultural preservation, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the Executive Officer of the Conservancy ("Executive Officer") shall review and approve all relevant acquisition documents, not limited to an appraisal, agreement of purchase and sale, escrow instructions, and title documents.
2. The City of Arcata shall pay no more than fair market value for the property interests, as established in an appraisal approved by the Executive Officer.
3. The City of Arcata shall permanently dedicate the property for resource enhancement, public access, open space and scenic protection, and agricultural preservation, in a manner acceptable to the Executive Officer and consistent with Public Resources Code Section 31116(b);
4. The City of Arcata shall acknowledge Conservancy and Proposition 40 bond funding by erecting and maintaining a sign on the property, the design and location of which has been reviewed and approved by the Executive Officer.”

Findings:

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

1. The proposed project is consistent with Chapter 6 of Division 21 of the Public Resources Code, regarding coastal resource enhancement.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Matching funds will be provided by the Wildlife Conservation Board, the City of Arcata, and the California Waterfowl Association.”

Motion passed by a vote of 4-0.

5. TOMALES BAY WATERSHED ENHANCEMENT PROGRAM:

Sheila Semans of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Nancy Scolari, Executive Director, representing the Marin Resource Conservation District.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed six hundred thousand dollars (\$600,000) to the Marin Resource Conservation District to conduct erosion control and riparian enhancement projects in the Tomales Bay watershed in accordance with the agreed-upon practices of the Marin Coastal Watersheds Permit Coordination Program, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for each project, the Marin Resource Conservation District shall submit for review and approval of the Executive Officer of the Conservancy:
 - a. A work program, including an annual list of priority enhancement projects, schedule and budget;
 - b. The names and qualifications of any contractors; and
 - c. Evidence of all necessary permits and authorizations.
2. Prior to implementing any enhancement project funded by this grant, the Marin Resource Conservation District shall secure and submit to the Executive Officer for review and written approval an agreement with the owner of the property on which the project is to occur that authorizes the proposed enhancement work, that serves to protect the public interest in any improvements installed or constructed with Conservancy funds and that ensures that project enhancements to the property will be monitored and managed in a manner consistent with the purposes of this grant.
3. Conservancy funding shall be acknowledged by erecting and maintaining on the property on which an enhancement project is undertaken a sign or signs, the design and placement of which has been reviewed and approved by the Executive Officer or by some other alternative form of acknowledgement, appropriate to the project and approved by the Executive Officer.”

Findings:

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

1. The proposed authorization is consistent with the purposes and 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 Conservancy has independently reviewed and considered the Mitigated Negative Declaration attached to the accompanying staff recommendation as Exhibit 4 adopted by the Marin Resource Conservation District, on June 9, 2004 pursuant to the California Environmental Quality Act, and finds that the project, as mitigated, avoids, reduces or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project enhancement activities in the Tomales Bay watershed may have a sig-

nificant effect on the environment, as defined in 14 Cal. Code of Regulations Section 15382.

Motion passed by a vote of 4-0.

6. WILLOW CREEK:

Richard Retecki of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Tim Wirth, Director, Bay Area Conservancy, Trust for Public Land; and Andrea Mackenzie, General Manager, Sonoma County Agricultural Preservation and Open Space District.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed four million one hundred eighty-seven thousand dollars (\$4,187,000) to the State Department of Parks and Recreation for the purpose of acquiring Sonoma County Assessor Parcel Nos. 073-300-001, 074-190-001, 097-130-013, 097-170-002, 097-170-005, 097-180-001, 097-190-003, 097-190-004, 097-200-001, 097-200-002, and 097-210-007, consisting of 3,373 acres (known as the Willow Creek Property), in the southern Russian River watershed, subject to the following conditions:

1. Prior to the disbursement of any funds for the acquisition, the State Department of Parks and Recreation shall submit for the review and approval by the Executive Officer all relevant acquisition documents, including, without limitation, the appraisal, purchase agreement, escrow instructions and title documents.
2. The State Department of Parks and Recreation shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. The State Department of Parks and Recreation shall provide evidence that sufficient funds are available to complete the acquisition.
4. The State Department of Parks and Recreation shall permanently dedicate the property for habitat preservation and public access in a manner acceptable to 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 6 of Division 21 of the California 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 site has been identified in the Sonoma County Local Coastal Plan as an environmentally sensitive area requiring public action to resolve existing or potential resource protection problems.”

Motion passed by a vote of 4-0.

7. MCNAMARA RANCH:

Michael Bowen of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Maya Conrad, Northcoast Regional Land Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed six hundred twenty-seven thousand dollars (\$627,000) together with an additional amount of \$450,000 if awarded to the Conservancy by the United States Fish and Wildlife Service Watershed Conservation Grant Program to the Northcoast Regional Land Trust to acquire the 108-acre McNamara Ranch, Humboldt County Assessors Parcel Numbers 520-191-003, 520-191-006, 520-191-007, and 520-191-008, 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 Trust shall:
 - a. Submit for review and approval by 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.
 - b. Dedicate the property for agricultural open space, habitat conservation, public access, and as a wildlife corridor, in a manner acceptable to the Executive Officer, in accordance with Public Resources Code 31116(b).
 - c. Obtain all other necessary funds to complete the acquisition.
2. The Trust shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. Conservancy funding shall be acknowledged by erecting and maintaining 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 project is consistent with the purposes and criteria set

forth in Chapter 4 (Sections 31150-31156) of Division 21 of the Public Resources Code regarding the preservation of agricultural land.

2. 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.

3. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.

4. The Northcoast Regional Land Trust is a non-profit organization existing under section 501(c)(3) of the Internal Revenue Service code whose purposes are consistent with Division 21 of the Public Resources Code.”

Motion passed by a vote of 4-0.

8. GIACOMINI RANCH:

Su Corbaley of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Aimee Crawford, Marin Agricultural Land Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seven hundred fifty thousand dollars (\$750,000) to the Marin Agricultural Land Trust for the purpose of the acquisition of an agricultural conservation easement over the Giacomini Ranch property (Marin County Assessors Parcel Nos. 119-020-22 and 119-020-23), subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the Marin Agricultural Land Trust shall:
 - a. Submit for review and approval of the Executive Officer of the Conservancy (the “Executive Officer”), all relevant acquisition documents, including, without limitation, appraisals, purchase agreements, conservation easements, escrow instructions and documents of title.
 - b. Provide written evidence to the Executive Officer that all other funds necessary to the acquisition have been obtained.
2. The purchase price of the conservation easement shall not exceed fair market value, as established in an appraisal approved by the Executive Officer of the Conservancy.
3. The easement interest acquired under this authorization shall be managed and operated in a manner consistent with the purpose of agricultural conservation, open space preservation and natural resource protection. The property interests acquired under this authorization shall be permanently dedicated to those purposes in accordance with Public Resources Code Section 31116(b).

4. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign, the design and placement of which has been reviewed and approved by the Executive Officer.”

Findings:

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

1. The proposed authorization is consistent with Chapter 4 of Division 21 of the Public Resources Code (Sections 31150 *et seq.*), regarding the Conservancy’s mandate to address the preservation of agricultural lands.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Marin 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 opportunities, are consistent with Division 21 of the Public Resources Code.”

Motion passed by a vote of 4-0.

9. BAY AREA RIDGE TRAIL:

David Haynes of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred ten thousand dollars (\$110,000) to the East Bay Regional Park District to complete planning for development of two segments of the Bay Area Ridge Trail at the Vargas Plateau Property and the Garin-Dry Creek Regional Park in southern Alameda County, subject to the condition that no Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing: a final work plan, including a budget and schedule; and any contractors proposed to be used.”

Findings:

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

1. The proposed project is consistent with the authority of the Conservancy under Public Resources Code Sections 31160-31164 regarding projects of the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.

Motion passed by a vote of 4-0.

10. GOLDEN GATE NATIONAL PARKS COASTAL TRAIL SIGNAGE:

Joan Cardellino of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed five hundred eighteen thousand five hundred dollars (\$518,500.00) to the Golden Gate National Parks Conservancy (GGNPC) to establish a comprehensive trail signage system along a continuous 17-mile stretch of the Coastal Trail in Marin and San Francisco counties. Disbursement of the funds is subject to the following conditions:

1. No Conservancy funds shall be disbursed until the Executive Officer of the Conservancy (“Executive Officer”) has reviewed and approved in writing a final work program, including a budget and schedule; a sign plan acknowledging Conservancy and Proposition 12 funding; and any contractors to be employed in the project.
2. Prior to initiating construction, GGNPC shall provide written evidence to the Executive Officer that all permits and approvals necessary to the implementation and completion of the project under applicable local, state and federal laws and regulations have been obtained.”

Findings:

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

1. The proposed project is consistent with Division 21, Chapter 9 of the Public Resources Code (Sections 31400-31409) regarding the Public Access Program.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Motion passed by a vote of 4-0.

11. PILLAR POINT BLUFF ACQUISITION AND TRAIL PLANNING:

Marina Cazorla of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Walter Moore, representing Peninsula Open Space Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one million, (\$1,000,000) to the Peninsula Open Space Trust (POST) towards its acquisition of the Strickler Property at Pillar Point Bluff (San Mateo County

Assessor Parcel No. 037-300-080) located in San Mateo County, as shown on Exhibits 1 and 2 to the accompanying staff recommendation. The State Coastal Conservancy further authorizes disbursement of an amount not to exceed eighty-five thousand dollars (\$85,000) for the planning and design of a 0.7 mile portion of the Coastal Trail. These authorizations are subject to the following conditions:

1. Prior to the Conservancy's disbursement of acquisition funds, POST shall submit for the review and approval of the Executive Officer of the Conservancy all relevant acquisition documents, including but not limited to appraisals, agreement of purchase and sale, environmental assessments, escrow instructions, and documents of title.
2. Prior to the disbursement of the trail planning and design funds, POST shall submit for the review and written approval of the Executive Officer of the Conservancy a work program, budget, schedule for the completion of the trail planning and design, and qualifications of any contractors or subcontractors to be employed to carry out the work program.
3. POST shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer of the Conservancy.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which shall be reviewed and approved by the Executive Officer.
5. POST shall permanently dedicate the blufftop portion of the property for the preservation of open space lands, natural resource protection, and public recreation by an offer to dedicate or other appropriate instrument or instruments approved by the Executive Officer, in accordance with Public Resources Code Section 31116(b).
6. POST shall seek funding for construction of coastal and vertical public access trails. If construction funding is obtained, POST shall construct trails within a reasonable time and maintain them until the property is conveyed to an appropriate entity for long-term stewardship.
7. The Coastal Trail Plan for the subject property shall be consistent with the Conservancy's "Standards and Recommendations for Design and Location of Accessways."

Findings:

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

1. The proposed project is consistent with Division 21 of the Public Resources Code, specifically Chapter 8 (Sections 31350-31356) regarding reservation of significant

coastal resource areas, Chapter 9 (31400-31400.3) regarding public access to the coast, and Section 31111.

2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Peninsula Open Space Trust 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 by a vote of 4-0.

**12. PORT SAN LUIS HARBOR URBAN WATERFRONT RESTORATION PLAN
HARFORD LANDING COASTAL TRAIL GATEWAY PROJECT:**

Marc Beyeler of the Conservancy staff presented the Staff Recommendation.

Resolution:

"The State Coastal Conservancy hereby adopts the Port San Luis Urban Waterfront Restoration Plan and authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the Port San Luis Harbor District to assist in the implementation of the Harford Landing Coastal Trail Gateway, subject to the condition that prior to the disbursement of any funds, the Port San Luis Harbor District shall submit for the review and approval of the Conservancy's Executive Officer:

1. A work program, including schedule and budget and the names of any contractors it intends to use to implement the project;
2. Evidence of permits and approvals; and
3. A plan for the erection of signs, acknowledging the Conservancy's funding and participation in 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 policies of Chapter 7 of the Public Resources Code (Sections 31300-31315) regarding urban waterfront restoration.
2. The proposed project is consistent with the policies of Chapter 9 of the Public Resources Code (Sections 31400-31404) regarding public access.
3. The proposed project is consistent with the Project Selection Guidelines and Criteria adopted by the Conservancy on January 24, 2001.

Motion passed by a vote of 4-0.

13. ELLWOOD MESA ACQUISITION:

Mary Travis of the Conservancy staff presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Debra Geiler, Central Coast Program Director, Trust for Public Land; and Cynthia Brock, Mayor, City of Goleta.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four million dollars (\$4,000,000) to the City of Goleta for the acquisition of the Ellwood Mesa property, as shown on Exhibit 1 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to disbursement of any funds for acquisition of the property, the City of Goleta shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. All relevant acquisition documents, including but not limited to the appraisal, environmental assessments, agreement of purchase and sale, escrow instructions, and documents of title necessary to the acquisition of the Ellwood Mesa property.
 - b. Evidence satisfactory to the Executive Officer that the City of Goleta has available all other funds necessary for this acquisition.
 - c. A signing plan for the project acknowledging Conservancy participation.
2. The City of Goleta shall pay no more than fair market value for the property, as established in an appraisal approved by the Department of General Services.
3. The property interests acquired under this authorization shall be managed and operated in a manner consistent with the purposes of habitat preservation, resource enhancement and restoration, open space protection, and public access and recreational use, and shall be permanently dedicated to those purposes in accordance with Public Resources Code Section 31116(b) through the use of a deed restriction, irrevocable offer to dedicate, or other instrument acceptable to the Executive Officer.
4. The City of Goleta shall develop, open, and manage the California Coastal Trail segment on the Ellwood Mesa property and the adjacent Santa Barbara Shores Park consistent with the recommendations in the Ellwood-Devereux Coast Open Space and Habitat Management Plan.
5. The City of Goleta shall implement the Mitigation Monitoring and Reporting Plan it adopted on June 24, 2004.
6. 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 the purposes and criteria in Chapter 9 of Division 21 of the Public Resources Code (Sections 31400-31409) 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 will serve more than local public need.
4. The Conservancy has independently reviewed the Final Environmental Impact Report for the Comstock Homes Development and Ellwood Mesa Open Space Plan (EIR), certified by the City of Goleta on June 21, 2004, to comply with the California Environmental Quality Act, and attached as Exhibit 2 to the accompanying staff recommendation, and the Addendum to the Comstock Homes Development and Ellwood Mesa Open Space Plan Final EIR (Addendum), approved by the City of Goleta on June 24, 2004, and attached as Exhibit 3 to the accompanying staff recommendation, and finds that, although the Addendum identifies thirteen (13) significant environmental effects that may occur if the proposed project is approved, all other significant effects that can feasibly be mitigated or avoided were reduced to an acceptable level by the imposition of the mitigation measures set forth in the Mitigation Monitoring and Reporting Plan included within the EIR. The Conservancy also finds that the Mitigation Monitoring and Reporting Plan establishes a mechanism and procedures for implementing and verifying the mitigations pursuant to Public Resources Code Section 21081.6. Additionally, the Conservancy finds that, with respect to the alternatives to the proposed project as set forth in Section 3.0 of the City of Goleta’s “EIR Findings Regarding Potentially Significant Impacts,” attached as Exhibit 1 to Exhibit 4, those unavoidable significant environmental effects of the proposed project that have not been reduced to a level of insignificance have been substantially lessened in their severity by project design and the imposition of the mitigation measures identified in the EIR. The Conservancy further finds that certain remaining unavoidable significant impacts are clearly outweighed by the social, biological, recreational, and other benefits of the project, as set forth in the City of Goleta’s “Statement of Overriding Considerations,” attached as Exhibit 2 to Exhibit 4. Based on these determinations, the Conservancy finds that the EIR is adequate environmental documentation under the California Environmental Quality Act for its approval of the project.”

Motion passed by a vote of 4-0.

14. MORRO BAY HARBOR FISHING FLEET ICE MACHINE:

Tim Duff 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 and eighty thousand dollars (\$180,000) to the City of Morro Bay (“City”) to purchase and install a new ice machine to serve the local commercial fishing industry, including modifications to the pier necessary to support the ice machine, subject to the condition that the City shall submit for the review and written approval of the Executive Officer of the Conservancy a final work program, including construction drawings, a budget, schedule, and names of any contractors and subcontractors to be employed for these tasks, evidence that the City has obtained all necessary permits and approvals and all other funds necessary to complete the project, and a signage plan for acknowledging Conservancy funding.”

Findings:

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

The proposal by the City of Morro Bay to purchase and install a new ice machine to serve the local commercial fishing industry is consistent with the purposes and objectives of Division 21 of the Public Resources Code (Sections 31300 *et seq.*) regarding urban waterfront restoration; and with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Motion passed by a vote of 4-0.

15. BIG CANYON CREEK RESTORATION PROJECT -FINAL DESIGN, ENVIRONMENTAL REVIEW, AND PERMITTING:

Trish Chapman of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of Newport Beach (City) to prepare final design and engineering plans, an environmental review document, and permit applications for the Big Canyon Creek Restoration Project, subject to the condition that prior to the disbursement of any funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a detailed work program, project budget, schedule and the names and qualifications of any subcontractors to be employed for these tasks.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of the Public Resources Code (31251-31270) regarding enhancement of coastal resources.

2. The proposed project is consistent with the guidelines and criteria set forth in the Conservancy's Project Selection Criteria and Guidelines adopted on January 24, 2001."

Motion passed by a vote of 4-0.

16. SOUTHERN CALIFORNIA WETLANDS RECOVERY PROJECT LOCAL PARTNERS PROGRAM:

Trish Chapman of the Conservancy staff presented the Staff Recommendation.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of up to six hundred fifty thousand dollars (\$650,000) to Environment Now to manage a wetlands restoration local assistance program, a public participation program, and a small grants program as components of the Southern California Wetlands Recovery Project (WRP), subject to the condition that prior to the disbursement of any Conservancy funds, Environment Now shall submit for review and approval of the Executive Officer of the Conservancy a work program and budget, and the names and qualifications of any subcontractors that it intends to employ."

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of the Public Resources Code (31251-31270) regarding enhancement of coastal resources.
2. The proposed project is consistent with the guidelines and criteria set forth in the Conservancy's Project Selection Criteria and Guidelines adopted on January 24, 2001.
3. Environment Now is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code."

Motion passed by a vote of 4-0.

17. SAN DIEGO RIVER PARK-LOWER SAN DIEGO RIVER HABITAT RESTORATION DEMONSTRATION PROJECT:

Marc Beyeler of the Conservancy staff presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby ratifies the Executive Officer’s acceptance of \$800,000 from the State Water Resources Control Board to develop and implement an urban runoff and creek restoration/stewardship program for the Lower San Diego River; and authorizes the disbursement of an amount not to exceed two hundred fifty thousand dollars (\$250,000) to the San Diego River Park Foundation to identify restoration sites and develop final concept site plans for the Lower San Diego River Habitat Restoration Demonstration Project, as described in the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of any funds, the grantee shall submit a work program, including project tasks, project timeline and budget, and the names and qualifications of any contractors that it intends to employ, for review and approval by the Executive Officer.
2. All funds in excess of one hundred fifty thousand dollars (\$150,000) disbursed pursuant to this and any subsequent authorization relating to the Lower San Diego River Habitat Demonstration Project shall be reimbursed by the State Water Resources Control Board.”

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 6 of Division 21 of the Public Resources Code Sections 31251-31270.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The San Diego River Park 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.”

Motion passed by a vote of 4-0.

18. CONSENT ITEMS:

A: HEARN GULCH ACQUISITION – PHASE II:

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement to the Redwood Coast Land Conservancy (RCLC) of up to two hundred fifty thousand dollars (\$250,000) toward the acquisition (including closing costs) of approximately two additional acres on the Hearn Gulch Beach and Headlands in Mendocino County

(“the Property”), identified as Mendocino County Assessors Parcel Nos. 142-010-06 and 142-010-07 and as shown in Exhibits 1-3 of the staff recommendation.

This authorization is subject to the following conditions:

1. Prior to disbursement of any funds for acquisition of the Property, the RCLC shall submit for the review and approval of the Executive Officer all relevant acquisition documents, including but not limited to the appraisal, agreement of purchase and sale, escrow instructions and documents of title.
2. RCLC shall pay no more than fair market value for the Property, as established in an appraisal approved by the Executive Officer.
3. RCLC shall permanently dedicate the Property for public access, and open space and scenic preservation in an instrument approved by the Executive Officer, 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 Chapter 9 of Division 21 of the Public Resources Code, 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 Redwood Coast Land Conservancy is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes, which include the preservation of land for recreational, scenic and open space opportunities, are consistent with Division 21 of the Public Resources Code.”

**B. EL CORTE DE MADERA STAGING AREA AND RIDGE TRAIL
PLANNING PROJECT:**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed thirty one thousand dollars (\$31,000) to the Midpeninsula Regional Open Space District to plan the development of a new staging area and a section of the Bay Area Ridge Trail at the El Corte de Madera Regional Open Space Preserve in San Mateo County, subject to the condition that no Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing: a final work plan, including a budget and schedule; and any contractors proposed to be used.”

Findings:

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

1. The proposed project is consistent with the authority of the Conservancy under Public Resources Code Sections 31160-31164 regarding projects of the San Francisco Bay Area Conservancy Program.
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 San Elijo Lagoon Conservancy 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.”

C. INVASIVE *SPARTINA* PROJECT (ISP) PHASE II- CONTROL PROGRAM AT: COYOTE CREEK/MOWRY SLOUGH, OLD ALAMEDA CREEK, AND WHALE’S TAIL MARSH

Resolution:

“The State Coastal Conservancy hereby amends its September 25, 2003 authorization for grants for control and treatment under the Invasive *Spartina* Project (ISP) Control Program by authorizing the supplemental disbursement of up to one hundred nineteen thousand five hundred dollars (\$119,500) of existing CALFED funds to carry out expanded and new control and treatment demonstration projects under the ISP Control Program and up to fifty thousand dollars (\$50,000) of Conservancy funds to implement a signage program for the demonstration projects, for a total disbursement of three hundred fifty thousand one hundred dollars (\$ 350,100). Funds from this supplemental authorization will be disbursed as follows: 1) Up to forty one thousand five hundred dollars (\$41,500) of Calfed grant funds to the U.S. Fish and Wildlife Service (USFWS) to expand the removal of invasive *Spartina* at Coyote Creek/Mowry Slough; 2) up to twenty-eight thousand dollars (\$28,000) of Calfed grant funds to Alameda County Flood Control District (ACFCD) for the removal of invasive *Spartina* at the new project site of Old Alameda Creek; 3) up to fifty thousand dollars (\$50,000) of Calfed grant funds to DFG for removal of invasive *Spartina* at the new project site of Whale’s Tail Marsh; and 4) up to fifty thousand dollars (\$50,000) of Conservancy funds to the Association of Bay Area Governments (ABAG) for the design, preparation, installation and maintenance of signs that will serve to educate the public concerning the regionally coordinated ISP and the nature, need for and impacts associated with invasive *Spartina* and its removal. This authorization is subject to the same conditions imposed by sections 3(a) and 3(b) of the Conservancy’s September 25, 2003 authorization.”

Findings:

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

1. Disbursement of additional funds to expand *Spartina* control and treatment demonstration projects at Coyote Creek/Mowry Slough, for new demonstration projects at Old Alameda Creek and Whale's Tail Marsh and for implementation of an associated signage program is consistent with the Conservancy authorization and findings adopted September 25, 2003, as shown in the staff recommendation attached as Exhibit 2 to this staff recommendation.
2. The environmental effects associated with the expansion of the Coyote Creek/Mowry Slough treatment project, the proposed Old Alameda Creek and Whale's Tail Marsh treatment projects proposed for grant funding by the Conservancy, and the implementation of a signage program associated with the *Spartina* control and treatment demonstration projects and the mitigation measures to reduce or avoid those effects were fully identified and considered in the program FEIS/R certified by the Coastal Conservancy on September 25, 2003."

D. RAPID ASSESSMENT FOR EXOTIC ORGANISMS IN SAN FRANCISCO BAY:

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed twenty-five thousand, seven hundred fifty dollars (\$25,750) to the San Francisco Estuary Institute to undertake a rapid assessment survey of exotic organisms in San Francisco Bay. Prior to the disbursement of any Conservancy funds, the San Francisco Estuary Institute shall submit for the review and written approval of the Executive Officer a detailed work program, schedule and budget and the names and qualifications of any contractors and subcontractors that it intends to employ."

Findings:

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

1. The rapid assessment survey of exotic organisms in San Francisco Bay 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 goals of the San Francisco Bay Area, and with the authority of the Conservancy under Public Resources Code Section 31116 to award grants to non-profit organizations for these purposes.
2. The rapid assessment survey of exotic organisms in San Francisco is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The San Francisco Estuary 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."

E. ALHAMBRA CREEK RESTORATION AND ENVIRONMENTAL EDUCATION COLLABORATIVE PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed forty thousand dollars (\$40,000) to the Muir Heritage Land Trust for an environmental education project with the City of Martinez area students, focusing on the restoration of the Alhambra Creek watershed in the City of Martinez. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, Muir Heritage Land Trust shall submit for the review and approval of the Executive Officer a work program including a detailed project budget and schedule for completion of the project.
2. Conservancy funding shall be acknowledged in publications produced as a result of this project, in a manner 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 Public Resources Code Section 31119 regarding an educational project.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Muir Heritage Land Trust 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.”

F. MORRO BAY TO CAYUCOS ACCESSWAY:

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed thirty thousand dollars (\$30,000) to the County of San Luis Obispo (County) for planning, preliminary design, and environmental review of a pedestrian and bicycle accessway between the City of Morro Bay and Cayucos subject to the condition that the County shall submit for the review and written approval of the Executive Officer of the Conservancy a final work program, budget, schedule, and names of any contractors and subcontractors to be employed for these tasks; and that the project design be consistent with the Conservancy’s Standards and Recommendations for Accessway Location and Development.”

Findings:

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

1. The proposed project is consistent with the purposes and objectives of Sections 31400 *et. seq.* of Division 21 of the Public Resources Code regarding coastal access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project serves greater than local needs, and is receiving federal and local matching funds.”

G. SANTA MONICA BAY RESTORATION-BALLONA CREEK WETLANDS AND WATERSHED:

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred forty-two thousand three hundred and twenty dollars (\$142,320) to the City of Culver City for the Ballona Creek Water Quality Improvement Project and disbursement of an amount not to exceed three hundred eight-one thousand seven hundred dollars (\$381,700) to the Ballona Wetlands Foundation for the Ballona Outdoor Learning and Discovery (BOLD) project. Both projects implement the Santa Monica Bay Restoration Plan (the “Bay Plan”), approved by the Conservancy on August 2, 2001. These authorizations are subject to the following condition that prior to disbursement of funds for either project, the respective grantee shall submit the following for review and written approval of the Executive Officer of the Conservancy:

1. A final work program, schedule and budget for its project;
2. All contractors to be employed for its project;
3. Evidence of all permits and approvals for its project; and
4. With respect to the Ballona Creek Water Quality Improvement Project only, the City of Culver City shall submit a program for the installation of sign(s).”

Findings:

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

1. The proposed projects are consistent with the guidelines and criteria set forth under Chapter 6 of the Public Resources Code (Sections 31251-31270) regarding the enhancement of coastal resources.
2. The proposed projects are consistent with the guidelines and criteria set forth in the Conservancy’s Project Selection Criteria and Guidelines adopted on January 24, 2001.

3. The BOLD project proposed for funding has been identified in its respective Local Coastal Plan as requiring action to resolve existing or potential resource protection problems, consistent with Public Resources Code Section 31252.
4. The Ballona Wetlands 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.”

H. LOS PENASQUITOS LAGOON ENHANCEMENT:

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of eighty-nine thousand dollars (\$89,000) from the Los Penasquitos Lagoon Enhancement Special Deposit Fund to the Los Penasquitos Lagoon Foundation for continued physical and biological monitoring of Los Penasquitos Lagoon approved by the Conservancy in January 1996, subject to the following condition:

The Los Penasquitos Lagoon Foundation shall submit quarterly written reports to the Executive Officer of the Conservancy providing results of the monitoring program undertaken pursuant to the plan.”

Findings:

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

1. The proposed disbursement of funds from the Los Penasquitos Lagoon Enhancement Special Deposit Fund is consistent with the purposes and criteria set forth in Sections 31251-31270 of the Public Resources Code, regarding enhancement of coastal resources and with the Los Penasquitos Lagoon Enhancement Plan approved by the Conservancy on October 30, 1985;
2. The proposed disbursement is consistent with the City of San Diego North City Local Coastal Program certified by the Coastal Commission in 1988.
3. The proposed disbursement is consistent with the purposes of the Los Penasquitos Special Deposit Fund established to provide for management of the lagoon.
4. The Los Penasquitos Lagoon Foundation 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 Penasquitos Lagoon, and the preservation of land for scientific, historic, educational, ecological, recreational, scenic or open space opportunities.”

Motion passed by a vote of 4-0.

19. EXECUTIVE OFFICER'S REPORT:

Mr. Schuchat thanked Conservancy staff for filling in and administering the Conservancy Board meeting. Mr. Schuchat introduced Roe Elisha, an intern who will be working for the Conservancy over the summer.

Julia McIver, the Conservancy's legislative liaison, presented a report on proposed legislation affecting the Conservancy.

20. DEPUTY ATTORNEY GENERAL'S REPORT:

There was no Deputy Attorney General's report.

21. BOARD MEMBER COMMENTS

There were no Board Member comments.

22. PUBLIC COMMENTS

There were no further public comments.

23 & 24. CLOSED SESSION

The Board did not hold any closed session.

25. ADJOURNMENT:

The meeting was adjourned at approximately 12:20 p.m.

—JJ