

**STATE COASTAL CONSERVANCY  
PUBLIC MEETING MINUTES**

June 16, 2005  
10:00 am  
Trudeau Training Center  
11500 Skyline Blvd.  
Oakland, CA 94619

**MEMBERS PRESENT:**

Douglas Bosco (Public Member), Chair  
Gary Hernandez (Public Member), Vice Chair  
Jeremy M. Hallisey (Public Member)  
Ann Notthoff (Public Member)  
Karen Scarborough (Designated Representative, Resources Agency)  
Susan Hansch (Designated Representative, California Coastal Commission)

**OVERSIGHT LEGISLATORS PRESENT:**

Assemblymember Loni Hancock (District 14)  
Bob Fredenburg (designated representative for Wesley Chesbro (District 2))  
Reed Addis (designated representative for John Laird (District 27))

**OTHERS PRESENT:**

Sam Schuchat, Executive Officer  
Tara Mueller, Deputy Attorney General  
Jack Judkins, Legal Counsel

**2. APPROVAL OF MINUTES:**

The Minutes of the May 18, 2005 Public Meeting were approved without change.

**3. SAN FRANCISCO BAY VIDEO PRESENTATION:**

Ron Blatman, Executive Producer for KTEH television station, presented a trailer for the movie which he is producing entitled: "Saving the Bay – A Story of the San Francisco Bay". The film production is being funded, in part, by a Conservancy grant. The film describes how human actions have affected the Bay. Several members of Board encouraged Mr. Blatman to submit a proposal for additional Conservancy funding.

**4. INVASIVE SPARTINA PROJECT PHASE II-CONTROL PROGRAM**

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation.

MINUTES OF CONSERVANCY MEETING – JUNE 16, 2005

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed eight hundred fourteen thousand seven hundred twenty-five dollars (\$814,725) for implementation of invasive *Spartina* treatment and eradication projects under the Invasive *Spartina* Project (ISP) *Spartina* Control Program. The authorized funds may be used to supplement existing treatment and eradication grants to the Alameda County Flood Control District, California Department of Parks and Recreation, the California Wildlife Foundation, the City of Palo Alto, the East Bay Regional Park District, Friends of Corte Madera Creek Watershed, and USFWS Don Edwards San Francisco Bay National Wildlife Refuge. The funds may also be used for grants to the City of Alameda, the City of San Leandro, and the San Mateo County Mosquito Abatement District for new invasive *Spartina* treatment and eradication projects. Each grant of funds shall be subject to the following conditions:

1. Prior to implementing any control and treatment project and prior to disbursement of any funds to the grantee, the grantee shall submit for review and approval of the Executive Officer a site-specific plan, including mitigation measures, and a work program, including a schedule and budget, and shall provide evidence that the grantee has obtained all necessary permits and approvals for the project.
2. In carrying out any control and treatment project, the grantee shall comply with all applicable mitigation and monitoring measures that are set forth in the approved site-specific plan, that are required by any permit or approval for the project, or that are identified in the “Final Programmatic Environmental Impact Statement/Environmental Impact Report, San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program” (FEIS/R), adopted by the Conservancy on September 25, 2003.”

Findings:

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

1. Disbursement of additional funds for expansion or extension of existing *Spartina* control and treatment projects and for new *Spartina* control and treatment projects is consistent with Public Resources Code Sections 31160-31164 and with the resolutions, findings and discussion accompanying the Conservancy authorization of September 25, 2003, as shown in the staff recommendation attached as Exhibit 2 to this staff recommendation.
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 “Addendum to 2003 Invasive *Spartina* Project Control Program Final Programmatic Environmental Impact Report” dated May 2005, attached to the accompanying staff recommendation as Exhibit 5, and finds that the change proposed in the ISP Control Program,

incorporating the use of the herbicide imazapyr and associated surfactants and colorants for invasive *Spartina* treatment, may be appropriately addressed in an addendum under the California Environmental Quality Act (CEQA), because there is no substantial evidence that the proposed change to the Control Program will give rise to: new significant environmental effects not considered in the “Final Programmatic Environmental Impact Statement/Environmental Impact Report, San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program” (FEIS/R), adopted by the Conservancy on September 25, 2003; or a substantial increase in the severity of the significant effects previously identified in the FEIS/R. To the contrary, because of the lower toxicity of imazapyr and the surfactants to be used with imazapyr, the more rapid degradation of imazapyr, and the greater efficacy of imazapyr and the need for fewer applications over time, substantial evidence supports the conclusion that the use of imazapyr will reduce the effects of treatment of invasive *Spartina* in comparison to the effects considered under the FEIS/R with the use of the herbicide glyphosate and associated surfactants and colorants alone.

4. The environmental effects associated with the 22 treatment and eradication projects proposed for grant funding or coordination by the Conservancy under this authorization and the mitigation measures to reduce or avoid those effects were fully identified and considered in the FEIS/R adopted by the Conservancy September 25, 2003. (See Exhibit 1, September 25, 2003 Staff Recommendation.)”

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

## 5. PIER 94 WETLAND ENHANCEMENT

Joan Cardellino of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Carol Bach, Port of San Francisco.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred thirty-two thousand six hundred dollars (\$132,600) to the Port of San Francisco for habitat restoration at Pier 94, subject to the following conditions

1. No Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has reviewed and approved in writing:
  - a. Any contractors to be used;
  - b. A final work plan, including a final budget and schedule; and
  - c. A signing plan acknowledging the Conservancy’s funding of this project.

2. The Port shall maintain the habitat restoration improvements for a period of no less than 20 years.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 4.5 (Sections 31160-31164) of Division 21 of the Public Resources Code regarding the enhancement of natural resources 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 25, 2001.”

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

**6. ISLA VISTA BLUFFTOP VACANT PARCELS ACQUISITION**

Marina Cazorla of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Bob Mezfit, General Services, County of Santa Barbara.

Resolutions:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred thousand dollars (\$300,000.00) to the County of Santa Barbara for the acquisition of three blufftop parcels on the 6700 block of Del Playa Drive in Isla Vista, 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 County of Santa Barbara 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 property.
  - b. Evidence satisfactory to the Executive Officer that the County of Santa Barbara has available all other funds necessary for acquisition of the three blufftop parcels.
  - c. A signing plan for the project acknowledging Conservancy participation.
2. The County of Santa Barbara shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. The property interests acquired under this authorization shall be managed and operated in a manner consistent with the purposes of open space and viewshed

protection as well as public access and recreational use. The property 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. 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 needs.”

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

## **7. LOS ANGELES HARBOR AREA PUBLIC ACCESS**

Marc Beyeler of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Dennis Lord, Chairman, Los Angeles Harbor/Watts Economic Development Corporation

Resolutions:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million eight hundred thousand dollars (\$1,800,000) to the Los Angeles Harbor/Watts Economic Development Corporation (“EDC”) for implementation of specific elements of the Los Angeles Harbor Area Public Access and Urban Waterfront Plan; approves the Mitigated Negative Declaration, attached to the accompanying staff recommendation as Exhibit 3; and further adopts the Mitigation Monitoring and Reporting Program for the Plan, attached to the accompanying staff recommendation as Exhibit 4, subject to the following conditions:

1. Prior to the disbursement of Conservancy funds to the EDC, the EDC shall:
  - a. Submit for the review and written approval of the Executive Officer of the Conservancy a work plan, budget and schedule for the implementation project elements; a signing plan acknowledging the Conservancy’s funding; the names and qualifications

*MINUTES OF CONSERVANCY MEETING – JUNE 16, 2005*

of any contractors to be employed to carry out the work plan; and evidence that all necessary permits and approvals for the project have been obtained; and

b. Enter into an agreement with the Conservancy sufficient to protect the public interest in any improvement or development constructed as part of this proposed project in accordance with the requirements of Public Resources Code Section 31116(c) and to assure public access and to qualify the EDC with limited tort immunity under California Government Code Sections 831.2, 831.4, 831.7, and 831.25.

2. The EDC shall erect and maintain a sign which acknowledges Conservancy funding on the project sites.

3. The EDC shall operate and maintain the project site(s) for a period of not less than 20 years.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria in Chapters 7 and 9 of Division 21 of the Public Resources Code (Sections 31300-31315 and 31400 *et seq.*) regarding the restoration of urban waterfront areas and the creation of a system of public accessways to and along the coast; and
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The project serves greater than local need.
4. The project, as mitigated, avoids, reduces, or mitigates the possible effect of the project to a level of insignificance.
5. There is no substantial evidence that the project, as revised, may have a significant effect on the environment.
6. The Mitigated Negative Declaration, attached to the accompanying staff recommendation as Exhibit 3, reflects the Conservancy’s independent judgment and analysis.
7. On the basis of substantial evidence, the Conservancy has rebutted the presumption of adverse effect contained in California Code of Regulations Section 753.5(d) regarding the potential for adverse effect on wildlife resources as defined under California Fish and Game Code Section 711.2.
8. The Los Angeles Harbor-Watts Economic Development Corporation is a nonprofit organization existing under provisions of U.S. Internal Revenue Code Section 501(c)(3) whose purposes are consistent with Division 21 of the Public Resources Code.”

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

## 8. PARADISE CREEK EDUCATIONAL PARK

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

Resolutions:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of National City (the “City”) to complete the Paradise Creek Educational Park project, including construction of an outdoor learning lab, boardwalk and creek-side trail and riparian wetland enhancement, with limited contaminated soil removal for associated portions of the project site to implement the Paradise Creek Enhancement Plan, approved by the Conservancy on June 25, 2001. This authorization is subject to the following conditions:

1. Prior to the disbursement of any funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a work program, including scope of work, written budget and schedule; a sign program; and the names of any contractors it intends to use to conduct the project.
2. The City shall erect and maintain a sign which acknowledges the Conservancy’s funding assistance on 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 31251-31270, regarding the Conservancy’s mandate to protect and enhance natural resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

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

## 9. CHANNEL ISLANDS MARINE PROTECTED AREAS MONITORING PROGRAM

Kara Kemmler of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Dirk Rosen, Founder/President of MARE (Marine Applied Research and Exploration)

Resolutions:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seven hundred sixty-five thousand dollars (\$765,000) to The Nature Conservancy for capital equipment to support the remotely operated vehicle (ROV) survey project of the Channel Islands Marine Protected Areas Monitoring Program, subject to the condition that prior to disbursement of funds for the project, the 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. The names of all contractors it intends to employ for its project;
3. Evidence of all permits and approvals for its project; and
4. Evidence of adequate funds and/or in-kind donations to support operations for a minimum of 3 years of the monitoring program.”

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 5.5 of Division 21 of the California Public Resources Code (Section 31220) regarding Integrated Coastal and Marine Resources Protection;
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; and
3. The Nature 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.”

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

**10. CALIFORNIA DERELICT FISHING GEAR REMOVAL PILOT PROJECT**

Sheila Semans of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Kirsten Girardi, Associate Director of the SeaDoc Society

Resolutions:

“The State Coastal Conservancy hereby adopts the Mitigated Negative Declaration for the California Derelict Fishing Gear Removal Pilot Project attached to the accompanying staff recommendation as Exhibit 2; adopts the Mitigation and Monitoring program

*MINUTES OF CONSERVANCY MEETING – JUNE 16, 2005*

attached to the accompanying staff recommendation as Exhibit 3; and authorizes the disbursement of an amount not to exceed three hundred thousand dollars (\$300,000) to the Regents of the University of California, Davis Campus, Wildlife Heath Center, SeaDoc Society (“SeaDoc Society”) for the removal of derelict fishing gear off portions of the coast of California, subject to the following conditions:

1. Prior to disbursement of Conservancy funds, the SeaDoc Society shall submit for the review and written approval of the Executive Officer of the Conservancy:
  - a. A detailed work program, schedule, and budget.
  - b. The names and qualifications of any contractors to be employed in carrying out the project.
  - c. Evidence that all necessary permits and/or approvals have been obtained.
  - d. Evidence that all other funds necessary to complete the project have been obtained.
2. At the conclusion of the pilot project, the SeaDoc Society shall provide to the Conservancy a written report documenting the implementation of all mitigation measures required in the Mitigated Negative Declaration for the project as well as a monitoring report indicating the success of the mitigation measures, in accordance with Public Resources Code Section 21081.6.”

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 5.5 of the Public Resources Code (Section 31220), regarding the Conservancy’s authority to protect and restore marine resources.
2. The Conservancy has reviewed the proposed Mitigated Negative Declaration for the California Derelict Fishing Gear Removal Pilot Project, attached to the accompanying staff recommendation as Exhibit 2, and public comments, 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 will have a significant effect on the environment, as defined in 14 Cal. Code of Regulations Section 15382.
3. The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001;
4. There is no evidence before the Conservancy that the California Derelict Fishing Gear Removal Pilot Project will have a potentially adverse effect, either individually or cumulatively, on wildlife resources as defined under California Fish and Game Code Section 711.2.
5. 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 California Fish and Game Code Section 711.2.”

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

## 11. KLAMATH RIVER PROJECT

Michael Bowen of the Coastal Conservancy presented the Staff Recommendation.

Resolutions:

“The State Coastal Conservancy hereby authorizes disbursement of up to three hundred fifty thousand dollars (\$350,000) to study deposits behind Klamath River dams, and to obtain additional information needed to evaluate relicensing alternatives for the Klamath River 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 Chapter 5.5 (Section 31220) of Division 21 of the Public Resource Code regarding the improvement and protection of coastal and marine water quality and habitats.
2. The proposed authorization is consistent with Chapter 6 (Section 31251 *et. seq.*) of Division 21 of the Public Resource Code regarding the enhancement of coastal resources.
3. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.”

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

## 12. POINT SAINT GEORGE PHASE 1 ENHANCEMENT

Jim King of the Coastal Conservancy presented the Staff Recommendation.

Resolutions:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred forty thousand dollars (\$340,000) to the County of Del Norte (“the County”) to design and implement public access and natural resource protection improvements consistent with the recommendations of the Point St. George Management Plan, subject to the following conditions:

1. Prior to disbursement of funds, the County shall submit for the written approval of the Conservancy's Executive Officer a work program, budget, names of the contractors it intends to employ for the project and a signing plan acknowledging the Conservancy and Proposition 40 funding;
2. The County shall ensure that signs acknowledging Conservancy and Proposition 40 funding are installed at the project sites in the manner 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 the purposes and objectives of Chapter 6 of Division 21 (Sections 31251 et seq.) of the Public Resources Code, regarding enhancement of coastal resources.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 (Sections 31400 et seq.) of the Public Resources Code, regarding public access.
3. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

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

### **13. MARIN FISH PASSAGE IMPROVEMENT PROGRAM**

Michael Bowen of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Liz Lewis, Marin County Public Works

Resolutions:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred ninety-six thousand five hundred dollars (\$196,500) to the County of Marin ("County") to conduct final design and engineering activities for at least seven high priority fish passage improvement projects in the Woodacre and Redwood creek watersheds as part of the Marin Fish Passage Improvement Program, subject to the condition that, prior to disbursement of any funds, the County shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, schedule, budget, and the names of any contractors to be employed."

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 4.5 of Division 21 of the Public Resources Code (Sections 31160-31164) regarding the protection and enhancement of resources in the San Francisco Bay Area.
2. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) 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.”

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

#### 14. CONSENT ITEMS

Consent Item G. BEACH ACCESS IN MALIBU was removed from the consent items.

##### A. CARPINTERIA CREEK

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement to the Community Environmental Council (“the CEC”) of an amount not to exceed five hundred ten thousand dollars (\$510,000) to implement projects at the Bliss property and the Cate School property along Carpinteria Creek to improve passage and habitat for steelhead trout, subject to the following conditions with respect to each site independently:

1. Prior to the disbursement of any Conservancy funds, the CEC shall submit for the review and written approval of the Conservancy’s Executive Officer:
  - a. A work program, budget, and schedule, and the names of any contractors to be employed in carrying out the work.
  - b. Evidence that the CEC has obtained all necessary permits and approvals.
2. The CEC shall enter into and record an agreement under Public Resources Code Section 31116(c), approved by the Executive Officer, to protect the public interest in the future improvements, and to obtain access to the site for construction, maintenance, and monitoring.
3. The CEC shall implement, or shall cause to be implemented, the applicable mitigation and mitigation-monitoring measures contained in the 2001 Final Environmental Impact Report (“EIR”) for the Santa Barbara County Flood Control and Water Conservation District Updated Routine Maintenance

Program, and the Addendum to the EIR for the 2003/2004 Annual Maintenance Plan, prepared under the California Environmental Quality Act and attached to the accompanying staff recommendation as Exhibits 2 and 3.”

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 Program of Santa Barbara County as requiring public action to resolve existing or potential resource protection problems.
4. Community Environmental Council is a nonprofit organization qualified 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.”
5. The Coastal Conservancy has independently reviewed the 2001 Final Environmental Impact Report for the Santa Barbara County Flood Control and Water Conservation District Updated Routine Maintenance Program and the Addendum to the EIR for the 2003/2004 Annual Maintenance Plan (attached as Exhibits 2 and 3 to the accompanying staff recommendation) for the project pursuant to California Environmental Quality Act, and finds that there is no substantial evidence that the activities to which the Conservancy is contributing, as mitigated, may have a significant effect on the environment as defined in 14 Cal. Code of Regulations Section 15382.”

**B. MATTOLE RIVER WATERSHEED ENHANCEMENT**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed four hundred thirty-three thousand dollars (\$433,000) to the Mattole Restoration Council, Inc. (“MRC”), a nonprofit organization, to implement phase II of Mattole River watershed enhancement activities, including road restoration (decommissioning), environmental review and permitting for the Watershed Management Plan, water conservation outreach to identify conservation opportunities, road sediment-load inventories, invasive plant removal and management, and fisheries monitoring for spawning and juvenile populations, in the Mattole River watershed to improve anadromous salmonid habitat and coastal resources. This authorization is subject to the following conditions:

*MINUTES OF CONSERVANCY MEETING – JUNE 16, 2005*

1. Prior to the disbursement of any Conservancy funds, the MRC shall submit for review and approval by the Executive Officer a work program, schedule, budget, and the names of any contractors to be used for the activities under this authorization, and provide evidence that all permits necessary to this project have been issued.
2. Conservancy funding shall be acknowledged in signage or other documentation appropriate to the project, as approved by the Executive Officer of the Conservancy.
3. With respect to work funded by the Conservancy and constituting an improvement or development, an agreement or agreements to protect public interest shall be entered into and recorded in Humboldt County, consistent with Public Resources Code Section 31116(c).
4. With respect to work funded by the Conservancy and requiring access to privately-owned land, an agreement or agreements to allow access to the grantee to perform the work shall be entered into.”

Findings:

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

1. The proposed authorization is consistent with the purposes and criteria of Chapter 5.5 of Division 21 of the Public Resources Code (Sections 31220) regarding protection of integrated coastal and marine resources.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Conservancy has reviewed the proposed Mitigated Negative Declaration (attached to the accompanying staff recommendation as Exhibit 2) adopted by the California Department of Fish and Game on June 19, 2005, pursuant to the California Environmental Quality Act, and the Mitigation Monitoring Program developed to mitigate potentially significant environmental effects, and finds that the projects avoid, reduce or mitigate the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the road restoration activities and habitat improvements in the Mattole River watershed may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.
4. There is no evidence before the Conservancy that the road restoration activities and habitat improvements will have a potentially adverse effect on wildlife resources as defined under California Fish and Game Code 711.2.
5. The Conservancy has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in 14 California Code of Regulations

Section 753.5(d) regarding the potential for adverse effect on wildlife resources as defined under California Fish and Game Code Section 711.2.

6. 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 Guide.”

**C. FIVE COUNTIES FISH-PASSAGE IMPROVEMENT PROGRAM**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an additional two hundred seventy thousand one hundred seventy-eight dollars (\$270,178) to the County of Trinity (“County”) for the preparation of engineering, design, environmental documentation and permitting of fish passage improvement projects. Prior to the commencement of work, the County shall submit for the review and approval of the Executive Officer of the Conservancy a work program, schedule for completion, project budget, and the names and qualifications of any contractors to be employed in the preparation of the Program.”

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 6 (Sections 31251-31270) of Division 21 of the Public Resources Code regarding the enhancement of coastal resources.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.”

**D. ROSE CREEK WATERSHED**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred fifty thousand dollars (\$150,000) to San Diego EarthWorks (also known as San Diego Earth Day) for preparation of an analysis of the hydrologic, hydraulic, sediment transport, and geomorphic conditions of the Rose Creek watershed and development of restoration alternatives, subject to the condition that, prior to the disbursement of any funds, San Diego EarthWorks shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, including

scope of work, budget and schedule, and the names of any contractors it intends to use to carry out the project.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria of Chapter 6 of the Public Resources Code (Sections 31251-31270) 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 24, 2001.
3. San Diego Earth Day (also known as San Diego EarthWorks) 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.”

**E. ESTERO AMERICANO NATURE PRESERVE**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed forty thousand dollars (\$40,000) to the Sonoma Land Trust (SLT) for the preparation of a resource management plan and implementation of erosion control projects for the Estero Americano Nature Preserve (the Preserve) in southwestern Sonoma County.”

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 5.5 of Division 21 of the California Public Resources Code (Section 31220) regarding the provision of watershed restoration.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Sonoma Land Trust is a nonprofit 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.”

**F. DAN BLOCKER BEACH**

Resolution:

“The State Coastal Conservancy hereby augments its January 29, 2004 authorization by approving the disbursement of settlement funds in an amount not to exceed twenty thousand dollars (\$20,000) to Los Angeles County to construct beach access improvements at Dan Blocker Beach, located at 26000 Pacific Coast Highway, Malibu, and as more specifically described in Exhibit 1 to the accompanying staff recommendation, subject to the conditions imposed by the Conservancy in its January 29, 2004 authorization.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the proposed authorization remains consistent with the Conservancy’s January 29, 2004 authorization with respect to its enabling legislation and project selection criteria and guidelines.”

## **G. HUMBOLDT FISH PASSAGE IMPROVEMENT PROGRAM**

Resolution:

“The State Coastal Conservancy hereby authorizes the County of Humboldt to implement two fish passage improvement projects at Rocky Gulch and Warren Creek, subject to the following conditions:

1. Prior to the implementation of projects, the County shall provide and the Executive Officer of the Conservancy shall approve in writing:
  - a) a work program, schedule of completion, project budget, and any subcontractors to be employed for each project;
  - b) evidence that all necessary permits have been obtained.
  - c) A signage plan acknowledging the Conservancy and Proposition 12 funding.
2. The County shall acknowledge Conservancy and Proposition 12 funding by erecting and maintaining on the project sites a sign that 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 projects are consistent with the purposes and criteria set forth in Chapter 6 of Division 21, sections 31251 – 31270 of the Public Resources Code regarding the enhancement of coastal resources.

2. The Conservancy has independently reviewed the Negative Declaration prepared and adopted on May 19, 2005 by the Department of Fish and Game, attached as Exhibit 3, and finds that there is no substantial evidence that the Rocky Gulch and Warren Creek projects will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
3. There is no evidence before the Conservancy that the Rocky Gulch and Warren Creek projects will have a potentially adverse effect, either individually or cumulatively, on wildlife resources as defined under California Fish and Game Code 711.2.
4. The Conservancy has on the basis of substantial evidence rebutted the presumption of adverse effect contained in 14 California Code of Regulations Section 753.5(d) regarding the potential for adverse effect on wildlife resources of the Rocky Gulch and Warren Creek projects as defined under California Fish and Game Code Section 711.2.”

#### **H. CONFLICT-OF-INTEREST CODE AMENDMENTS**

Resolution:

“The State Coastal Conservancy hereby amends its Conflict-of-Interest Code, 14 California Code of Regulations Section 13800, in the manner shown in Exhibit 2 of the accompanying staff recommendation.”

Findings:

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

1. Amendment of the Conservancy’s Conflict-of-Interest Code to add a new position to the list of designated employees is necessary to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code; and is authorized by section 87306 of the Government Code and section 31102 of the Public Resources Code.
2. No alternative would be more effective in carrying out the purpose for which the amendment is proposed or would be as effective and less burdensome to affected persons than the proposed amendment.”

#### **I. HAMILTON WETLAND RESTORATION PROJECT**

Resolution:

“The State Coastal Conservancy hereby certifies the Supplemental Environmental Impact Report-Environmental Impact Statement for the Bel Marin Keys Unit V Expansion of the Hamilton Wetland Restoration Project, jointly prepared by the United States Army Corps of Engineers and the State Coastal Conservancy, dated April 2003, and attached to the accompanying staff recommendation as Exhibit 3 (SEIR); modifies its previous authorizations for implementation of the Hamilton Wetland Restoration Project (HWRP) in accordance with the SEIR and its preferred alternative; and adopts the Mitigation Monitoring and Reporting Plan attached as Exhibit 5 of the accompanying staff recommendation.”

Findings:

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

1. The final EIR/EIS for the Hamilton Wetland Restoration Project, certified in December 1998, and the SEIR attached to the accompanying staff recommendation were completed in compliance with the California Environmental Quality Act.
2. The Conservancy has independently reviewed and considered the information contained in the SEIR pursuant to its responsibilities under 14 California Code of Regulations Sections 15090, 15163 and 15222. The SEIR identifies potential significant impacts from the project in the areas of biological resources, hazardous substances, land use, water quality, hydrology and cultural resources, air resources, and noise. With regard to these impacts, the Conservancy finds as follows:
  - (a) Changes have been made in the proposed and expanded Hamilton Wetland Restoration Project or its operating procedures to avoid, reduce or mitigate the above possible significant environmental effects to a level of insignificance.
  - (b) Such changes are within the responsibility and jurisdiction of the Army Corps of Engineers and should be implemented as part of the project and its Adaptive Management and Monitoring Plan.
  - (c) The SEIR identifies two potentially significant impacts for which no mitigation may be available or feasible, due to specific economic, technological or other considerations. However, the Conservancy finds that the environmental and economic benefits of the Hamilton Wetland Restoration project, as described in previous Conservancy authorizations, the accompanying staff recommendation and SEIR, outweigh and render acceptable these unavoidable adverse environmental impacts.
3. The revised and expanded Hamilton Wetland Restoration Project remains consistent with the purposes and criteria set forth in Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-31164), regarding enhancement of San Francisco Bay Area resources; with Chapter 6 of Division 21 (Sections 31251-31270), concerning

the enhancement of coastal and bay resources; and with the Conservancy's authorizations of April 22, 1999 and June 25, 2001.”

Moved and seconded. The listed consent items were approved by a vote of 6-0.

**15. EXECUTIVE OFFICERS REPORT –**

Sam Schuchat reported on the most recent meeting of the Ocean Protection Council and distributed to the Board two memos (attached to minutes) that formed the bulk of his report to the Ocean Protection Council.

Rebecca Pollock was appointed by NOAA a 2 year assignment working at the Coastal Conservancy in support of the Ocean Protection Council.

**16. DEPUTY ATTORNEY GENERAL REPORT -**

Deputy Attorney General Tara Meuller reported that on May 16, 2005, the U.S. Supreme Court had denied the request for review made by the property owner in the case of *Serra Canyon Co. LTD v. California Coastal Commission, California Coastal Conservancy, et al.* The property owner filed the lawsuit to challenge the Conservancy's acceptance of an offer to dedicate fee title to Malibu coastal property. The Supreme Court's refusal to review the case was the final possible appeal and, in effect, upheld the Conservancy's acceptance of fee title to the property.

**17. BOARD MEMBER COMMENTS**

There were no Board Member comments.

**18. PUBLIC COMMENTS**

There were no public comments.

**19. CLOSED SESSION**

There was no closed session.

**20. ADJOURNMENT**

Meeting was adjourned at 12:55 pm.

## *Memorandum*

To: Ocean Protection Council  
From: Sam Schuchat, Secretary  
Date: June 10, 2005  
Re: OPC Projects

The purpose of this memo is to lay out for the Council a broad vision of what kinds of projects can and should be engaged in and why; to describe in some detail the universe of projects that currently exists and provide a rough estimate of their costs; and to update the Council on currently available funding sources. This memo covers agenda item 6a and 6c on the Council's June 10 agenda. 6b, funding guidelines and criteria, is handled in a separate memo.

### **Project and Priorities**

California's national leadership in ocean policy and conservation rests on four pillars:

- By law, California now takes an ecosystem approach to ocean management;
- California is making the largest investment of any state in advanced science designed to generate real-time data on ocean conditions;
- The state has made an enormous commitment to improve coastal water quality and restore watersheds, both for recreational use and for marine life;
- California has embraced the recommendations of the US Ocean Commission report and the Pew Ocean Commission report by creating the Ocean Protection Council and taking other steps to improve and streamline ocean resource management.

Staff believes that the Council's objective over the next five years or so of funding should be to build on the solid foundation that already exists and fill in the blanks in the existing framework of activities. For example, although the Marine Life Management Act mandates ecosystem-based fishery management, the number of fisheries currently managed on an ecosystem basis is quite small, and there is a large backlog of work that needs to happen to accomplish the vision of this particular law. Similarly, California has in place or in development a number of ocean observing and research systems<sup>1</sup>. The logical next step is to attempt to tie these systems together into a common data management and communications system that delivers information to ocean managers and other users. Likewise, the State Water Quality Control Board and the State Coastal Commission have identified, through their critical coastal areas project, the places along our coast that are in need of funding and projects. The OPC should help deliver the needed funding for these projects.

In practice, what does it mean to "fill in the blanks?" Staff has identified five areas that we believe the Council can organize its work around. They are:

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<sup>1</sup> The current set of observing and research systems includes (but is not limited to): CRANE, the Cooperative Research and Assessment of Nearshore Ecosystems; COCMP, the Coastal Ocean Current Monitoring Program; PISCO, the Partnership for Interdisciplinary Studies of Coastal Oceans; CalCOFI, the California Cooperative Oceanic Fisheries Investigation; and SCCWRP, the Southern California Coastal Water Research Project.

1. Ecosystem-based marine life and fisheries management
2. Coastal water quality and pollution
3. Integrated coastal ocean observing systems
4. Habitat restoration
5. Education and Governance

There is ongoing work in each of these areas, all of them are discussed in the Council's statute, and in each of them we have identified a preliminary list of projects that can be pursued.<sup>2</sup> This list is attached as Appendix One to this document. It is not meant to be exhaustive, should be treated as preliminary, and will undoubtedly change as potential projects are added or drop off over time.

There are over 60 projects on this list. Where should the council begin? Obviously, the Council can only fund projects for which it has appropriate funding sources. At this meeting of the Council, staff is recommending four projects for which there is currently available funding. As funding becomes available in the future, staff has identified seven types of projects within the four funding areas that we think the Council should focus on in particular. These will guide the selection of particular projects in the future; all of them build on existing efforts.

Under the general rubric of "ecosystem-based marine life and fisheries management" staff believes it is important to provide strong science to support fishery and marine protected area management. The monitoring program at the new Channel Island Marine protected areas is something of a patchwork; it should be shored up and maintained for the long-term. Likewise, as the blue ribbon task force focuses along its central coast and study area for new marine protected areas, the Council should support monitoring and study efforts there as well. The Cooperative Research and Assessment of Near shore Ecosystems program (CRANE) is the appropriate established vehicle for marine protected area monitoring.

The Ocean Protection Act itself mentions a fisheries revolving loan fund as a means of fostering sustainable fisheries and managing fish and capacity. As soon as funding is available, staff believes that this is a high priority project to pursue. Staff recommends that this revolving loan fund be set up as a competitive process to provide loans to fishermen for projects that can demonstrate substantial economic and conservation benefits. These projects could include management reforms to increase the efficiency of fishing operations within established conservation guidelines; much-needed fleet capacity management; and value added processing, marketing, purchasing agreements. Fisherman would repay loans as fisheries are revitalized, allowing the fund to be invested in new projects and thus become a permanent funding source.

Under the subject of coastal water quality and pollution, there is a need to improve the coordination and integration of existing coastal near shore water quality monitoring. Council funds should be used to accelerate efforts at the State water board to integrate existing monitoring and add new monitoring efforts where gaps are evident. This should be coordinated with other marine assessment efforts such as the Coastal Ocean Current Monitoring Project (COCMP) and other such programs. In addition, it has recently become clear that polluted runoff significantly harms near shore marine ecosystems and the Marine life that depends on them. Staff recommends that Council funds be used to implement a pilot project in the Central

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<sup>2</sup> The presence of any particular project on this list does not mean that the project has been accepted by the Council or any other state agency. Likewise, the absence of any particular project does not mean that it cannot be added to the list. If your favorite project is not on this list... don't panic! Come talk to us.

Coast Regional Water Quality Control Board's jurisdiction to coordinate efforts among federal, state, and local agencies and citizen organizations to control polluted runoff. This region is ideal because:

- it is coastal;
- it is affected by a wide range of nonpoint pollution sources;
- it includes the Marine Life Protection Act study area;
- it is home to the California Sea Otter which is experiencing mortality from land-based pathogens;

The State Water Quality Control Board/Coastal Commission's "critical coastal area" project identified pilot areas and projects along the Central Coast that are in need of funding; this should be a vehicle for moving the coordination effort forward.

Although not strictly speaking pollution, invasive species in our coastal waters pose a threat that can be as damaging to California's aquatic ecosystems as polluted runoff. Staff recommends that Council funds be used to complete and implement the plan for addressing aquatic species called for by SB 1573 (Karnette), with a focus on coastal areas at particular risk from direct and indirect impact of invasive species.

As we mentioned earlier, the State of California has made a groundbreaking investment in ocean observing. Staff believes that there are two efforts worthy of Council support in this area. First, the Ocean protection Council should adopt as a goal the creation of a detailed, publicly accessible, digitized seafloor map for all State waters, from the surf zone out to 3 miles. This is an essential tool for fisheries management, marine protected area design, and models that help us understand how currents affect beach water quality, sediment transport, and coastal erosion. We have estimated that this could be accomplished using a variety of technologies<sup>3</sup> over a period of six years at a cost of about \$45 million. Since it is unlikely that the State will have that amount of money up front, this project will likely be accomplished piecemeal. High priority areas to begin with include beaches with periodic closures related to water quality, high priority coastal erosion areas, existing marine protected areas, and the Central Coast Marine Life Protection Act study area. The Council should work to make sure that all ongoing mapping efforts in the State are coordinated in such a way that they can contribute to a single seafloor map for the entire state.

Finally, staff believes that the Council should tackle the difficult question of integrating the State's ongoing ocean observing and research efforts into a single system with at least the following characteristics:

- all data is publicly available through a common portal;
- data are integrated and applications are developed that support the State's ongoing management needs;
- the system is designed to "fit" with developing Earth and Ocean observing systems elsewhere in the United States in the world.

In the spirit of other ocean observing systems, our working title for this system is CalCOOS, the California Coastal Ocean Observing System.

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<sup>3</sup> Principally LIDAR and multi-beam SONAR.

## **Process for funding**

In a separate document, we have attached proposed “Interim Funding, Project Selection, and Application Guidelines”. We recommend that the Council adopt these guidelines. In developing these guidelines, we had several goals in mind:

- the guidelines should relate meaningfully to the Ocean protection act;
- the process for seeking funding should be user-friendly, e.g. grant seekers should not write proposals for which there is no appropriate funding;
- the process should be flexible so that as new ideas arise, the Council can jump on them.

The guidelines are modeled on the processes and procedures the State coastal Conservancy has used to administer over \$500,000,000 and grants during the last six years. We have called them “interim” to suggest that they are meant to serve for now, and can be changed in the future as circumstances warrant.

## **Current and Future Funding**

The State coastal Conservancy adopted the following resolution at its meeting in Fort Bragg in May of this year:

- “ A. The State Coastal Conservancy hereby delegates authority to the Executive Officer, in order to increase the effectiveness and administer the affairs of the California Ocean Protection Council (OPC), and, with respect to the expenditure of funds neither appropriated nor awarded to the Conservancy, to negotiate and enter into grant and other agreements and take other actions necessary to carry out projects and programs authorized by the OPC, unless the Conservancy is legally required to make findings under the California Environmental Quality Act or other applicable law.
- B. The Conservancy reserves up to five million dollars (\$5,000,000) from existing Conservancy funding sources, to be expended in concert with the OPC, for programs and projects authorized by the OPC or that the OPC finds to be of high priority and that are also consistent with the Conservancy’s project selection criteria and priorities and the requirements of the funding sources.”

These funds are now available for Council projects. Should the Ocean Protection Council approve the four projects under agenda item 7 at this meeting, they will then go to the State Coastal Conservancy board for final approval at its June meeting and be funded from this source.

The State Water Quality Resources Control Board has placed on its consent file for its June 16, 2005 meeting a resolution allocating ten million dollars (\$10,000,000) of Proposition 50 funds designated for non-point source pollution for ocean protection projects. These funds would be spent in consultation with the Council.

There continues to be \$1,200,000 of Environmental License Plate funds in the budget making its way through the Legislature appropriated to the State Coastal Conservancy for the Ocean Protection Council.

This money, less the cost of one full-time staff person and administrative costs, will be available for Council projects when the State's budget is signed into law.

Finally, in last year's budget \$10,000,000 was appropriated to the Resources Agency for Ocean Protection Council purposes from the Long Beach Oil Field Abandonment fund. The status of this money continues to be up in the air, but it is looking less likely that it will appear any time soon.

## Appendix One: List of Potential OPC Projects

Category/Project	SCC Prop 40 <sup>1</sup>	SCC Prop 50 <sup>2</sup>	SCC Non Bond funds <sup>6</sup>	Tidelands <sup>3</sup>	SWRCB <sup>4</sup>	Private Funds <sup>5</sup>	Grand Total
<b>Ecosystem Marine Life and Fishery Mgmt.</b>							
Fishery Revolving Loan Fund				\$2,000,000			
Fishery Stock Assessments				\$500,000			
Automated License Data System				\$300,000			
GPS Data Collectors				\$500,000			
Near shore commercial permit buy-out				\$1,000,000			
Cen Cal trawl permit buyback				\$9,000,000			
<b>Subtotal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$13,300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$13,300,000</b>
<b>Habitat Restoration and Enhancement</b>							
Humboldt Bay Eel Grass Restoration	\$300,000						
SF Bay Eel Grass Restoration	\$200,000						
SF Bay Sub tidal Goals Report	\$50,000						
SF Bay Native Oyster Restoration	\$100,000						
So Cal Bight Aquatic Restoration Program	\$750,000						
Trinidad Head Kelp Bed Impact Study	\$75,000						
Garcia Watershed Enhancement		\$300,000					
Derelect Boat Removal Program		\$300,000					
Fish Passage Barrier Removal		\$2,000,000					
So Cal Habitat Mapping				\$500,000			
So Cal Marine Life Demo Project				\$750,000			
<b>Subtotal</b>	<b>\$1,475,000</b>	<b>\$2,600,000</b>	<b>\$0</b>	<b>\$1,250,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,325,000</b>
<b>Water Quality and Pollution</b>							
Klamath River Dam Removal Study	\$250,000						
Derelect Fishing Gear Removal Pilot		\$300,000					
Creosote Piling Removal Project			\$300,000				
Sediment Master Plan Impl.				\$500,000			
TMDL Landowner Coops					\$500,000		
Green Ports/Harbors Program					\$2,000,000		
Agricultural BMP Program					\$2,000,000		
Sediment Reduction Program					\$3,000,000		
Septic Pilot Projects (revolving loan fund?--Tomales Bay)					\$2,000,000		
Central Coast HAB Monitoring					\$500,000		
<b>Subtotal</b>	<b>\$250,000</b>	<b>\$300,000</b>	<b>\$300,000</b>	<b>\$500,000</b>	<b>\$10,000,000</b>	<b>\$0</b>	<b>\$11,350,000</b>
<b>Integrated Ocean Observation and Research</b>							
SF Bay Fish Abundance/Distribution	\$200,000						
Channel Islands Monitoring Program	\$700,000						

Near shore/Stream Gauges		\$1,000,000					
Methyl mercury in Salt Marsh Rest.		\$200,000					
Radio chemistry			\$100,000				
CA Current Joint Venture			\$300,000				
CA Ocean Obs Strategic Plan			\$50,000				
Fish population genetic studies			\$100,000				
Tidelands Acq. Parcel Study				\$200,000			
Legal Research				\$100,000			
CalOcean Web Development				\$100,000			
CA Ocean Investment Analysis				\$15,000			
CRANE/PISCO Support**				\$1,000,000			
Ocean Obs Product Development				\$350,000			
PORTS Support				\$150,000			
SF Bay Sediment Dynamics, Relationship with Salt Marsh Restoration				\$100,000			
Research Sustainable Aquaculture					\$50,000		
Channel Isl. MPA Op. Support						\$1,200,000	
Seafloor Mapping						\$45,000,000	
<b>Subtotal</b>	<b>\$900,000</b>	<b>\$1,200,000</b>	<b>\$550,000</b>	<b>\$2,015,000</b>	<b>\$50,000</b>	<b>\$46,200,000</b>	<b>\$50,915,000</b>
<b>Education/Policy/Governance</b>							
Fort Bragg Marine Education Center Planning		\$150,000					
Mendocino Underwater Marine Education Program		\$75,000					
Avila Beach Marine Research and Education Center		\$120,000					
Coastal Ambassadors Program			\$250,000				
Marine Education Program				\$500,000			
CA and the World Ocean '06				\$100,000			
Invasive Spartina							
Outreach/Education				\$200,000			
<b>Subtotal</b>	<b>\$0</b>	<b>\$345,000</b>	<b>\$250,000</b>	<b>\$800,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,395,000</b>
<b>TOTALS:</b>	<b>\$2,625,000</b>	<b>\$4,445,000</b>	<b>\$1,100,000</b>	<b>\$17,865,000</b>	<b>\$10,050,000</b>	<b>\$46,200,000</b>	<b>\$82,285,000</b>

**Notes**

1: SCC prop 40 provides money for "acquisition, development, rehabilitation, restoration, and protection of land and water resources" consistent with the Conservancy's enabling legislation.

2: SCC prop 50 funding of coastal watershed and water quality improvement projects

3: Tidelands oil revenue money is "for various projects authorized pursuant to the California Ocean Protection Act"

4: SWRCB prop 50 funds can be used for non-point source projects to "restore and protect the water quality and environment of coastal waters, estuaries, bays and near shore waters and groundwater". Grants not to exceed 5m.

5: Private foundation money would have no restrictions, but the foundations may be interested in funding some things and not others.

6: Could be 1.2m VLP funds in next budget, or whale tail LPF.

**\*\*CRANE/PISCO support also included in So Cal Habitat Mapping and Marine Life Demo Project, and the Channel Island ROV Support.**

<b>PROJECT NAME</b>	<b>Potential Grantee</b>	<b>DESCRIPTION</b>
Agricultural BMP Program	Various Grantees	Structural and functional best management measures for dealing with ag runoff
Automated License Data System	DFG	Funding for DFG's transition from a paper system for sport fishing licenses, to computer system, which is expected to occur by 2007. The ALDS is a high priority for DFG and the Fish and Game Commission, which have taken steps to begin implementation of a system to automatically link computer terminals at each license agent location to a central database. Will give DFG more timely and accurate data for resource management, enforcement and accounting.
CA and the World Ocean '05	Resources Agency	Provide logistical and program support for world ocean conference in 2006, per Governor's Ocean Action Agenda, item
CA Current Joint Venture	Point Reyes Bird Observatory	Program to develop and implement an ecosystem-level conservation plan that will define a conservation agenda for the CA Current System (CCS) focusing on top predators (including but not limited to seabirds) and their prey. Point Reyes Bird Observatory trying to facilitate establishment with other partners.
CA Ocean Investment Analysis		An inventory and analysis of state funding for important ocean and coastal management, enforcement, monitoring, research and education programs and use of this information to help determine if California's investment is providing the most effective and efficient management and protection of CA's ocean resources.
CA Ocean Obs Strategic Plan		Develop strategic plan for establishment of CA Coastal Ocean Observing System for coordinated management & oversight of coast wide or regional observing systems, through planning, data management and accessibility, interpretation of data for use in management decisions.
CalOcean Web Development	Resources Agency	Revise, revamp, and revive Resource Agency Ocean web site.
CenCal trawl permit buyback	The Nature Conservancy	To protect essential fish habitat for groundfish & move trawl fishery in Central Coast towards sustainability, invest in fleet and port modernization value added processing/marketing and buybacks of federal permits and vessels (approx. \$500,000 per permit & vessel) and processor(s) in Central Coast area.
Central Coast HAB Monitoring	Morro Bay National Estuary Prog.	Develop monitoring and research of hazardous algal blooms off the coast of CA.

Coastal Ambassadors Program	Sea Grant	Program to encourage young people to take some responsibility to protect the coast. Concept pioneered in Australia.
CRANE/PISCO Support**	DFG, PISCO, Nat'l Marine Sanctuaries	Cooperative Research and Assessment of Nearshore Ecosystems Program (CRANE) and the Partnership for Interdisciplinary Studies of Coastal Oceans (PISCO) provide interdisciplinary research on for fishery management in support of the MLMA, evaluation of MPAs and, use scuba, ROV and fishing gear for data collection.
Creosote Piling Removal Project		Removal of creosoted-treated timber, sources of toxic leaching and sediment, resulting in improved water quality and fish habitat.
Derelict Fishing Gear Removal Pilot	SeaDoc Society	Project involves the location and removal of lost/abandoned fishing gear followed by return to owner or recycling
Fish Barrier Removal	Various Grantees	Removal of barriers to anadromous fish passage at various waterways throughout the state.
Fish population genetic studies		Studies to determine and characterize genetic makeup of fish populations, data that can be used to understand migration, persistence/stability, abundance
Fishery Revolving Loan Fund	Environmental Defense	A competitive program to provide loans and other financing to promote the development of sustainable, resident fisheries and coastal economies.
Fort Bragg Marine Education Center Planning	Possibly City of Fort Bragg	Continuation of feasibility study for marine research and/or education center on the headlands in City of Fort Bragg.
Garcia Watershed Enhancement	The Conservation Fund	Implement erosion control and anadromous fish habitat improvements in accordance with the Garcia Forest Management Plan on sustainable forestry lands owned by The Conservation Fund.
GPS Data Collectors	DFG	Portable devices for establishing location and movement via earth-satellite triangulation
Green Ports/Harbors Program	Coastal Commission	Program to guide and implement environment friendly development, best management practices and activities at ports and marinas
Habitat Mapping	CSUMB's Seafloor Mapping Lab w/ commercial hydrographic firms	Over 6 yrs., complete mapping of all State waters out to 3 miles. Use LIDAR and multi-beam sonar to map bathymetry, interpret data to produce benthic habitat maps that will be available on websites and in GIS format. Pilot project in Central CA MPA study is first priority. Maps will provide crucial information for managing fisheries and important benthic habit and for modeling currents, sediment transport and beach erosion.
Humboldt Bay Eelgrass Restoration		Measures to increase the acreage of eelgrass, an essential fish habitat, including by transplants into areas suitable for eelgrass survival and by reducing impacts to existing eelgrass beds

Invasive Spartina Outreach/Education	Save the Bay, Friends of Corte Madera Creek Watershed	Public outreach and education about invasive Spartina, including its harmful effects to mudflat and saltmarsh ecosystems, risk of spreading from SF Bay up and down coastal CA, how to identify and what is being done to eradicate it.
Klamath River Dam Removal Study	Conservancy	Conduct sediment analysis and feasibility study for the decommissioning of 5 Klamath River dams to benefit anadromous fish stocks.
Legal Research	Conservancy	Provide logistical and program support for legal and policy development, per Governor's Ocean Action Agenda, item 2.
Marine Education Program	Various Grantees	Program to instruct/educate/build awareness to one or more audiences regarding marine science, including development of websites and other public portals.
Mendocino Underwater Marine Education Program	State Parks	A DPR interactive underwater program, with a diver in the nearshore (kelp forest, Frolic shipwreck) off the Mendocino coast, hooked up with microphones and a camera to a TV monitor on shore, and people/kids could communicate directly with the diver about what they were seeing in the underwater environment.
Methylmercury in Salt Marsh Restoration		Project to determine the presence, fate, impact of methylmercury in the environment and potential actions
Nearshore commercial permit buy-out		Program for purchase of commercial fishing permits accompanied by governance reform in limited entry fisheries in state waters to improve economic and conservation performance.
Nearshore/Stream Gauges		Statewide but with particular relevance to Southern California, project would involve installation of stream gauges in ungauged watercourses and at nearshore/estuarine interface to record volume/timing of flows/runoff to enhance water and natural resource management and protection and public safety.
Ocean Obs Product Development Pilot		Establish a program to process and interpret data collected on a state-wide and regional level, to make the information readily available to environmental managers and other users.
Parcel Study for Tidelands Acquisitions		Research ownership of properties within California tidelands for potential acquisition
PORTS Support		
Radio chemistry		Radiochemistry is one of the fundamental pillars of chemical diagnostics and analysis, employing the use of short-lived radioisotopes to tag, identify and track constituents of interest
Research Sustainable Aquaculture		Study how these operations can be approved and operate safely and sustainably in CA waters.
Sediment Master Plan Implementation	SANDAG	A collaborative effort between federal, state and local agencies and NGOs to evaluate CA's coastal sediment management needs on a regional and system-wide basis. Implementation will consist of developing regional on-the-ground efforts to manage the shoreline and sediment movement.

Sediment Reduction Program	Various Grantees	Implementation of prioritized erosion control and sediment reduction projects such as road removal and revegetation to decrease sediment inputs to anadromous fish bearing streams.
Septic Pilot Projects (revolving loan fund?--Tomales Bay)		Pilot projects to reduce the pollutant loading from poorly functioning septic systems in coastal areas. Tomales Bay is one area suitable for such a pilot project.
SF Bay Eelgrass Restoration	SFSU, Save the Bay	Implementation of eelgrass restoration, using predictive models developed as part of CalTrans Bay Bridge mitigation project to identify locations in SF Bay that are most suitable for transplanting eelgrass to restore beds. Approx. 10,000 acres of SF Bay has suitable eelgrass habitat, so there is a huge restoration potential that would increase essential fish habitat.
SF Bay Fish Abundance/Distribution		Research on resident fish populations in SF Bay, esp. on salmonid use of bay habitats.
SF Bay Native Oyster Restoration	UC Davis, Save the Bay	Restoration of native oyster populations in SF Bay, by increasing the available substrate for oyster growth. Recent pilot projects have been very successful and have generated public support for additional restoration projects.
SF Bay Sediment Dynamics, Relationship with Salt Marsh Restoration		Research is needed to study the sediment dynamics in SF Bay to assist in the design of large salt marsh restoration projects.
SF Bay Subtidal Goals Report	Various Grantees	Development of goals and identification of specific projects for restoration and management of subtidal habitat in San Francisco Bay.
So Cal Bight Marine Life Enh Prog	Environment Now; California CoastKeeper Alliance, TNC/MARE; SM BayKeeper, Heal the Bay, SCCWRP, UC	Consists of several program elements addressing restoration and enhancement of coastal nearshore and coastal ocean resources of Southern CA. Elements include the Santa Barbara Channel Islands Monitoring program (\$750,000), Santa Monica/San Pedro Bays Marine Life Demo Project (incl. rocky intertidal habitat mgmt program), the So. Ca. Bight Nearshore Habitat Mapping Program, and So. Ca. Bight Aquatic Restoration Program (incl. regional marine communities restoration, e.g. eelgrass, kelp forest & sustainable artificial reefs installation program)
Stock Assessments for rockfish	DFG	Provide research and monitoring of the most threatened commercial species fished off the coast of CA. These species are driving many of the management decisions by DFG, without longitudinal studies.
TMDL Landowner Coops	Coastal Commission?	Provide support for development of a cooperative system of landowner reduction of non-point source sediment reductions. Was done as a pilot project by Environmental Defense, but they are no longer doing these projects.

June 10, 2005

TO: California Ocean Protection Council

FROM: Sam Schuchat, Secretary to the Council

RE: Adoption of *Interim Funding, Project Selection, and Application Guidelines*

**Requested Action**

Staff recommends that the Council adopt the following resolution:

“The California Ocean Protection Council adopts the attached *Interim Funding, Project Selection, and Application Guidelines* to be used in selecting projects and activities to be considered for support by the Council.”

**Background**

In the California Ocean Protection Act the Legislature makes the following findings and declarations:

“Good governance and stewardship of ocean resources necessitate more efficient and effective use of public funds.

“The state needs to coordinate governance and stewardship of the state’s ocean, to identify priorities, bridge existing gaps, and ensure effective and scientifically sound approaches to protecting and conserving the most important ocean resources”.

The act charges the Council with coordinating:

“activities of state agencies, that are related to the protection and conservation of coastal waters and ocean ecosystems, to improve effectiveness of state efforts to protect ocean resources within existing fiscal limitations...”

The act appoints the executive officer of the State Coastal Conservancy, under the direction of the Secretary for Resources, to act as secretary to the council, to administer its affairs, and provide staff to administer grants and expenditures authorized by the council.

The act establishes the California Ocean Protection Trust Fund. The act also sets out a series of projects or activities for which the fund may be used upon authorization of the Council.

The Legislature has appropriated ten million dollars to the Resources Agency from tidelands oil revenues, that is expected to be available for expenditure for the Council's priorities during the 2005/2006 fiscal year.

The Legislature has appropriated funds to the State Coastal Conservancy, as well as other State departments, that may be used for coastal and ocean related projects and related activities. At its May 18<sup>th</sup> meeting the Conservancy unanimously voted to reserve five million dollars for the purposes of the Council. Other departments are expected to make similar reservations of funds or otherwise allocate money for ocean protection under the Council's direction.

### **Purpose and Effect**

Staff is proposing that the Council adopt the attached *Interim Funding, Project Selection, and Application Guidelines* (guidelines) for the following purposes:

- To guide staff in selecting specific projects or activities to be brought before the Council for funding or other support;
- To guide potential project sponsors in determining if their proposals may be consistent with the Council's priorities;
- To establish a procedure for initial review of proposals;
- To establish initial priorities for the Council, based on the Ocean Protection Act that may be used by state departments in establishing related funding programs.

The guidelines are primarily based on the priorities established in the California Ocean Protection Act, and have been adapted from Project Selection Criteria adopted by the State Coastal Conservancy. They are not intended as absolute rules for funding but as a baseline to guide a continuous granting cycle using a variety of funding sources for a wide range of projects. Because they follow directly from the Ocean Protection Act, they are meant to enable the Council to take immediate steps to provide support to many high priority activities that may be funded by the Resources Agency, the Coastal Conservancy or other agencies whose activities relate to the protection and conservation of coastal waters and ocean ecosystems. The guidelines are modeled on the processes and procedures the State coastal Conservancy has used to administer hundreds of millions of grants during the last six years.

The guidelines are not meant to guide all of the Council's activities related to supporting funding for ocean related projects and activities. With regard to basic research or for particular funding sources or project types more specific grant guidelines, requests for proposals, or other procedures may be established in the future. For example, the State Water Resources Control Board is developing its own grant guidelines for specific allocations of Proposition 40 and 50 funds. The Council's guidelines, if adopted, could be incorporated into the Board's guidelines or otherwise inform its process, by specifically identifying critical ocean protection goals adopted by the Council. In other respects, though, the Council's interim guidelines may have limited applicability to funding programs like the Water Board's. The procedures for project development, and the Council's participation in project solicitation and selection for these funds would not necessarily follow the path outlined in these interim guidelines. That path will be established in consultation with the Board in the coming months.