

**STATE COASTAL CONSERVANCY  
PUBLIC MEETING MINUTES**

March 8, 2007  
9:00 am  
Hearing Room 437  
State Capitol  
Sacramento, CA

**MEMBERS PRESENT:**

Douglas Bosco (Public Member), Chair  
Jeremy Hallisey (Public Member)  
Ann Notthoff (Public Member)  
Michael Chrisman, Secretary for Resources  
Patrick Kruer (Chair, Coastal Commission)  
Fred Klass (Designated Representative, Department of Finance)

**OVERSIGHT LEGISLATORS PRESENT:**

Assemblymember Patty Berg (District 1)  
Annette Porini for Joseph Simitian (District 11)  
Kate Williams for John Laird (District 27)  
Linda Barr for Christine Kehoe (District 39)

**OTHERS PRESENT:**

Sam Schuchat, Executive Officer  
Pat Peterson, Deputy Attorney General  
Marcia Grimm, Staff Counsel

**1. ROLL CALL**

**2. APPROVAL OF MINUTES**

The minutes of the January 18, 2007 public meeting were approved without change.

Due to Assembly Member Berg's schedule, North Coast agenda items were moved to the beginning of the meeting.

## **9. SALMON CREEK WATERSHED**

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed six hundred ten thousand dollars (\$610,000) to Gold Ridge Resource Conservation District (the grantee) to implement ranch resource enhancement plans to address sources of sedimentation and improve steelhead and historic coho riparian habitat in the Salmon Creek Watershed in western Sonoma County. The Conservancy also adopts the mitigation monitoring and reporting program for the project, attached as Exhibit 6 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of funds, Gold Ridge Resource Conservation District shall submit for the written approval of the Conservancy’s Executive Officer a work program, including schedule and budget, the names of any contractors it intends to employ for the project and a signage plan acknowledging the Conservancy funding.
2. Prior to commencement of work on any ranch property, the grantee shall submit for the written approval of the Conservancy’s Executive Officer:
  - a. Documentation that the grantee has obtained all required permits and approvals for the work.
  - b. Documentation that the grantee has entered into and recorded an agreement, satisfactory to the Executive Officer, with the landowner of the project site for the provision of access to the property and for monitoring and maintenance of the project for a period of at least 20 years.
3. In carrying out the project, the grantee shall comply with all applicable mitigation and monitoring measures that are identified in the Salmon Creek Ranch Restoration Program Mitigated Negative Declaration adopted by the grantee on August 17, 2006, attached to the accompanying staff recommendation as Exhibit 5, with the mitigation monitoring and reporting program, attached to the accompanying staff recommendation as Exhibit 6, and with all measures that are required by any permit or approval for the project.”

Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 of the Public Resources Code (Sections 31251- 31270).
2. The proposed authorization 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 Sonoma County Local Coastal Program as requiring public action to resolve existing or potential resource protection problems.
4. The Conservancy has independently reviewed and considered the Salmon Creek Ranch Restoration Program Mitigated Negative Declaration, attached to the accompanying staff recommendation as Exhibit 5 and finds that the project, as mitigated, avoids, reduces or

mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

Moved and seconded. Approved by a vote of 5-0 (Mr. Klass was not present).

#### **10. SALT RIVER ENHANCEMENT PLAN**

Michael Bowen of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred thousand dollars (\$300,000) to the County of Humboldt to develop a watershed enhancement plan for the Salt River watershed, 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 for preparation of the enhancement plan.”

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 Division 21 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 25, 2001.”

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

#### **11. MA-LE’L DUNES COOPERATIVE MANAGEMENT AREA**

This staff recommendation was postponed until the May board meeting  
Board member Fred Klass arrived at meeting.

#### **12. NORTH COAST FISHERIES STUDY**

Moira McEnespy of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Carrie Pomeroy, Sea Grant, gave a powerpoint presentation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to one hundred forty thousand dollars (\$140,000) to The Regents of the University of California (UC Regents) to conduct a socioeconomic study of north coast fisheries, subject to the condition that prior to disbursement of Conservancy funds, the UC Regents shall submit for the review and written

approval of the Executive Officer of the Coastal Conservancy a final work program, including budget and schedule, 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 Chapter 5.5 and Chapter 7 of Division 21 of the Public Resources Code (Section 31220 and Sections 31300 *et seq.*), and with the authority of the Conservancy under Section 31111 to undertake and award grants for feasibility studies for these purposes.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

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

Regular Agenda schedule resumed.

### **3. CALIFORNIA FISHERIES FUND**

Neal Fishman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Rod Fujita, Environmental Defense  
Mike Dickerson, Shorebank Enterprise.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$2,000,000 from funds provided by the Resources Agency for ocean protection purposes to Environmental Defense to capitalize the California Fisheries Fund, which will offer loans to California fishing communities, groups, associations, and businesses, and to ports and public agencies, to assist them with a transition to more environmentally and economically sustainable fishing practices and governance, as authorized by the California Ocean Protection Council and described in the accompanying staff recommendation, provided that matching funds of at least that amount have been secured from non-state sources by March 30, 2008.”

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 (Section 31220) and Chapter 7 (Sections 31300-31316) of Division 21 of the Public Resources Code, regarding the protection and restoration of coastal, ocean and marine resources, and the restoration of California’s urban waterfronts.
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 a vote of 6-0.

#### **4. CALIFORNIA SEA GRANT AND USC SEA GRANT PROGRAM**

Laura Engeman of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy authorizes disbursement of an amount not to exceed one million dollars (\$1,000,000) from funds provided by the Resources Agency for ocean protection purposes to the California Sea Grant College Program and University of Southern California Sea Grant Program to solicit, review, administer and disburse funds for scientific research grants meeting the priorities of the California Protection Council for 2007.”

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 3 (Section 31111) and Chapter 5.5 (Section 31220) of Division 21 of the Public Resources Code, regarding plans and feasibility studies for the protection and improvement of coastal and marine 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 a vote of 6-0.

#### **5. REEF CHECK CALIFORNIA**

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Dr. Craig Schuman gave a power point presentation. Linda Barr provided a letter of support from Senator Christine Kehoe.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred forty-three thousand, five hundred dollars (\$243,500) to the Reef Check Foundation to expand the Reef Check California (RCCA) program’s community-based network of certified volunteer SCUBA divers to collect and disseminate monitoring data on nearshore subtidal resources statewide, subject to the condition that prior to the disbursement of funds, the Reef Check Foundation shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget, and names of any contractors it intends to employ for the project.”

Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resource protection.
2. The proposed authorization is consistent with the Project Selection Criteria and

Guidelines adopted by the Conservancy on January 24, 2001.

3. The Reef Check Foundation is a private nonprofit organization, existing under the provisions of Section 501 (c)(3) of the U.S. Internal Revenue Service Code whose purposes are consistent with Division 21 of the Public Resources Code.”

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

## **6. INVASIVE SPARTINA CONTROL PROGRAM**

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation.

Speaking of favor of the Staff Recommendation: Eric Rehalva, Field Operations Manager

Resolution:

“The State Coastal Conservancy hereby authorizes the following:

1. Acceptance of \$1,250,868 (one million two hundred fifty thousand eight hundred sixty-eight dollars) as a grant from the Wildlife Conservation Board (WCB) and disbursement of this full amount for invasive *Spartina* treatment and eradication projects under the Invasive Spartina Project (ISP) Control Program. Funds for treatment and eradication projects may be used to supplement existing grants to the Alameda County Flood Control District, the California Wildlife Foundation, Friends of Corte Madera Creek Watershed, the East Bay Regional Park District, City of Alameda, City of San Leandro, City of Palo Alto, the San Mateo County Mosquito Abatement District, and United States Fish and Wildlife Service Don Edwards San Francisco Bay National Wildlife Refuge. Any grant of additional funds for treatment and eradication shall be subject to the following conditions:
  - a. Prior to disbursement of funds for treatment and eradication activities, there shall be in place a fully executed Memorandum of Understanding between the Conservancy and WCB authorizing the 2007 ISP Control Program activities as an approved project.
  - b. Prior to implementing any treatment and eradication project and prior to disbursement of any funds to the grantee, the grantee shall submit for review and approval of the Executive Officer a plan detailing the site-specific work for 2007, based on the outcome and extent of the 2006 treatment and including a list of identified mitigation measures, a work program for 2007 treatment, including a schedule and budget, and evidence that the grantee has obtained all necessary permits and approvals for the project.
  - c. In carrying out any treatment and eradication 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, and 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.

2. Disbursement of up to \$949,907 (nine hundred forty-nine thousand nine hundred seven dollars) of Conservancy funding for ongoing environmental consulting services needed to operate and manage the *Spartina* Control Program on an ongoing accelerated schedule through spring of 2008.”

Findings:

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

1. Disbursement of additional funds for the ISP Control Program treatment and eradication projects, and ongoing management, is consistent with Public Resources Code Sections 31160-31165 and with the resolutions, finding and discussion accompanying the Conservancy authorizations of September 25, 2003 and June 16, 2005, as shown in the staff recommendations attached as Exhibits 1 and 2 to this staff recommendation.
2. On June 16, 2005 the Conservancy authorized initial funding for the 2005 and 2006 ISP Control Program treatment and eradication projects and made appropriate findings under the California Environmental Quality Act (CEQA). This authorization provides for additional funding for those same projects. The nature, duration and extent of those projects, including environmental effects and proposed mitigation measures, was fully described and considered by the Conservancy in connection with the initial funding authorizations and have not changed. Disbursement of additional funds for these same treatment and eradication projects is, thus, consistent with the previous CEQA finding: that the environmental effects associated with the proposed treatment and eradication and the mitigation measures needed to reduce or avoid those effects were fully identified and considered in the FEIS/R adopted by the Conservancy September 25, 2003. (See Exhibits 1 and 2).
3. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
4. The California Wildlife Foundation and Friends of Corte Madera Creek Watershed are private nonprofit organizations existing under Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the California Public Resources Code.”

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

## **7. LAGUNA COAST WILDERNESS**

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of funds to the City of Laguna Beach (“City”) for acquisition of two properties adjacent to the Laguna Coast Wilderness Park (“LCWP”), as follows: (1) up to one million five-hundred thousand dollars (\$1,500,000) for the approximately 50-acre Chao property, County of Orange Assessors Parcels No. 632-081-04; (2) up to nine hundred fifty thousand dollars (\$950,000) for the approximately 58-acre Stonefield property, County of Orange Assessors Parcels Nos. 629-

031-11, -12, -13, -14, -15, -16, 632-041-04 and -05, and 632-051-01; and (3) up to eight thousand dollars (\$8,000) to cover estimated closing costs for the two transactions.

1. Prior to the disbursement of any Conservancy funds for the acquisition of each of the respective properties, the City shall submit for the review and approval of the Executive Officer of the Conservancy (“the Executive Officer”):
  - a. All relevant acquisition documents, including without limitation, an appraisal, purchase agreement, escrow instructions, environmental assessment, and title report.
  - b. Evidence that sufficient funds are available to complete the acquisition.
  - c. Evidence of commitment by the County of Orange to manage the properties as part of the Laguna Coast Wilderness Park for public access and for wildlife habitat.
2. The City shall pay no more than fair market value for each property, as established in appraisals approved by the Executive Officer.
3. The City shall permanently dedicate each property for open space, public access and habitat preservation, through an appropriate instrument approved by the Executive Officer.
4. The City shall acknowledge Conservancy and Proposition 12 funding by erecting and maintaining on each property signs, the design and location of which have been approved by the Executive Officer.”

Findings:

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

1. The proposed project is consistent with Chapter 9 of Division 21 of the Public Resources Code (Sections 31400-31409) with respect to public access. The proposed acquisitions will connect important coastal watershed and scenic areas in the Laguna Coast Wilderness Park area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 21, 2001.
3. The proposed project would serve a greater-than-local need.”

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

8. **COMPTON CREEK -**

Staff Recommendation was postponed until the May board meeting.



### **13. CONSENT ITEMS**

#### **A. NAPA RIVER SALT MARSH RESTORATION PROJECT**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to one hundred eighty-seven thousand one hundred dollars (\$187,100) for the development of 90% design documents and permit applications for Ponds 6, 6A, 7, 7A, and 8 of the Napa River Salt Marsh Restoration 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 Chapter 4.5 of Division 21 of the California Public Code (Sections 31160-31165) regarding the Conservancy’s mandate to address the resource and recreation goals of the San Francisco Bay area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

#### **B. SAN MATEO CREEK WATERSHED**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred sixty thousand dollars (\$160,000) to Trout Unlimited to begin implementing the recommendations of its Conservation Strategy Plan to support recovery of the steelhead trout and other native fish populations in the San Mateo Creek watershed. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, Trout Unlimited shall submit for the review and written approval of the Executive Officer of the Coastal Conservancy:
  - a. A final work program, schedule and budget for the project.
  - b. The names and qualifications of all contractors to be used for the project.
  - c. Evidence of all permits and approvals for the project.
2. Trout Unlimited shall review its proposed non-native fish and bullfrog removal techniques on-site with a knowledgeable representative of the California Department of Fish and Game prior to using them.
3. Trout Unlimited shall provide written evidence to the Executive Officer that permission has been received from landowners from each owner of land, public or private, on which work is to be done.
4. Trout Unlimited shall acknowledge funding from Proposition 12 and the Conservancy on all documents/reports prepared under this authorization.”

Findings:

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

1. The proposed authorization is consistent with Public Resources Code Sections 31251-31270 regarding enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed authorization is consistent with Public Resources Code Section 31252 as the project area was identified in the San Mateo Creek Enhancement Plan as an area requiring public action to resolve existing resource protection problems. The enhancement plan was deemed consistent with the Coastal Act by the California Coastal Commission in 2002.
4. Trout Unlimited 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. SAVING THE BAY DOCUMENTARY**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to one hundred thousand dollars (\$100,000) to Northern California Public Broadcasting, Inc. (NCPB) for production of a four-hour documentary on the history and development of San Francisco Bay. NCPB shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and a proposed acknowledgment of the Conservancy’s assistance in the television documentary.”

Findings:

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

1. Northern California Public Broadcasting, Inc. is a nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.
2. Except as provided in the project summary in the current accompanying staff recommendation, the project remains consistent with the Conservancy staff recommendation, authorization, and findings of September 8, 2005, attached to the current authorization as its Exhibit 1.”

**D. SANTA ROSA CREEK WATERSHED**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to seventy five thousand dollars (\$75,000) to the Land Conservancy of San Luis Obispo County (grantee) for preparation of a watershed enhancement plan for the Santa Rosa Creek watershed, subject to the condition that prior to the disbursement of any funds, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy a work program, schedule, budget and the names of any subcontractors to be employed in preparation of the enhancement plan.”

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

**E. SAN FRANCISCO FISHERMAN’S WHARF**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed sixty five thousand, four hundred sixty eight dollars (\$65,468) to Ecotrust to (1) conduct a feasibility study regarding the creation of a local seafood market promoting sustainable fishing practices at Fisherman’s Wharf in San Francisco and (2) complete a final business plan, including architectural drawings, for the proposed site, as described in the accompanying staff recommendation.”

Findings:

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

1. The proposed project is consistent with Chapters 5.5 and 7 of Division 21 of the Public Resources Code (Sections 31220 and 31300-31316), and with the authority of the Conservancy under section 31111 to fund plans and feasibility studies for Division 21 purposes.

2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Ecotrust is a nonprofit organization existing under the provision of U.S. Internal Revenue Code section 501(c)(3), whose purposes are consistent with Division 21 of the Public Resources Code.”

**F. CCI FEASIBILITY REPORT**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to Community Conservancy International to complete a feasibility study and identify pilot projects that will treat urban storm water through the creation of a network of parks and open space areas in Los Angeles County. This authorization is subject to the conditions that prior to the disbursement of any Conservancy funds, Community Conservancy International shall submit for review and written approval of the Executive Officer of the Conservancy

1. A work plan, including a project budget and schedule;
2. the names and qualifications of any contractors to be employed to carry out these tasks, and
3. A signing plan for the project acknowledging Proposition 12 funding and Conservancy participation.”

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 of Division 21 of the Public Resources Code, Sections 31200, *et seq.*
2. The proposed project is consistent with the Project Selection Guidelines and Criteria adopted by the Conservancy on January 24, 2001.
3. Community Conservancy International (CCI) is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”

**G. MOSS LANDING HARBOR**

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to Moss Landing Marine Laboratories to prepare a feasibility study for developing a sustainable fishing off-loading and processing facility in Moss Landing Harbor, subject to the condition that prior to the disbursement of funds, the Executive Officer of the Conservancy shall approve in writing a work program, budget, schedule and any contractors 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 Chapters 5.5 and 7 of Division 21 of the Public Resources Code (Sections 31220 and 31300-31316, respectively), and with the authority of the Conservancy under Section 31111 to fund feasibility studies in implementing those provisions.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

#### **H. EAST BAY GREENWAY PROJECT**

Resolution:

“The State Coastal Conservancy hereby modifies its April 27, 2006 authorization for the preparation of a conceptual plan for the East Bay Greenway Project in Alameda County by revising the scope of the planning activities, as described in the accompanying staff recommendation, and by authorizing the disbursement of an additional amount not to exceed thirty-five thousand dollars (\$35,000) to the Urban Ecology Center for the project. This authorization is subject to the same conditions imposed by the Conservancy’s April 27, 2006 authorization.”

Findings:

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

1. Disbursement of additional funds for and revision of the scope of the conceptual plan for the East Bay Greenway project is consistent with the Conservancy authorization and findings adopted on April 27, 2006, and with the staff recommendation of that date, attached as Exhibit 1 to the accompanying staff recommendation.”

#### **I. THE CEDARS CONSERVATION PLAN PROJECT**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed twenty-three thousand dollars (\$23,000) to the Sonoma Land Trust (SLT) to develop a conservation plan including research, planning and landowner outreach in the “the Cedars”, and negotiation for the possible acquisition of the 520-acre “Raiche-McCroy Property” within a 9 square mile area in western Sonoma County, subject to the condition that prior to the disbursement of funds, the SLT shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget, and names of any contractors it intends to employ for the project.”

Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the protection of natural habitats and resources of regional importance as described in Section 31162.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Sonoma Land Trust is a private nonprofit organization, existing under the provisions of Section 501 (c)(3) of the U.S. Internal Revenue Service Code whose purposes are consistent with Division 21 of the Public Resources Code.”

**J. SAN PABLO BAYLANDS**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed fifteen thousand dollars (\$15,000) to Bay Nature Institute to produce a 16-page supplement for *Bay Nature* magazine on habitat restoration and public access in the San Pablo Baylands region of Napa, Solano, Sonoma, and Marin Counties. Prior to disbursement of any Conservancy funds, Bay Nature Institute shall submit for review and approval of the Executive Officer of the Conservancy a detailed work program, timeline, and budget; and the names and qualifications of any intended contractors.”

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 California Public Resources Code (Sections 31160-31165) regarding 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. Bay Nature Institute 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 California Public Resources Code.”

**K. HAMILTON WETLAND RESTORATION PROJECT**

Resolution:

“The State Coastal Conservancy hereby authorizes the acceptance of fee title to the Navy “Ballfields” property adjacent to the Hamilton Army Airfield as a no-cost public discount benefit transfer from the United States Department of the Navy, on the terms and conditions described in the accompanying staff recommendation. This authorization is subject to approval by the Director of General Services pursuant to Government Code Section 11005 and all other relevant provisions of law.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that acceptance of title to the Navy Ballfields property for implementation of the Hamilton Wetland Restoration Project is consistent with the authority and mandate of the Conservancy under section 311004.1 of the Public Resources Code to serve as a repository for lands whose reservation is required to meet the policies and objectives of the San Francisco Bay Plan, and necessary to implement the Hamilton Wetland Restoration Project as authorized by the Conservancy on April 22, 1999.”

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

#### 14. **EXECUTIVE OFFICER REPORT**

- a. Mr. Schuchat congratulated Brenda Buxton, Amy Hutzler, Nadine Hitchcock, Ann Buell, and Steve Ritchie and their consulting team in completing the South Bay Salt Ponds Restoration Project - Environmental Impact Statement/Report DRAFT. The Executive Summary was distributed to board members and is available upon request. This has been an ongoing project for 4 years with planning and permitting on schedule. Public hearings and workshops to be held soon.
- b. Santa Barbara field trip plans to Santa Cruz Island with The Nature Conservancy are being made prior to the May 24 board meeting. Tour of the island would occur May 22 – 23. More details to come as the plans become confirmed.
- c. A July meeting date was suggested to discuss projects that will be ready before the fall and continue discussion of the Strategic Plan. All day Meeting could occur in the Bay area or Sacramento. Tentative date would be Monday, July 23. Details will be confirmed.
- d. Deborah Ruddock gave a Legislative report (attached) with updates on current bills.
- e. Consideration and possible Conservancy adoption of standards and practices governing conservation easement acquisition grants was postponed until May so the Conservancy staff can meet with the Coastal Commission.
- f. Strategic Plan Update and progress report (attached) was presented by Nadine Hitchcock and reviewed by the Conservancy. A Draft will be discussed at the beginning of the May 24 Conservancy meeting.

#### 15. **DEPUTY ATTORNEY GENERAL REPORT**

Deputy Attorney General Peterson reported on the status of *Sonoma Land Trust v. BRRBR et al.* The Conservancy will remain a party to this case and continues to seek the opportunity to discuss its possible resolution with the other parties.

#### 16. **BOARD MEMBER COMMENTS**

Chair Bosco thanked Mary Small and Elena Eger for their help in resolving the Lechuza Beach settlement.

Ann Notthoff wanted to acknowledge the loss of Bob Hadtoy, Commissioner of Fish and Game.

17. **PUBLIC COMMENT**

There were no public comments

18. **CLOSED SESSION**

There was no close session

19. **ADJOURNMENT**

Meeting was adjourned at 11:30 am.



# Memo

To: SCC Board  
From: Nadine Hitchcock, DEO  
CC: Oversight Members  
Date: March 6, 2007  
Re: Strategic Plan Update

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At the January 16<sup>th</sup> Board meeting I presented you with a memo describing our intent to update the Conservancy's *Strategic Plan 2003*. The reasons for undertaking the update now are:

- We have completed four years of our five-year strategic plan;
- There have been a number of statutory amendments which have expanded the Conservancy's authority;
- We've identified several ways in which we can improve how to write objectives to facilitate more accurate tracking of progress;
- With the passage of Proposition 84, we have a significant new funding source.

We also proposed a methodology and schedule for completing the strategic plan update. For March we are providing you with two memos. The March 5, 2007 memo consists of our fourth annual progress report on meeting the 2003 strategic plan goals and objectives. This memo will outline what we intend to focus on in the updated plan.

The Board expressed an interest in having sufficient time for the public and the Board to review the proposed updated plan. As a result we are planning to allow for a detailed discussion at the May 24<sup>th</sup> meeting, and propose an additional meeting, possibly in the summer, for an additional review and hopefully adoption of the 2007 Strategic Plan. Staff will also be obtaining informal input from significant stakeholders as we consider and prepare draft revisions.

## **Summary of Proposed Strategic Plan Changes**

### **Introduction and Background (Pg 6 in existing plan)**

#### Assumptions:

1. Funding discussion needs to reflect funds spent since 2003, and new funds available from Proposition 84.

2. The SCC needs to recognize the increasingly diverse population of California, which will require extra resources for environmental education and to ensure environmental justice.
3. The plan should be updated to include our new(er) statutory authorities.
4. Global warming will cause sea level rise and other phenomena that the SCC should plan for.

### **Conservancy's Mission and Vision (Pg 7)**

Consider Amendment: to include our authority to protect and restore marine resources.

### **Project Criteria (Pg 7)**

Consider Amending: to include marine under "Location"

### **Summary of Statutory Authorities (Pg 8)**

Change: Instead of three main programs that make up the Conservancy's mission, there should be four, the fourth being the Marine/Ocean Program.

Add:

1. A description of our new statutory authority for "Integrated Coastal and Marine Resources Protection", and reference to Chapter 5.5, as amended in 2005.
2. Under "San Francisco Bay Conservancy Program", add reference to Public Resources Code Section 31165, an amendment in 2005 that gave the Conservancy the authority to undertake projects and award grants to facilitate environmental education related to restoration and enhancement of ocean, coastal, bay, or watershed resources.
3. Under "Urban Waterfront Development", add reference to Public Resource Code Section 31316, an amendment in 2005 that gave the Conservancy authority to undertake projects and award grants to facilitate environmental education related to restoration and enhancement of ocean, coastal, watershed resource, maritime history, and the development of amenities and infrastructure.

### **Program Chart (Pg 10)**

Add:

1. Marine and Ocean Program
2. Water Trail and environmental education to SF Bay Conservancy "Public Access, Recreation, and Education" description

### **Program Summaries/Goals/Objectives related to public access (Pgs 11-12)**

Add: Language to reflect expanded authorities as noted above

### **Staff Suggestions for Changes to Goals and Objectives**

For All Programmatic Objectives (Pgs 12-42), Revise, Rewrite or Add Objectives to:

1. Delete those that are no longer relevant, such as the Coastal Trail logo.
2. Reflect the Conservancy's expanded authority to do projects, including but not limited to: marine resources, the Water Trail in SF Bay, and environmental, maritime history, and ocean resource education.
3. Write new or revise existing objectives to reflect emerging needs and resource issues consistent with the Conservancy's authority. Examples include: impacts from sea level rise, dam removal, conservation forestry, integrated water resource management.
4. Update targets for measurable objectives to reflect lessons learned from previous projections, and to reflect likely available funding.
5. Break out measurable objectives to differentiate planning, implementation, acquisition, restoration, completion, etc.

For Organizational/Operational Objectives (Pgs 44-47), Add Goals and Objectives to:

1. Establish an objective of moving toward more green internal operations, including going substantially paperless to reduce waste and cost.
2. Provide for consistent measuring and reporting of strategic plan objectives.
3. Maximize the potential for obtaining matching funds for Conservancy projects that have a federal component.

**Appendices (Pgs 50-70)**

Update all charts to reflect revised measurable objectives by region, associated projected costs, support budget costs, workload and staffing levels, update on the Long-Term Financial Strategy, capital outlay appropriations, funding sources, current funding, and capital outlay expenditure for 10 fiscal years.

# Memo

To: SCC Board  
From: Nadine Hitchcock, DEO  
CC: Oversight Members  
Date: March 5, 2007  
Re: Strategic Plan: 4<sup>th</sup> Progress Report

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This is the fourth annual report on the progress we have made toward fulfilling the goals and objectives in the Conservancy's strategic plan. Attached to this memo is the actual report in three tables. This is the same format we used in the previous reports. The report was generated using our project data base, for which most, but not all project data has been entered. As a result, progress is somewhat greater for some goals and objectives than is represented in this report.

## Summary of the Data

Four years into our five-year plan, we are at or ahead of slightly of 75% of our goals. The bar graph attached illustrates this by showing how far we have come with each goal relative to the 100% (five year mark). We have exceeded our most optimistic possible projections for over a third of the goals. We are lagging our projections for eight goals.

In the area of public access and trails, we are at or ahead all of our goals with the exception of installing Coastal Trail signs (objective 1B), acquisition of right of way (objective 1D), construction and improvement of Coastal Trail (objective 1C), and completing projects to alleviate impacts of traffic on public access (objective 2C). The Coastal Trail logo was recently completed and signs are ready to be installed, so significant progress will be made toward this goal in 2007. We have constructed or improved just over 50 miles of coastal trail, about 9 miles since last year. We have acquired 37 new miles for a total of 78 miles of right-of-way for the coastal trail. We are way ahead of ourselves on accepting offers to dedicate (OTDs) and on track as far as opening inaccessible places. Our strategic plan called for 38 OTDs accepted, and we have accepted or caused others to accept 82. Similarly, we have opened 33 formerly inaccessible areas (objective 2B) out of a planned 35, or 94%.

We are generally way ahead of our goals in the area land acquisition and restoration. We completed several unanticipated massive acquisitions, such as Big River (16,000 acres), and Hearst Ranch (over 80,000 acres), and greatly exceeded Objective 4A, "acquire 67,000 acres of scenic/agricultural/habitat lands" and 7A, "acquire 18,000 acres of agricultural interests." Similarly, we greatly exceeded accomplishments with respect to Objective 5A, to "protect, restore, and enhance 11,500 acres of coastal habitats", in large part because we counted acreage of an entire north coast watershed where we are supporting numerous restoration projects.

The attached bar chart shows that all strategic plan goals and objectives have been met for the San Francisco Bay Program, with the exception of 12 B, development of plans and projects to assist agricultural interests in complying with best management practices. More instructive, is the chart showing the accomplishments of sub-objectives, which varies, and in some cases we are significantly behind. For example we have met only 25% of our goal for acquisition and restoration of uplands, primarily due to the costs per acre of land in the Bay Area. On the other hand, we greatly exceed many sub-objectives including planning, acquisition and restoration for riparian habitat, and projects that increase land and facilities for public recreation. We continue to be on track on the Bay Trail project, and are nearly on target for the Bay Ridge Trail project. These areas were lagging in our first report.

### What's Next

We are now beginning the process of updating our 2003 strategic plan. This and other annual strategic plan progress reports have assisted staff in identifying "lessons learned" from how goals and objectives were written (often containing multiple components), and inconsistencies in how we count progress when a project meets multiple objectives, is part of a multi-phase project, or is part of a large-scale programmatic grant. We will attempt to address these and other issues in a new and approved draft 2007 strategic plan. A separate memo describes in more detail what the strategic plan update will entail, and our proposed process and schedule for completing the update.

STRATEGIC PLAN OBJECTIVE	STATEWIDE			
	Percent Complete	Achieved to Date	Goal	Units
1A. Complete coastal trail plan	100%	1	1	plan & logo
1A. Complete coastal trail plan logo design				
1B. Sign 275 miles of existing trail	13%	37	275	miles
1C. Construct 140 miles new trail	36%	50	140	miles
1C. Improve 140 miles new trail				
1D. Acquire 95 miles of new right-of-way	82%	78	95	miles
1E. Acquire 50 miles regional trails	65%	33	50	miles
1E. Improve 50 miles regional trails				
2A. Acquire 23 properties for views/park	313%	72	23	projects
2A. Improve 23 properties for views/park				
2B. Open 35 inaccessible areas	94%	33	35	projects
2C. Ensure acceptance of 38 OTDs	216%	82	38	OTDs
2D. Complete 30 diverse access projects	77%	23	30	projects
2E. Complete 5 projects to reduce traffic impacts	60%	3	5	projects
3A. Complete 36 waterfront plans	33%	12	36	plans or projects
3A. Complete 36 waterfront projects				
3B. Implement projects that support commercial fishing, ports, and harbors	36%	4	11	projects
4A. Acquire 67,000 acres scenic/ag/habitat lands	253%	169,416	67,000	acres
5A. Preserve 11,500 acres key regional habitat	1102%	126,749	11,500	acres
5A. Restore 11,500 acres key regional habitat				
5B. Complete 30 habitat corridor projects	103%	31	30	projects
5C. Complete 13 invasive species projects	115%	15	13	projects
6A. Complete 70 watershed plans	261%	183	70	projects
6A. Implement 70 watershed projects				
6B. Complete 55 water quality projects	75%	41	55	projects
6C. Complete 5 regional sediment projects	180%	9	5	projects
7A. Acquire 18,000 acres agricultural interests	459%	82,678	18,000	acres
7B. Complete 22 agriculture projects	18%	4	22	projects
8A. Resolve 9 coastal land-use controversies	133%	12	9	projects

NORTH		CENTRAL		SOUTH		STATEWIDE PROJECTS
Achieved	Goal	Achieved	Goal	Achieved	Goal	Achieved
18	130	19	55	0	90	0
16	50	4	50	1	40	0
23	50	3	50	4	40	0
19	25	56	50	3	20	0
0	25	9	10	0	15	0
17	25	0	10	7	15	0
13	8	12	6	36	9	0
4	8	4	6	3	9	0
10	15	14	10	9	15	0
15	14	0	14	0	10	9
6	10	8	10	9	10	0
0	0	2	3	1	2	0
3	6	0	15	1	6	0
3	6	3	15	2	6	0
1	2	3	5	0	4	0
48,168	40,000	101,784	25,000	19,463	2,000	0
78,834	5,500	17,319	5,000	893	1,000	0
7,385	0	538	0	21,779	0	0
8	10	20	10	3	10	0
0	4	10	3	5	6	0
22	30	17	20	4	20	0
41	0	94	0	5	0	0
10	10	20	10	8	35	3
2	0	6	0	1	0	0
633	9,500	82,045	7,500	0	1,000	0
2	10	2	10	0	2	0
5	3	6	3	1	3	0

San Francisco Bay Conservancy Objectives	Percent Complete	Achieved	Goal	Units
9A. Maintain List of High Priority Projects	100%	1	1	N/A
10A Acquire/restore/enhance 30,000 acres of wetlands/watershed	80%	24,065	30,000	acres
10A. Acquire/restore/enhance 100,000 acres of uplands	25%	24,573	100,000	acres
10A. Acquire/restore/enhance 10 linear miles of riparian habitat	375%	38	10	miles
10B. Develop 10 restoration plans for 25,000 acres of wetlands/watersheds	243%	60,700	25,000	acres
10B. Develop restoration plans for 6 miles of riparian habitat	1087%	65	6	miles
10B. Develop plans for 25,000 acres of upland habitats	0%	1	25,000	acres
11A. 20 projects that increase public land and facilities for recreation/interpretation	305%	61	20	projects
11B Complete 20 mile of Bay Trail	234%	47	20	miles
11B Complete 60 miles of Ridge Trail	65%	39	60	miles
11B Complete 100 miles of other public trails, links to urban open spaces	157%	157	100	miles
11C. Implement 15 educational programs tied to restoration projects	180%	27	15	projects
11D. Implement 10 ADA-compliant projects	250%	25	10	projects
12A. Acquire interests in 5,000 acres of agricultural lands	103%	5,155	5,000	acres
12B. Develop 5 plans or projects that promote conservation technologies and BMPs	40%	2	5	plan or project

**Legislative Report  
March 8, 2007**

**Introduced legislation of interest to SCC as of February 23, 2007**

Budget Bills

- AB 120 (Laird) 2007-08 Budget
- SB 54 (Ducheny) 2007-08 Budget

Bond Bills (implementing legislation)

- AB 41 (La Malfa) Water resources: bond proceeds
- AB 727 (Portantino) Park and nature education facilities: funding
- AB 1303 (Smyth) Urban Greening Act of 2007
- AB 1315 (Ruskin) Flood Protection Bond Funds
- AB 1602 (Nunez) Environment: Sustainable Communities and Urban Greening Program
- SB 584 (Corbett) San Francisco Bay Area Conservancy Program

Other Bills affect SCC directly/indirectly:

- AB 188 (Aghazarian) Conservation easement registry
- AB 721 (Maze) Public records: request from Legislature
- AB 727 (Maze) Property acquisition
- AB 1393 (Leno) Public records
- AB 1396 (Laird) California Coastal Trail
- AB 1568 (Berg) Coastal resources: Ma-le Dunes
- SB 815 (Migden) Tidelands and submerged lands: City and County of San Francisco: central waterfront
- SB 1015 (Kuehl) Salmon restoration projects: funding

Ocean Bills

- AB 258 (Krekorian) Environment: marine debris: plastic discharges
- AB 740 (Laird) Vessels: invasive species
- AB 1056 (Leno) California Ocean Protection Act
- AB 1130 (Laird) State lands: decommissioning of offshore oil platforms
- AB 1280 (Laird) Ocean resources: California Ocean Protection Trust Fund

## Bill Summaries

**AB 188 (Aghazarian) Conservation easement registry:** Chapter 531, Statutes of 2006 (SB 1360 Kehoe) authorizes the Secretary of the Resources Agency to establish a central public registry of all conservation easements held or required by the state, or purchased with state grant funds provided by any state agency on or after January 1, 2006. AB 188 would change that date to January 1, 2000. In addition, this bill would add requirements (1) that the registry information be posted on the Internet, and (2) that the registry include a copy of each easement, as well as the amount of dollars, if any, of the state's contribution toward the transaction.

**AB 721 (Maze) Public records: request from Legislature:** This bill amends the California Public Records Act; requires state agencies to respond to legislator's requests for a public record "immediately" and in no event later than three business days; applies to agencies' determination and notification activities (i.e., determination if record is disclosable and notification of status to requesting member.

**AB 727 (Maze) Property acquisition:** This bill would make the Department of Water Resources and the Wildlife Conservation Board subject to the state's Property Acquisition Law, which provides a procedure for the state to acquire interests in real property, subject to certain exceptions for specified state agencies and boards.

**AB 1393 (Leno) Public records:** This bill would require any state agency with an Internet Web site to include on the homepage specified information (that is not exempt) about how to request records under the California Public Records Act, and a form for submitting online requests for records. It would authorize any person to bring an action to enforce a state agency's duty to post the information and would provide for penalties including monetary awards to be paid by the agency. The bill would become operative on January 1, 2009.

**AB 1396 (Laird) California Coastal Trail:** The bill would require the Department of Transportation to transfer excess specified coastal zone property to specified agencies, including the Conservancy, under specified circumstances.

**AB 1568 (Berg) Coastal resources: Ma-le Dunes:** This bill would designate a portion of the Ma-le-Dunes in Humboldt County that is part of the California Coastal Trail to be named the Senator Wesley Chesbro Coastal Trail.

**SB 815 (Migden) Tidelands and submerged lands: City and County of San Francisco: central waterfront:** This bill would authorized the City and County of San Francisco to lease, sell or otherwise transfer all or any portion of certain tidelands and submerged lands constituting paper streets on the central waterfront in the City and County of San Francisco to any private person, partnership, or corporation, or to any government entity, free of the public trust and of any additional restrictions on use of transfer created by the Burton Act or Burton Act transfer agreement upon a find and declaration of specified conditions by the State Lands Commission.



**SB 1015 (Kuehl) Salmon restoration projects: funding:** Spot bill for legislation that would fund salmon restoration projects.

## **Ocean Bills**

**AB 258 (Krekorian) Environment: marine debris: plastic discharges:** This bill is mostly a replay of a 2006 bill (AB 1940 Koretz). Like the Koretz bill, AB 258 would authorize the state Coastal Commission to convene a task force of state agencies, including the Conservancy, to implement a statewide marine debris reduction effort. Also like the Koretz bill, AB 258 would require actions by the State Water Resources Control Board and regional boards to implement a program to control discharges of plastic debris from point and non-point sources. This year's bill, however, further defines the target as "pre-production" plastic (nurdles), and authorizes implementation of a monitoring and reporting program and establishment of a fee schedule.

**AB 740 (Laird) Vessels: invasive species:** The Marine Invasive Species Act requires masters, owners, and operators of vessels carrying ballast water into the state's coastal waters to minimize the uptake and release of non-indigenous species, including the removal of fouling organisms from the hull, piping and tanks on a regular basis. This bill imposes additional requirements, including specified timing of cleaning and in-water cleaning.

**AB 1056 (Leno) California Ocean Protection Act:** This bill would provide that if expenditure has been approved by the Ocean Protection Council, the approval of the Conservancy board is not required.

**AB 1130 (Laird) State lands: decommissioning of offshore oil platforms:** This bill would authorize an owner or operator of an offshore oil platform to request in writing that the State Lands Commission approve an alternative to the complete removal of an offshore oil platform when the extraction of oil has become uneconomical. Once SLC receives the owner/operator's commitment to finance the process, the Commission, in cooperation with the owner/operator, the Department of Fish and Game, any affected counties, regulatory agencies and affected persons, is required to determine whether any of the alternatives are preferred.

**AB 1280 (Laird) Ocean resources: California Ocean Protection Trust Fund:** This bill would permit the Ocean Protection Council to expend trust fund monies on the development and implementation of fishery management plans pursuant to the Marine Life Management Act of 1998.

