

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

May 24, 2007

9:00 am

Cabrillo Pavilion Arts Center

1118 E. Cabrillo Blvd.

Santa Barbara, CA

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chair

Jeremy Hallisey (Public Member)

Ann Notthoff (Public Member)

Bryan Cash (Designated Representative, Resources Agency)

Jack Ainsworth (Designated Representative, Coastal Commission)

OVERSIGHT LEGISLATORS PRESENT:

Linda Barr for Christine Kehoe (District 39)

OTHERS PRESENT:

Sam Schuchat, Executive Officer

Pat Peterson, Deputy Attorney General

Glenn Alex, Staff Counsel

1. ROLL CALL

2. APPROVAL OF MINUTES

The minutes of the March 8, 2007 public meeting were approved without change, 5-0.

3. STRATEGIC PLAN DISCUSSION

Nadine Hitchcock described the organization of the draft 2007 Conservancy strategic plan, and provided a summary of proposed changes. She then reviewed the goals and objectives, of the plan, focusing on their overall intent and changes from the 2003 strategic plan. A copy of the

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draft plan is located on the Conservancy's website, and the public comment deadline is June 29, 2007. Staff expects to return to the Conservancy in July 2007 with proposed revisions and numerical targets for the objectives.

Just prior to the presentation of Item 4, Executive Officer Sam Schuchat made this statement regarding California Coastal Trail items on the agenda:

“With respect to Items 4, 6, 15, 20J, 20L, and 20P, pertaining to the California Coastal Trail, the Conservancy will consult with Coastal Commission staff and local governments to ensure consistency with the applicable Local Coastal Program and the Coastal Act. Trails will be developed consistent with the “Principles for Designing the Coastal Trail” as provided on pages 14 -16 of the Conservancy’s publication, “Completing the California Coastal Trail.”

4. PILLAR POINT BLUFF

Janet Diehl of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Chris Detwiller, the Peninsula Open Space Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred seventy-seven thousand dollars (\$377,000) to the Peninsula Open Space Trust (POST) for construction and management of the Coastal Trail and other access and erosion control improvements at the Pillar Point Bluff property in San Mateo County, as shown in Exhibits 1 and 2 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for construction, POST shall submit for the review and written approval of the Executive Officer of the Conservancy:
 - a. Evidence that POST has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
 - b. A final work program, schedule, and names of any contractors or subcontractors to be employed to carry out these tasks.
 - c. A signing plan for the project acknowledging Conservancy participation, and the site's function as a segment of the California Coastal Trail.

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2. The project shall be consistent with the Conservancy's "Standards and Recommendations for Accessway Location and Development."
3. In carrying out the project, POST shall comply with all applicable mitigation and monitoring measures of the project that are included in the Mitigated Negative Declaration (MND), adopted under the California Environmental Quality Act (CEQA) on January 10, 2007 by the County of San Mateo, and attached as Exhibit 3 to the accompanying staff recommendation, and the Mitigation Monitoring and Reporting Plan accompanying the MND, and with all mitigation, monitoring and other measures that are required by any permit or approval for this project.
4. POST shall enter into and record in San Mateo County an agreement to protect the public interest in the improvements constructed with the Conservancy's funds, in accordance with Public Resources Code Section 31116(c)."

Findings:

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

1. The proposed project is consistent with the purposes and objectives of Sections 31400 et. seq. of Division 21 of the Public Resources Code, regarding coastal access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Peninsula Open Space Trust is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.
4. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation and Monitoring Program adopted by the County of San Mateo on January 10, 2007 under CEQA and attached to the accompanying staff recommendation as Exhibit 3, and finds that there is no substantial evidence that the project as mitigated will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
5. The proposed project serves greater than local needs."

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

5. RANCHO CALERA PROPERTY

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Trish Chapman of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred fifty thousand dollars (\$250,000) to the Trust for Public Land (TPL) for acquisition of the Rancho Calera property (Monterey County Assessor Parcel Numbers 418-021-052, 418-021-053, 418-021-051, and 418-021-055) in Big Sur, as shown on Exhibit 1 to the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of funds for acquisition, TPL shall submit for the review and approval of the Executive Officer of the Conservancy (Executive Officer) all relevant acquisition documents, including but not limited to the appraisals, environmental assessments, purchase agreements, escrow instructions, and documents of title necessary to the acquisition of the property.
2. TPL shall permanently dedicate the property to habitat and resource protection, open space preservation, and public access in a manner acceptable to the Executive Officer.
3. TPL shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
4. The property shall be restricted for non-exclusive use as a trail connection from Brazil Ranch to the Mill Creek Preserve in a manner acceptable to the Executive Officer.
5. TPL shall acknowledge Conservancy funding by erecting and maintaining on the property a sign that has been reviewed and approved by the Executive Officer.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria in Chapters 6 and 9 of Division 21 of the Public Resources Code (Sections 31251-31270 and 31400-31409) regarding resource enhancement and public access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. TPL 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.

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4. The proposed project provide for greater-than-local need.”

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

Board member Jeremy Hallisey stepped away from the meeting.

6. WEST CAMPUS BLUFF TRAIL

Bob Theil of the Coastal Conservancy presented the staff Recommendation.

Speaking in favor of the Staff Recommendation: Cheryl Chen, Graduate student UCSB, David Pritchett.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred seventy-five thousand dollars (\$175,000) to the Associated Students of the University of California, Santa Barbara to construct the West Campus Bluffs trail, subject to the condition that no Conservancy funds shall be disbursed until the Executive Officer has reviewed and approved in writing:

1. A detailed work program, schedule, and budget and the names and qualifications of any contractors to be employed in carrying out the project.
2. Evidence that all permits and approvals required to carry out the project have been obtained.
3. A signing plan for the project acknowledging the Conservancy’s participation and the site’s function as a segment of the California Coastal Trail.”

Findings:

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

1. The proposed project is consistent with Chapter 9 of Division 21 of the Public Resources Code regarding public access.
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 is consistent with the Conservancy’s “Standards and Recommendations for Accessway Location and Development.”

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4. The project will serve greater than local needs.
5. The Conservancy has independently reviewed the “Final Environmental Impact Report for the Faculty and Family Student Housing, Open Space and Habitat Management Plan, and Long Range Development Plan Amendment,” the 2004 Addendum to the Final EIR, the relevant portions of the Mitigation and Monitoring plan and public comment, and finds that the project as designed avoids, reduces, or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project, as mitigated, will have a significant adverse effect on the environment, as defined in 14 Cal. Code of Regulations, Section 15382.”

Moved and seconded. Approved by a vote of 4-0.

Board member Jeremy Hallisey rejoined the meeting.

The Conservancy next took up South Coast items, starting with Item 9.

9. HISTORICAL ECOLOGY SOUTH COAST

Peter Brand of the Coastal Conservancy presented the staff Recommendation.

Speaking in favor of the Staff Recommendation: Robin Grossinger, Scientist, San Francisco Estuary Institute gave a power point presentation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to five hundred twenty five thousand dollars (\$525,000) to the San Francisco Estuary Institute (SFEI) to prepare an historical ecology study of selected rivers and coastal wetlands in southern California, as described in the accompanying staff recommendation. Prior to the disbursement of any Conservancy funds, SFEI shall submit for review and approval of the Executive Officer of the Conservancy a work program and budget, and the names and qualifications of any contractors that it intends to employ in the study.”

Findings:

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

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

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with the authority of the Conservancy under Public Resources Code Section 31111 to award grants to nonprofit organizations for planning and feasibility studies relating to those purposes.

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

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

10. DRISCOLL'S WHARF AND TUNA HARBOR

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation. Speaking in favor of the Staff Recommendation: Scott Breidenthal, Board Member, San Diego County Professional Fisherman's Association and Sea Urchin Diver; Kelly Falk, Asset Manager, Unified Port of San Diego; Jonathan Hardy, representing Senator Ducheny; Linda Barr, representing Senator Kehoe; Rudy Murrillo, Scripps Institute of Oceanography.

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four hundred fifty thousand dollars (\$450,000) to the San Diego Unified Port District (District) to prepare a commercial fisheries and coastal public access plan for Driscoll's Wharf and Tuna Harbor, subject to the following conditions:

1. The work shall not commence and no funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing:
 - a. A work program, including budget and schedule.
 - b. The scope of work proposed to be used by the District to select any contractor for project work.
 - c. Any contractor that the District intends to retain to undertake project work.
2. To the extent appropriate, the District shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development' into the aspects of the plan related to public access. "

Findings:

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

1. The proposed authorization is consistent with Section 31111 and Chapters 7 (Sections 31300-31316) and 9 (Sections 31300-31316) of Division 21 of the Public Resources Code.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”
3. The proposed authorization will assist the San Diego Unified Port District in planning for a system of public accessways that will serve more than local public needs, consistent with Public Resources Code Section 31400.1.”

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

11. LOWER LOS ANGELES RIVER

David Hayes of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred ten thousand dollars (\$310,000) to Heal the Bay to plan demonstration projects that will enhance the Lower Los Angeles River area. This authorization is subject to the condition that prior to disbursement of funds, Heal the Bay shall submit for review and written approval by the Conservancy’s Executive Officer, a work plan, budget and contractors they propose to use to complete the projects.”

Findings:

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

1. The proposed authorization is consistent with Division 21 of the Public Resources Code, specifically Chapter 6 (section 31251-31270) regarding enhancement of coastal resources, and Chapter 9 (Sections 31400-31409) regarding public access to and along the coast;
2. The proposed authorization is consistent with the project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001;
3. That Heal the Bay is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code, and has among its principal charitable purposes the

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preservation of land for scientific, historic, recreational, educational, and open space opportunities;

4. The proposed projects will serve greater than local needs; and
5. The proposed authorization is consistent with Public Resources Code Section 31252 as the project area was identified in the Los Angeles River Master Plan as an area requiring public action to resolve existing resource protection problems.”

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

12. NORTH SAN DIEGO COUNTY COASTAL WATERSHEDS HYDROLOGIC MONITORING NETWORK

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to the San Elijo Lagoon Conservancy to continue hydrologic monitoring in coastal watersheds in northern San Diego County. This authorization is subject to the following conditions:

Prior to disbursement of any funds, the San Elijo Lagoon Conservancy shall submit for review and approval of the Executive Officer of the Conservancy a final work plan (including the names of any subcontractors to be used in the completion of the project), permits, approvals, environmental review and a project schedule and budget.”

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 Public Resources Code Section 31220 regarding integrated coastal and marine resources protection.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 200.
3. The San Elijo Lagoon Conservancy is a nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

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Member Ann Notthoff requested the addition of a condition: “The grantee shall coordinate with staff of the Regional Water Quality Board in the development of limits for total maximum daily loads (TMDLs).” The item, with the added condition, was approved 5-0.

The Conservancy next took up the consent calendar, Item 20.

20. CONSENT ITEMS

A. COLORADO LAGOON

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of Long Beach to complete design development and environmental documentation of restoration alternatives identified in the Colorado Lagoon Restoration Feasibility Study and to conduct necessary technical studies related to the restoration of Colorado Lagoon. Prior to disbursement of any Conservancy funds, the City of Long Beach shall submit for the review and written approval of the Executive Officer of the Conservancy a final work program, including schedule and budget, for the project; and the names and qualifications of all contractors to be used for the project.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria in Chapter 6 of the Public Resources Code (Sections 31251-31270 as amended) 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. Consistent with Public Resources Code Section 31252, the project area is identified in the City of Long Beach’s certified Local Coastal Program as an area requiring study and planning to coordinate improvement and management of water quality, ecology, and recreational uses of Colorado Lagoon.”

B. PENITENCIA CREEK

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed fifty thousand six hundred forty dollars (\$50,640) to Santa Clara County for its Parks and

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Recreation Department to relocate a segment of the San Francisco Bay Area Ridge Trail in Penitencia Creek County Park, City of San Jose, subject to the condition that no Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing a final work plan, including a budget and schedule, and any contractors proposed to be used on 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 set forth in 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.”

C. LAS VIRGENES CREEK

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred twenty-six thousand eight hundred and fifty dollars (\$326,850) to the City of Calabasas for restoration and enhancement of a portion of Las Virgenes Creek in the upper Malibu Creek watershed to implement the Santa Monica Bay Restoration Plan, approved by the Conservancy on August 2, 2001. This authorization is subject to the condition that prior to the disbursement of any funds, the City shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, and schedule and the names of any contractors to be employed in carrying out the work.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria of 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.

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3. The proposed project is undertaken at the request of the local jurisdiction consistent with Public Resources Code Section 31251.2. “

D. LOWER REGUGIO CREEK RIPARIAN

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred ten thousand dollars (\$210,000) to the Land Trust for Santa Barbara County (Land Trust) for implementing the Lower Refugio Creek Riparian Restoration Project (project) on the Gaviota Coast in Santa Barbara County, subject to the following conditions:

1. Prior to the Land Trust’s commencement of work, the Executive Officer of the Conservancy shall approve in writing:
 - a. A detailed work program, including schedule and budget.
 - b. Any contractor to be retained to carry out the project work.
 - c. A signing plan acknowledging Conservancy funding.
 - d. Documentation that the Land Trust has obtained all permits and approvals needed under federal, state and local laws to complete the project, including, without limitation, a red-legged frog Biological Opinion issued by the U.S. Fish and Wildlife Service covering the project activities.
 - e. Documentation that the Land Trust has obtained written authorization from the owners of the properties on which project work is to occur to enter the property to undertake the work and to carry out required post-project monitoring.
2. In carrying out the project, the Land Trust shall comply with all applicable mitigation and monitoring measures for the project that are set forth in the Final Program Environmental Impact Report, Updated Routine Maintenance Program, November 2001 (EIR). The applicable EIR mitigation and monitoring measures are as identified in the “Refugio Creek Routine Maintenance Addendum to the Program EIR for Santa Barbara County Flood Control Routine Maintenance” (Addendum) and the Mitigation Monitoring Program accompanying the Addendum, attached as Exhibit 2 to the accompanying staff recommendation, and with all mitigation, monitoring and other measures that are required by any permit or approval for the project.
3. The Land Trust shall implement post-project effectiveness monitoring for three years following construction according to a monitoring plan approved by the Executive Officer of the Conservancy.”

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E. SOCIOECONOMIC DATA NCC STUDY

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement to Ecotrust of an amount not to exceed two hundred thousand dollars (\$200,000) of funds previously authorized to implement the Ocean Protection Council–Department of Fish and Game joint work plan. These funds will be used to collect socioeconomic data in the north central coast study region of the Marine Life Protection Act.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that Ecotrust is a nonprofit organization existing under the provisions of U.S. Internal Revenue Code section 501(c)(3), whose purposes are consistent with Division 21 of the Public Resources Code.”

F. FIVE COUNTIES FISH PASSAGE

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of previously authorized Conservancy funds for the County of Trinity’s Five Counties Salmonid Conservation Program to implement fish passage improvement projects at Ryan Creek (up to \$160,000) and Little Brown’s Creek (up to \$215,000) within the counties of Mendocino and Trinity, respectively, subject to the following conditions:

1. Prior to the implementation of and the disbursement of funds for either project, the County shall submit for the review and written approval of the Executive Officer of the Conservancy:
 - a. A work program, including schedule, budget and detailed site plans for each of the projects and a plan for post-implementation monitoring to evaluate the success of each of the projects.
 - b. A sign plan to acknowledge Conservancy and any Proposition 12 funding for the project.
 - c. The names and qualifications of any contractors to be employed on the project.
 - d. Documentation that all permits and approvals necessary to the completion of the project have been obtained.
2. All project work shall be undertaken in full compliance with the requirements of all permits and approvals and the County of Trinity shall assure implementation of all relevant mitigation measures and the relevant portions of the mitigation monitoring and reporting

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program for the implementation of the Ryan Creek fish passage project contained in the County of Mendocino's 2003 Mitigated Negative Declaration for the Ryan Creek Project, and the Mitigation Monitoring and Reporting Program (MMRP) (attached to the accompanying staff recommendation as Exhibits 4 and 5, respectively), adopted by the County of Mendocino on March 6, 2003." Additionally, the County shall ensure compliance with all necessary Best Management Practices appropriate to comport with the Categorical Exemption filed by the County December 7, 2006."

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 5.5 of Division 21 (section 31220) of the Public Resources Code, regarding watershed enhancement, and set forth in Chapter 6 of Division 21 (sections 31251 – 31270) of the Public Resources Code, regarding the enhancement of coastal resources.
2. The project areas identified for action are directly and adversely impacting coastal areas and resources identified in the certified local coastal programs for Del Norte, Humboldt and Mendocino counties as requiring public action to resolve existing or potential resource protection problems;
3. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
4. The Conservancy has independently reviewed the Mitigated Negative Declaration and the MMRP (Exhibits 4 and 5) with respect to the implementation of the fish passage project at Ryan Creek. The Conservancy finds 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.
5. The projects will have no adverse effect on fish and wildlife as defined by Fish and Game Code §711.2"

G. KENT CANYON FISH PASSAGE

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of up to \$100,000 (one hundred thousand dollars) to the County of Marin, subject to the following conditions:

1. Prior to the disbursement of funds for the project, the County shall submit for the review and written approval of the Executive Officer of the Conservancy:

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- a. A work program, including schedule, budget and detailed site plans for the project and a plan for post-implementation monitoring to evaluate the success of the project.
- b. The names and qualifications of any contractors to be employed on the project.
- c. Documentation that all permits and approvals necessary to the completion of the project have been obtained.”

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 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 certified Local Coastal Plan of Marin as requiring public action to resolve existing or potential resource protection problems.
4. The project will have no adverse effect on fish and wildlife as that term is defined in Fish and Game Code §711.2. “

H. LOWER VENTURA RIVER PARKWAY

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the Trust for Public Land to carry out preliminary planning, stakeholder coordination and property analyses in the development of a River Parkway program for the Lower Ventura River, subject to the condition that prior to the disbursement of any funds, the Trust for Public Land shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, and schedule; and the names of any contractors to be employed in carrying out the work.”

Findings:

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

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1. The proposed project is consistent with the purposes and criteria of 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 Ventura County as requiring public action to resolve existing or potential resource protection problems.
4. The proposed project is undertaken at the request of the local jurisdiction, consistent with Public Resources Code Section 31251.2.
5. The Trust for Public Land is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”

I. A WHEELCHAIR RIDER’S ONLINE COASTAL GUIDE

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to Access Northern California to prepare an internet-based guide to coastal sites accessible by wheelchair. Prior to disbursement of Conservancy funds for this project, Access Northern California shall submit for the review and approval of the Executive Officer the names and qualifications of any contractors proposed to be hired, a project work program, schedule and budget, and a proposal for acknowledging the Conservancy’s assistance in developing the guide.”

Findings:

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

1. The proposed authorization is consistent with Public Resources Code Sections 31400-31409.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
2. Access Northern California is nonprofit organization existing under Section 501(c)(3) of the Internal Revenue Code, and whose purposes, which include providing people with disabilities information about wheelchair accessible travel destinations, are consistent with Division 21 of the Public Resources Code.”

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J. FITZGERALD MARINE RESERVE

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed ninety thousand dollars (\$90,000) to the County of San Mateo for the development of plans for construction of a segment of the California Coastal Trail and a ramp to Moss Beach at James V. Fitzgerald Reserve in the town of Moss Beach, San Mateo County, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the County shall submit for the review and written approval of the Executive Officer of the Conservancy a work program, budget, schedule for the completion of the project and the names and qualifications of any contractors or subcontractors to be employed to carry out the work program.
2. The County shall incorporate the guidelines of the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ into any design criteria included in the 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 authority of the Conservancy under Public Resources Code Sections 31111 and 31400 et seq. regarding public access to the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project would serve more than local public needs.”

K. RANCHO LA VINA

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed eighty-nine thousand five hundred dollars (\$89,500) to the Land Trust for Santa Barbara County (Land Trust) to restore stream bank and floodplain habitat on the Rancho La Vina property along the Santa Ynez River. Prior to the disbursement of funds, the Land Trust shall submit for the review and written approval of the Executive Officer of the Conservancy:

1. A detailed work program, schedule, and budget and the names and qualifications of any contractors to be employed in carrying out the project.

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2. Evidence that all permits and approvals required to carry out the project have been obtained.
3. Evidence that the Land Trust will acknowledge the participation of the Conservancy on any signs, flyers or other types of written materials that describe the Rancho La Vina Bank Restoration project.
4. Documentation that the Land Trust has obtained written authorization from the owners of the Rancho La Vina property to undertake the work and has entered into an agreement sufficient to protect the public interest in the property.
5. The Land Trust shall implement or cause to be implemented the applicable requirements of the Programmatic Mitigated Negative Declaration (Exhibit 4: Appendix B) adopted on June 7, 2006 by the California Department of Fish and Game under the California Environmental Quality Act for the 2006 Fisheries Restoration Grant Program, and the supplemental mitigation measures identified in the Scope of Work (Exhibit 6: Scope of Work).”

Findings:

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

1. The proposed project is consistent with Chapter 6 (regarding resource enhancement) of Division 21 of the Public Resources Code.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Santa Ynez River is identified as a significant environmental resource in Santa Barbara County’s certified Local Coastal Program, requiring public action to resolve existing and potential resource problems.
4. The Conservancy has independently reviewed and considered the Programmatic Mitigated Negative Declaration for the 2006 Fisheries Restoration Grant Program and the Department of Fish & Game Scope of Work incorporating specific mitigation measures for this project as shown in the following exhibits to the accompanying staff recommendation: Exhibit 4, Mitigated Negative Declaration & Appendix B; Exhibit 5, Notice of Determination; and Exhibit 6, Scope of Work. The Conservancy finds that the project as designed avoids, reduces, or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project, as mitigated, may have a significant adverse effect on the environment, as defined in 14 Cal. Code of Regulations, Section 15382.

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5. The Land Trust is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes are consistent with Division 21 of the California Public Resources Code.”

L. FLEENER CREEK TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed seventy-five thousand dollars (\$75,000) to the United States Department of the Interior, Bureau of Land Management (“the BLM”) to construct a segment of the coastal trail on the Lost Coast Headlands at Fleener Creek subject to the following conditions:

1. Prior to disbursement of any Conservancy funds, (a) the Executive Officer shall approve in writing a work plan, budget and schedule, and any contractors to be used for the activities under this authorization; and (b) the grantee shall provide evidence that all permits necessary to this project have been issued.
2. Conservancy funding shall be acknowledged by erecting and maintaining, on or along the trail, a sign or signs, the design and placement of which shall be approved by the Executive Officer.
3. The BLM shall develop the trail in accordance with the guidelines of the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’, and shall implement the Mitigation Monitoring and Reporting Plan attached to the accompany staff recommendation as Exhibit 6, which the Conservancy hereby adopts.”

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 9 of Division 21 of the Public Resources Code.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Consistent with the California Environmental Quality Act, the Conservancy has reviewed the September 2005 Record of Decision for the Environmental Assessment entitled Fleener Creek Trailhead Parking Area, and the accompanying Finding of No Significant Impact (“FONSI”) prepared under the National Environmental Policy Act (“NEPA”), which includes the proposed trail project (attached to the accompanying staff recommendation as Exhibit 2), and adopted by the BLM on September 27, 2005, and finds that as mitigated the

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project will have no significant environmental effects, as defined in 14 Cal. Code Regulations Section 15382.

4. The proposed project will serve greater than local needs.”

M. SAN FRANCISCO BAY TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes the City of Richmond to disburse an amount not to exceed fifty-three thousand dollars (\$53,000) to prepare plans for a 465-foot-long segment of the San Francisco Bay Trail along Canal Boulevard, as specified in Permit 5-04 issued by the Bay Conservation and Development Commission to Eagle Rock Aggregates, Inc. Prior to disbursement of funds for this project, the City of Richmond shall submit for the review and approval of the Executive Officer the names and qualifications of any contractors proposed to be hired, a project work program, schedule and budget, and a signing plan acknowledging the Conservancy’s assistance.”

Findings:

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

1. The proposed authorization is consistent with Public Resources Code Sections 31160-31165 regarding resource and recreational goals in the San Francisco Bay area.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

N. ADOBE CREEK FISH PASSAGE

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed sixty two thousand nine hundred seventy three dollars (\$62,973) to Southern Sonoma County Resource Conservation District to remove a bridge and concrete slab foundation on Adobe Creek, and install a clear span bridge located approximately 0.5 mile north of Petaluma Adobe State Historic Park and the northeast corner of the City of Petaluma, subject to the following condition:

1. The project shall not commence and no Conservancy funds shall be disbursed for the project until the Executive Officer of the Conservancy has reviewed and approved in writing:

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- a. A project work program, budget, and timeline.
- b. The names of any contractors that Southern Sonoma County Resource Conservation District will retain to carry out all or part of the project.
- c. A sign plan that acknowledges Conservancy funding.
- d. Evidence that Southern Sonoma County Resource Conservation District has obtained all permits and approvals required for the project under federal, state, and local law.
- e. Evidence that Southern Sonoma County Resource Conservation District and the landowner have entered into an agreement to construct, operate and maintain the project.”

Findings:

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

1. The proposed authorization is consistent with Public Resources Code Sections 31160-31165, regarding the Conservancy’s mandate to address the resource 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.”

0. INVASIVE SPARTINA PROJECT

Resolution:

“The State Coastal Conservancy hereby amends its March 8, 2007 authorization to disburse Conservancy funds for the Invasive Spartina Project (ISP), by authorizing a redirection of up to fifty thousand dollars (\$50,000) of those funds from management to a grant to Friends of the Petaluma River to treat and remove invasive Spartina in various locations on the Petaluma River. This authorization is subject to the same conditions imposed by paragraphs 1(b) and 1(c) of the Conservancy’s March 8, 2007 resolution.”

Findings:

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

1. The redirection of previously authorized funds from ISP management activities to an ISP treatment and control grant is consistent with the findings and discussion accompanying the

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Conservancy authorization of March 8, 2007, as shown in the staff recommendation attached as Exhibit 2 to this staff recommendation.

2. The environmental effects associated with the proposed Petaluma River control and treatment projects and the mitigation measures to reduce or avoid those effects were fully identified and considered in the program FEIS/R certified by the Conservancy on September 25, 2003.
3. Friends of Petaluma River 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.”

P. MOAT CREEK AND ARENA COVE

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed thirty thousand dollars (\$30,000) to the Moat Creek Managing Agency to prepare a feasibility study for coastal trail access on property between Moat Creek and Arena Cove, subject to the following conditions:

1. Prior to the disbursement of funds, the Moat Creek Managing Agency shall submit for the written approval of the Conservancy’s Executive Officer a work program, including schedule and budget, and the names of any contractors it intends to retain for the project.
2. To the extent appropriate, the Moat Creek Managing Agency shall incorporate the guidelines of the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ into the public access feasibility study.”

Findings:

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

1. The proposed project is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Moat Creek Managing Agency 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.”

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Q. NAVARRO WATERSHED

Resolution:

“The State Coastal Conservancy hereby approves revisions to the watershed monitoring component of the Navarro Watershed Phase V Implementation project, approved by the Conservancy on October 5, 2006, as described in the accompanying staff recommendation.”

Findings:

“Based on the accompanying staff report and attached exhibits relating to the Navarro River Watershed Phase V Implementation project, the State Coastal Conservancy hereby finds that:

1. The revised project remains consistent with the purposes and criteria set forth in Chapter 5.5 of Division 21 of the Public Resources Code.
2. The revised project remains consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

R. UC MARINE COUNCIL

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$60,000 to the University of California Davis, Office of Research, Sponsored Projects to support University of California Marine Council graduate fellowships as described in the accompanying staff recommendation, that will promote improved scientific research on significant coastal and marine issues facing California and enhance the state’s ability to effectively manage these resources.”

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) of Division 21 of the Public Resources Code, regarding the protection and restoration of coastal, ocean 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. All consent items were approved by a vote of 5-0.

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The meeting then recessed for lunch at 12:00 pm. During the recess, the Conservancy met in closed session.

CLOSED SESSION:

The Conservancy met to confer with staff negotiators with regard to possible acquisition of interests in real property around the San Clemente Dam on the Carmel River in Monterey County. The session was closed to the public pursuant to Government Code Section 11125(c)(7). Chairman Doug Bosco left the building at 12:45pm.

The regular session resumed at 1:00 pm with Member Ann Notthoff chairing the remainder of the meeting.

The Conservancy next took up Agenda Item 8, followed by a continuation of the South Coast items.

8. SAN CLEMENTE DAM REMOVAL PROJECT

Trish Chapman of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to prepare engineering studies, environmental impact and risk analyses, and implementation strategies for the removal of San Clemente Dam on the Carmel River in Monterey County. Prior to the disbursement of any funds, the Executive Officer of the Conservancy (Executive Officer) shall approve the work plan, budget, and contractor for that work. The Conservancy further authorizes the Executive Officer to make the findings necessary for Department of Industrial Relations review of a Labor Compliance Program if needed for this project.”

Findings:

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

1. The proposed project is consistent with Chapter 5.5 of Division 21 of the California Public Resources Code (Section 31220), regarding integrated marine and coastal resource enhancement.
2. The proposed project is consistent with applicable local watershed management plans and water quality control plans.

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3. 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 4-0.

The Conservancy next took up Agenda Item 13.

13. SOLSTICE CREEK

Kara Kemmler of the Coastal Conservancy presented the Staff Recommendation.
Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred forty-five thousand dollars (\$145,000) to the City of Malibu (City) to remove the Corral Canyon Road crossing and replace it with a clear span bridge over Solstice Creek to restore passage for southern steelhead trout in the Solstice Creek watershed, subject to the condition that prior to disbursement of funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, budget, the names of any contractors the it intends to employ, evidence that all permits and approvals necessary to implement the project have been obtained, and a signing plan for the project which acknowledges Conservancy funding.”

Findings:

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

1. The proposed authorization is consistent with Division 21 of the Public Resources Code, specifically Chapter 6 (Sections 31251-31270) regarding enhancement of coastal resources;
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001;
3. The Conservancy has independently reviewed and considered the Initial Study and Mitigated Negative Declaration adopted by the California Department of Fish and Game (DFG) on May 19, 2005 and attached as Exhibit 3 to the accompanying staff recommendation and finds that the project, as mitigated, avoids, reduces or mitigates any potential 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 4-0.

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14. COMPTON CREEK

David Hayes of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred twenty-five thousand dollars (\$125,000) to the Los Angeles & San Gabriel Rivers Watershed Council (Council) to complete data collection, engineering, cost and feasibility analysis of habitat enhancement and trail access projects along a section of Compton Creek.”

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 set forth in Chapters 6 and 9 of Division 21 of the California Public Code (Sections 31251-70 and 31400-09) and with the authority of the Conservancy under Public Resources Code Section 31111 to award grants to non-profit organizations for these purposes.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Los Angeles & San Gabriel Rivers Watershed Council is a nonprofit organization existing under Section 501(c)(3) of the Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 4-0.

15. CHENEY CREEK GULCH

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Elizabeth Tyree, Sonoma County Regional Parks for Cheney Creek Bridge.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred five thousand dollars (\$305,000) to Sonoma County Regional Parks Department (Sonoma County) to connect the Bird Walk Coastal Access Park with Doran Beach Park by constructing a 110-foot bridge over Cheney Creek Gulch and completing 1,654 feet of California Coastal Trail, subject to the following conditions:

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1. Prior to the disbursement of funds, Sonoma County shall submit for the written approval of the Conservancy's Executive Officer a work program, budget, names of any contractors it intends to employ for the project and a signage plan acknowledging the Conservancy funding and identifying the trail as a segment of the California Coastal Trail.
2. The grantee shall implement the applicable requirements of the mitigation and monitoring plan adopted for the project.
3. The grantee shall obtain all required permits and authorization of sufficient duration to perform the work prior to construction."

Moved and seconded. Approved by a vote of 4-0.

16. RIVERSIDE RANCH

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 two hundred fifty thousand dollars (\$250,000) to the Western Rivers Conservancy to acquire title to the 444-acre Riverside Ranch, Humboldt County Assessors Parcel Numbers 100-091-008 and 100-111-001, 008, as shown on Exhibit 2 to the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the Western Rivers Conservancy shall:
 - a. Submit for review and approval by the Executive Officer all relevant acquisition documents including but not limited to, the appraisal, agreement(s) of purchase and sale, escrow instructions, and documents of title.
 - b. Dedicate the property for agricultural open space, habitat conservation and public access in a manner acceptable to the Executive Officer, in accordance with Public Resources Code § 31116(b).
 - c. Obtain all other necessary funds to complete the acquisition.
2. The Western Rivers Conservancy shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property that has been reviewed and approved by the Executive Officer."

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Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 (Sections 31251-31270) of Division 21 of the Public Resources Code regarding the enhancement of coastal resources;
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001;
3. The area in which the Riverside Ranch is located has been identified in the certified local coastal program for Humboldt County as requiring public action to resolve existing or potential resource protection problems; and,
4. The Western Rivers Conservancy is a non-profit organization existing under Section 501 (c)(3) of the Internal Revenue Services code whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 4-0

The Conservancy next took up Agenda Item 21(c), a portion of the **Executive Officer’s report**.

- 21.c. Amy Hutzal, San Francisco Bay Regional Manager, presented the item, describing the intended San Francisco Bay Conservancy education, restoration, and trail-grants program, and announcing staff’s intention to solicit grant applications.

The Conservancy next took up San Francisco Bay items, commencing with Agenda Item 17.

17. EASTSHORE STATE PARK

Tom Gandesbery of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Brad Olsen, Program Manager, East Bay Regional Park District.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one million four hundred seventy two thousand dollars (\$1,472,000) of funds received from the

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Wildlife Conservation Board to the East Bay Regional Park District (“District”) for restoration of seasonal wetlands within the area of Eastshore State Park commonly known as the “Berkeley Meadow” and further authorizes disbursement of an amount not to exceed one hundred twenty thousand dollars (\$120,000) to the California Department of Parks and Recreation (“State Parks”) for planning and preliminary design of the area of Eastshore State Park commonly known as the “Brickyard”. These authorizations are subject to the following conditions:

1. Prior to disbursement of any funds to the District or to the State Parks, the Executive Officer of the Conservancy shall review and approve a work program, including a budget and schedule, the names of any contractors to be hired, and a signing plan to acknowledge the Conservancy’s funding for these projects.
2. Prior to disbursement of funds for the Berkeley Meadows project, the Executive Officer of the Conservancy shall enter into a Memorandum of Understanding with the Wildlife Conservation Board describing the budget and work to be performed and providing for reimbursement of the Conservancy’s expenditures for this project.
3. Prior to initiating construction of the Berkeley Meadow project, the District shall provide written evidence to the Executive Officer of the Conservancy that all permits and approvals necessary to the implementation and completion of the project under applicable local, state, and federal laws and regulations have been obtained.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has been reviewed and approved by the Executive Officer.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 4.5 (Sections 31160-31165) 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 on January 24, 2001.
3. The Conservancy has independently reviewed and considered the Initial Study and Mitigated Negative Declaration adopted by the East Bay Regional Park District on May 2004 and the Addendum to the Final Initial Study / Mitigated Negative Declaration adopted by the District on February 12, 2007, both documents attached as Exhibit 4A and 4B, respectively, to the accompanying staff recommendation and finds that the Berkeley Meadow project, as mitigated, avoids, reduces or mitigates any potential significant

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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 4-0.

18. SYCAMORE GROVE REGIONAL PARK

Betsy Wilson of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four hundred twenty-five thousand dollars (\$425,000) to the Livermore Area Recreation and Park District (“LARPD”) to restore and enhance a stock pond and 3.3 acres of riparian habitat in Sycamore Grove Regional Park located in east-central Alameda County. The project shall not commence and no funds shall be disbursed for the project until the Executive Officer of the Conservancy has reviewed and approved in writing:

1. A project work program, budget, and timeline.
2. The names of any contractors the LARPD will retain to carry out all or part of the project.
3. A signage plan that acknowledges Conservancy funding.
4. Documentation that the LARPD has obtained all permits and approvals required for the project under federal, state, and local law.”

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 the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-31165).
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Conservancy has independently reviewed the Mitigated Negative Declaration adopted on May 9, 2007 by the Livermore Area Park and Recreation District, and attached to the accompanying staff recommendation as Exhibit 2, and finds that there is no substantial

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evidence that the implementation of the Sycamore Grove Park Restoration 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 4-0.

19. CONTRA COSTA COUNTY HISTORICAL ECOLOGY PROJECT

Abe Doherty of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one hundred fifty thousand dollars (\$150,000) to Contra Costa County to conduct planning and documentation of the historical ecology of Contra Costa County. This authorization is subject to the condition that prior to the disbursement of any of these funds, Contra Costa County shall submit for the review and approval of the Executive Officer of the Conservancy a work program, budget and schedule, and the names and qualifications of any subcontractors that it intends to employ.”

Findings:

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

1. The proposed project is consistent with Public Resources Code Sections 31160-31165 regarding the Conservancy’s mandate to address the resource goals of the San Francisco Bay Area; and
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 4, 2001.”

Moved and seconded. Approved by a vote of 4-0.

The Conservancy next took up the remainder of the Executive Officer’s report, Agenda Item 21.

21. EXECUTIVE OFFICER REPORT (remainder)

- a. Consideration and possible Conservancy adoption of standards and practices governing conservation easement acquisition grants was moved and seconded.

Resolution:

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“In order to ensure public confidence and accountability with respect to conservation easements whose acquisition is funded by the State, and to ensure protection of coastal resources, consistent with the terms of such easements, the State Coastal Conservancy hereby adopts the State Coastal Conservancy Standards and Practices Governing Grants for the Acquisition of Conservation Easements (“standards and practices”), attached to this resolution as Exhibit A. The standards and practices shall guide Conservancy staff in developing conservation easement acquisition projects. In any recommendation for Conservancy authorization of a grant to fund acquisition of a conservation easement, Conservancy staff shall discuss the consistency of the proposed action with the standards and practices. The Conservancy delegates to its Executive Officer the authority to vary from the standards and practices when necessary to achieve the conservation purposes of the Conservancy’s authorization.”

Moved and seconded. Approved by a vote of 4-0.

b. The legislative report was given by Deborah Ruddock. Report is attached to the minutes.

Sam Schuchat welcomed new Conservancy project staff Joel Gerwein, for the North Coast Region, and Rachel Couch, with the ocean-protection program.

It was confirmed that there will be a meeting Monday, July 16, 2007, at the Conservancy’s offices in Oakland. At that time, the Conservancy may select a Vice Chair.

22. DEPUTY ATTORNEY GENERAL REPORT

No report was given.

23. BOARD MEMBER COMMENTS

There were no comments.

24. PUBLIC COMMENTS

Brian Brennan, City Council Member, City of Ventura, expressed his appreciation for the work of the Conservancy along the Ventura River and in helping to restore beaches along the Coast.

25. CLOSED SESSIONS

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There were no further closed sessions.

26. ADJOURNMENT

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

SCC Board Legislative Report As of 5/21/2007

AB(De 31 Leon) Neighborhood Park and Recreation Revitalization Act of 2007. **Status:** 05/16/2007-**Location:** 05/16/2007-
 In committee: Set, first hearing. A APPR. SUSPENSE FILE **Summary:** Would change the name of the act to the Neighborhood Park and Recreation Revitalization Act of 2007 . The bill would expand the suspension file. definition of "heavily urbanized county" to include counties with a population of 350,000 or more people and a density of at least 900 persons per square mile. This bill contains other related provisions.

AB(La 41 Malfa) Water resources: Temperance Flat Surface Water Storage Project and Sites Reservoir: California Environmental Quality Act. **Status:** 05/02/2007-**Location:** 05/02/2007-
 Failed Deadline A 2 YEAR **Summary:** Would exempt from CEQA, the pursuant to Rule 61 construction of the Temperance Flat Surface Water Storage Project (a)(2). Last location and the Sites Reservoir. By imposing new duties on a local agency to was NAT. RES. determine whether this exemption applies to a project, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB (Aghazarian) Conservation easement registry. **Status:** 05/21/2007-**Location:** 05/21/2007-
 From SECOND A CONSENT
 READING: Read CALENDAR
 second time. To **Calendar:** 05/21/07
 CONSENT 20 ASM SECOND **Summary:** Would
 CALENDAR READING FILE change that date

to January 1, 2000, and would modify the information that is required to be included in the registry . The bill would further limit the information that the secretary is required to post on the Internet to specified information regarding conservation easements held or required by the state, or purchased with state grant funds provided by an agency, department, or division of the state on or after January 1, 2006.

AB (Krekorian) Environment: marine debris: plastic discharges. **Status:** 05/16/2007-**Location:** 05/16/2007-
 In committee: Set, first hearing. A APPR. SUSPENSE FILE **Summary:** Would require the state board and the regional boards, by Referred to APPR. January 1, 2009, to implement a program for the control of suspension file. discharges of preproduction plastics from point and nonpoint sources, including waste discharge, monitoring, and reporting requirements that at a minimum, target facilities that handle preproduction and nonpoint sources involved in the transfer of preproduction plastic, and the implementation of specified best management practices for the control of discharges of preproduction plastic . The state board would be required to establish criteria for submittal of the no exposure certification by certain plastic manufacturing and processing facilities. A plastic manufacturing and process facility that is given a no exposure certification would not be required to implement the best management practices if all manufacturing, loading, unloading, and storage activities occur within the certified facility, unless required by the state board or a regional board. The state board would be required to establish a fee schedule sufficient to pay for the costs of implementing the program.

AB (Blakeslee) VegetationStatus: 05/16/2007-Location: 05/16/2007-

350mapping.

In committee: Set, A APPR. SUSPENSE **Summary:** Would require the
 first hearing. FILE department to develop a fine-scale
 Referred to APPR. multiple-attribute statewide vegetation layer map for the
 suspense file. purposes of habitat and wildland corridor identification. The

bill would state the intent of the Legislature that this mapping project build on the progress of the department in mapping the state as part of its existing vegetation classification and mapping program. This bill contains other existing laws.

AB (Swanson) PublicStatus: 05/16/2007-Location: 05/16/2007-

655contracts: Bond Acts of 2006.

In committee: Set, A APPR. SUSPENSE **Summary:** Would provide that small
 first hearing. FILE business, microbusiness, and nonsmall
 Referred to APPR. business contractors, as specified, that submit bids in response to
 suspense file. an awarding department's solicitation for contracts under the Bond

Acts of 2006, as defined, shall be eligible for preferences, as specified, if they commit to hiring at least 20% of their employee workforce from California residents who are currently eligible to receive, or are currently receiving, unemployment compensation benefits, as specified. This bill would require each awarding department soliciting bids for contracts under the Bond Acts of 2006 to submit a report to the Department of General Services beginning January 1, 2009, and annually thereafter, as provided. This bill would require the Department of General Services, beginning January 1, 2009, to include the information provided by each awarding department in its report, as specified.

AB (Laird) StormwaterStatus: 05/10/2007-Location: 05/10/2007-

739discharge.

In committee: Set, A APPR. SUSPENSE **Summary:** Would require the state board a
 first hearing. FILE nd the Department of Water Resources to
 Referred to APPR. establish a coordinated approach to ensure the allocation of funds
 suspense file. on behalf of stormwater management programs that are financed

pursuant to those bond laws address the highest priority needs throughout the state. The bill would require the state board to expend certain funds made available by the initiative bond law for a stormwater contamination prevention and reduction program to achieve specified purposes. The state board would be required to develop a comprehensive framework for evaluating the effectiveness of municipal stormwater management programs undertaken in accordance with the NPDES permit program and the state act . The bill would require the state board and the regional boards to include requirements for evaluating and reporting on program effectiveness in municipal stormwater permits. This bill contains other existing laws.

AB (Laird) VesselsStatus: 05/16/2007-Location: 05/16/2007-

740invasive species.

In committee: Set, A APPR. SUSPENSE **Summary:** Would define the terms
 first hearing. FILE "submerged portion of a vessel" and " hull
 Referred to APPR. fouling" for purposes of the act and specify that the act additionally
 suspense file. applies to all hull fouling. The bill would require those persons to

remove hull fouling organisms from hull, piping, propellers, sea chests, and other submerged portions of one of those vessels at least every 60 months , until specified regulations are implemented, unless the State Lands Commission provides a time extension for that removal . The bill would require inwater cleaning of the submerged portion of a vessel while in the waters of the state to be conducted using best available technologies economically achievable . This bill contains other related provisions.

AB (Portantino) ParkStatus: 05/16/2007-Location: 05/16/2007-

772and nature education centers grant program. In committee: Set, first hearing. Referred to APPR. suspense file. A APPR. SUSPENSE FILE Summary: Would establish the Park and Nature Education Centers Grant Program to administer, upon appropriation by the Legislature, the \$100,000,000 in bond funds made available to the department for grants for nature education and research facilities and equipment. The bill would specify institutions that are eligible for funding.

AB (Karnette) RecyclingStatus: 05/02/2007-Location: 05/02/2007-

820polystyrene: state facilities. In committee: Set, first hearing. Referred to APPR. suspense file. A APPR. SUSPENSE FILE Summary: Would define terms and would prohibit a state facility from selling, possessing, or distributing an expanded polystyrene food container on and after January 1, 2009. A state agency would be directed to require each prospective bidder or contractor, on and after January 1, 2009, to certify that it, and its agents, subsidiaries, partners, joint venturers, and subcontractors for procurement, will not sell, possess, or distribute an expanded polystyrene food container at a state facility. This bill contains other related provisions.

AB (Levine) UrbanStatus: 05/02/2007-Location: 05/02/2007-

822greening projects. Failed Deadline A 2 YEAR Summary: Would require the Department of Forestry and Fire Protection, in consultation with the California Urban Forests Council, to provide state oversight for urban greening planning, including guidance, priorities, policy direction, technical assistance, evaluation of program effectiveness, and funding that supports effective urban greening . This bill contains other related provisions.

AB (Ruskin) WildlifeStatus: 05/10/2007-Location: 05/10/2007-

828conservation. In committee: Set, first hearing. Referred to APPR. suspense file. A APPR. SUSPENSE FILE Summary: Would require the board , in collaboration with the department, to investigate, study, and determine what areas in the state , in which infrastructure projects funded from state bond moneys are proposed, are most essential as wildlife corridors and habitat linkages and to make that information available to other agencies and the public.

AB (Bass) EnvironmentStatus: 05/02/2007-Location: 05/02/2007-

832Sustainable Communities and Urban Greening Program. Failed Deadline A 2 YEAR Summary: Would specify eligible projects and priority projects for an urban greening program. (a)(2). Last location was NAT. RES.

AB (Feuer) RecyclingStatus: 05/16/2007-

904food containers. In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 05/16/2007-

A APPR. SUSPENSE FILE Summary: Would enact the Plastic and Marine Debris Reduction, Recycling, and Composting Act and would define terms for the purposes of that act. The bill would prohibit a take-out food provider, on and after July 1, 2010 , from distributing single use food service packaging to a consumer, unless the single use food service packaging is either compostable packaging or recyclable packaging. The bill would also prohibit a take-out food provider, after July 1, 2012, from distributing single use

food service packaging to a consumer, unless the single use food service packaging is also recovered for composting at a rate of 25% or more or is recovered for recycling at a rate of 25% or more. This bill contains other related provisions.

AB (Wolk) CaliforniaStatus: 05/16/2007-**Location:** 05/16/2007-

923Comprehensive Wildlife Action Plan. In committee: Set, A APPR. SUSPENSE **Summary:** Would require the department , in first hearing. FILE the exercise of its existing authority and Referred to APPR. discretion, to take necessary steps to prioritize and implement the suspense file. recommendations of the California Comprehensive Wildlife Action Plan prepared by the department. The bill would require the department to create a committee to advise and assist the department in implementing the plan, develop a detailed plan to monitor the species, habitats, and actions identified or recommended in the plan, review and update the plan every 5 years, and make specified reports on the progress of implementation . This bill contains other existing laws.

AB (Leno) CaliforniaStatus: 04/25/2007-**Location:** 04/25/2007-

1056Ocean Protection Act. In committee: Set, A APPR. SUSPENSE **Summary:** Would require the council , in first hearing. FILE consultation with the California Ocean Science Trust, to establish a science advisory team of Referred to APPR. Science Trust, to establish a science advisory team of distinguished scientists to assist it in meeting the purposes of the suspense file. act by, among other things, reviewing and evaluating results of research or investigations requested by the council. The bill would also require the council to contract with the California Ocean Science Trust to conduct research or investigations as needed by the council. The bill would revise legislative findings regarding the council. This bill contains other related provisions and other existing laws.

AB (Laird) CoastalStatus: 05/16/2007-**Location:** 05/16/2007-

1066resources: local coastal planning. In committee: Set, A APPR. SUSPENSE **Summary:** Would as of January 1, 2009, require local governments within the coastal zone or San Francisco Bay, as defined, to include consideration of the effects of sea level rise, including, but not limited to, bay and coastal flooding, coastal erosion, beach loss, and cliff failure, when amending appropriate elements of its general plan, as prescribed. The local governments would be required to fund the program and would be authorized to levy fees sufficient to pay for the program. Because this bill would increase the duties of local governments, it would thereby impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB (Bass) Transit- **Status:** 05/17/2007-**Location:** 05/17/2007-**Calendar:** 05/23/07

1091Oriented Development Implementation Program. Re-referred to A APPR. 9 a.m. - Room **Summary:** Would 4202 ASM substantially revise the APPROPRIATIONShousing requirements for grants for the provision of infrastructure necessary to support a higher density development project within close proximity to a transit station. This bill contains other related provisions and other existing laws.

AB (Laird) AbovegroundStatus: 04/25/2007-**Location:** 04/25/2007-**Calendar:** 05/23/07

1130storage tanks. From committee: A APPR. 9 a.m. - Room **Summary:** Would Do pass, and re- 4202 ASM instead require the APPROPRIATIONSunified program refer to Com. on

APPR. Re-referred. agency (UPA) to implement that act, and would make (Ayes 7. Noes 0.) conforming changes. This bill contains other related provisions (April 24). and other existing laws.

AB (Blakeslee) AgriculturalStatus: 05/10/2007-**Location:** 05/10/2007-

1180resources. In committee: Set, A APPR. SUSPENSE **Summary:** notwithstanding any first hearing. FILE other provision of the act, would Referred to APPR. authorize the Director of Conservation to make grants from a source other than the fund, and disburse money for those grants, to an applicant for the acquisition of an agricultural conservation easement, if the director determines that the grant meets the purposes of the act and additional specified requirements, including that the easement does not and will not prevent all agricultural uses on the easement property and that any restriction on the current or reasonably foreseeable agricultural use of the easement property would only be imposed to restrict those areas of the property that are not in cultivation. This bill contains other existing laws.

AB (Laird) OilStatus: 04/24/2007-**Location:** 04/24/2007-**Calendar:** 05/23/07

1220spill response fund. From committee: A APPR. 9 a.m. - Room **Summary:** Would specify the procedures for the purchase Do pass, and re-refer to Com. on 4202 ASM APPROPRIATIONS and repayment of that financial security when moneys are borrowed by the Treasurer or the administrator. APPR. with recommendation: The bill would additionally impose the uniform oil spill fee when the administrator determines that revenue is necessary to repay those borrowings. The administrator would instead be authorized to increase the fee upon a finding that there are existing demands for expenditures from Noes 0.) (April 23). the fund that will deplete the fund. The Treasurer would be authorized to also borrow money needed to pay the costs for an oil spill or to repay or refund any borrowing by the administrator , subject to reimbursement for repayment from future deposits into the fund. This bill contains other related provisions.

AB (Caballero) Housing-Status: 05/16/2007-**Location:** 05/16/2007-

1252Related Parks Program. In committee: Set, A APPR. SUSPENSE **Summary:** Would establish the first hearing. FILE Housing-Related Parks Program under Referred to APPR. the administration of the Department of Housing and suspense file. Community Development. The bill would require the department to use funds allocated from the account , upon appropriation by the Legislature, to provide grants , in conjunction with the Department of Parks and Recreation, for the creation, development, or rehabilitation of community or neighborhood parks, to cities, counties, and cities and counties that meet certain criteria and issue building permits for housing developments consisting of newly constructed units that are affordable to low- or very low income households . This bill contains other related provisions.

AB (Caballero) RegionalStatus: 05/16/2007-**Location:** 05/16/2007-

1253and local land use plans. In committee: Set, A APPR. SUSPENSE **Summary:** Would create the first hearing. FILE Sustainable Communities Regional and Referred to APPR. Local Land Use Planning Program within the Resources suspense file. Agency and would require that the secretary of the Resources Agency administer this program . It would appropriate unspecified sums from the \$90,000,000 made available under the act for planning grants and incentives for the development of specified regional and local land use plans, for grants and loans to local governments, councils of governments, and other public agencies for these

purposes, subject to specified criteria developed by the Office of Planning and Research . This bill contains other related provisions.

AB (Smyth) UrbanStatus: 05/16/2007-**Location:** 05/16/2007-

1303greening. In committee: Set, A APPR. SUSPENSE **Summary:** Would require the Department of first hearing. FILE Parks and Recreation, consistent with those Referred to APPR. provisions of the initiative, to establish a local assistance program to suspense file. offer grants, on a competitive basis, to an eligible city, county, or district authorized to provide park, recreational, or open-space services, or a combination of those services. The bill would require the department, in evaluating an application for a grant, to assign higher priority to an application based on satisfying specified criteria. This bill contains other related provisions and other existing laws.

AB (Ruskin) BondStatus: 05/02/2007-**Location:** 05/02/2007-

1315funds: Failed Deadline A 2 YEAR **Summary:** Would provide that, in **Housing and Emergency Shelter Trust Fund Act:** pursuant to Rule 61 implementing those provisions, priority shall be given to park projects (a)(2). Last location around transportation hubs and train stations, projects connecting was W.,P. & W. infill development and schools, projects mitigating traffic in school routes, and projects connecting urban areas with open-space parks and trails. **park projects.**

AB (Ruskin) SafeStatus: 05/02/2007-**Location:** 05/02/2007-

1380Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Failed Deadline A 2 YEAR **Summary:** Would provide that, in implementing pursuant to Rule 61 that provision, priority shall be given to projects that benefit (a)(2). Last location underserved communities or that target at-risk youth. This bill contains was W.,P. & W. other related provisions and other existing laws.

AB (Leno) PublicStatus: 04/24/2007-**Location:** 04/24/2007-**Calendar:** 05/23/07

1393records. From committee: A APPR. 9 a.m. - Room Do pass, and re- 4202 ASM refer to Com. on APPROPRIATIONS APPR. Re-referred. **Summary:** Would as of January 1, 2009, require (Ayes 10. Noes 0.) any state agency that publishes an Internet Web (April 24). site to include on the homepage of that site

specified information that is not exempt from disclosure under the act about how to contact the agency, how to request records under the act, and a form for submitting online requests for records. It would authorize any person to bring an action to enforce the duty of a state agency to post this information and would provide for penalties including monetary awards to be paid by the agency, with specified provisions to become operative on January 1, 2009. This bill contains other related provisions.

AB (Huffman) ResourceStatus: 05/03/2007-**Location:** 05/03/2007-**Calendar:** 05/23/07

1489bond funds. Re-referred to A APPR. 9 a.m. - Room **Summary:** Would Com. on APPR. 4202 ASM declare legislative APPROPRIATIONSintent to establish principles to guide the implementation of the initiative bond act. The bill would require the State Department of Public Health to establish a program to implement a provision of the initiative bond act making funds available for projects to prevent or reduce contamination of groundwater that serves as a source of drinking water, and would create the Groundwater Protection Fund, a continuously appropriated fund, for this purpose. The bill

would require applicants for funding for projects that assist local public agencies to meet the long-term water needs of the state to identify the manner in which the proposed project will contribute to meeting the performance standards included in the applicable integrated regional water management plan or its functional equivalent, as defined. Certain planning and feasibility studies financed by the initiative bond act would be required to include an analysis of energy and greenhouse gas emission impacts. The bill would require the Department of Water Resources to develop and conduct a study of groundwater resources that meets certain requirements and is consistent with an existing provision of the initiative bond act. The bill would define administrative costs for the purposes of the initiative bond act. The bill would require the Secretary of the Resources Agency to prepare and submit to the Legislature an annual report with regard to the expenditure of funds pursuant to the initiative bond act.

AB (Berg) CoastalStatus: 05/17/2007-Location: 05/17/2007-

1568resources: Referred to Com. S N.R. & W. **Summary:** Would designate the portion of the **Ma-le'I Dunes.** on N.R. & W. Ma-le'I Dunes in Humboldt County that is part of the California Coastal Trail and that is under the jurisdiction of the conservancy as the Senator Wesley Chesbro Coastal Trail. The bill would require the conservancy, subject to a time condition, to erect appropriate signage to reflect the designation and to cause all directories and other publications concerning the California Coastal Trail to reflect the designation as the publications are periodically revised.

SB(Machado) FloodStatus: 05/15/2007-Location: 04/30/2007-**Calendar:** 05/21/07

5 management. Set for hearing May S APPR. 10 a.m. - John L. **Summary:** Would make Burton Hearing legislative findings and Room (4203) SEN declarations regarding APPROPRIATIONSthe necessity of

developing a comprehensive integrated flood policy and flood management program that addresses all aspects of flood management, clarifying the roles and responsibilities of the state, local flood management agencies, cities and counties, developers, and property owners as part of an integrated flood policy, and integrating the flood-related funding authorized by those bond acts with the integrated flood policy and flood management program. This bill contains other related provisions and other existing laws.

SB(Simitian) Sacramento-Status: 05/14/2007-Location: 05/14/2007-

27 San Joaquin River Placed on APPR. S APPR. SUSPENSE **Summary:** Would require the **Delta, Clean Drinking** suspense file. FILE Secretary of the Resources Agency, on **Water, Water Supply** or before January 1, 2008, to begin implementing certain actions on behalf of the **Security, and** Sacramento-San Joaquin River Delta, including investing in emergency **Environmental** preparedness, funding projects to aid sustainability in the delta, identifying critical **Improvement Act of** levels to be strengthened, and commencing delta restoration projects. The **2008.** secretary would be required to take necessary action to ensure that the requirements of a specified Governor's executive order relating to the delta are

met in a timely manner. The bill would declare legislative intent to enact legislation to begin implementing a program for sustainable management of the delta in 2008. The bill would make related declarations and findings.

SB (Negrete **Status:** 05/15/2007-**Location:** 05/15/2007-**Calendar:** 05/21/07

167McLeod) GeneralFrom committee S APPR. 10 a.m. - John L. **Summary:** Would **plans: planning** with author's Burton Hearing require the Governor's to **grants and** amendments. Read Room (4203) SEN administer multiple

incentives. second time. APPROPRIATIONS programs, as specified, Amended. Re- to award (1) grants and loans to cities and counties to prepare and referred to Com. on adopt general plans, including, among other things, a preference for APPR. a grant or loan if one or more criteria are met, (2) loans to cities and counties to prepare and adopt programs to implement city and county general plans, including specific plans, habitat conservation plans, zoning ordinances, and design standards, (3) grants to counties and the cities, if any, in those counties to prepare collaborative strategic growth plans, subject to specified criteria , and (4) grants and loans to local agency formation commissions to prepare and adopt municipal service reviews and spheres of influence. The bill would also provide that the funding for the programs under (1), (2), and (4) includes the costs of complying with the California Environmental Quality Act . The bill would require the office to prepare and adopt regulations for this purpose that meet specified criteria and would require the office to cooperate with the Secretary of the Resources Agency in any independent audits of expenditures pursuant to these provisions. This bill contains other related provisions and other existing laws.

SB (Padilla) Parks Status: 04/23/2007-Location: 04/23/2007-

207 and Placed on APPR. S APPR. SUSPENSE **Summary:** Would establish the Outdoor recreation: suspense file. FILE Environmental Education and Recreation **Outdoor** Program, to be administered by the Director of Parks and Recreation (director), for the **Environmental** purpose of increasing the ability of underserved and at-risk populations to participate in **Education** outdoor recreation and educational experiences by awarding grants to education programs **and** that are available to the public and are operated by public entities or no nprofit **Recreation** organizations . The bill would create the Outdoor Environmental Education and Recreation **Program.** Fund in the State Treasury that, upon appropriation by the Legislature, would be used for awarding grants pursuant to the program. The bill would authorize the director to accept for, and require the director to deposit in, the fund voluntary private donations made for support of the program. The bill would express the Legislature's intent that the fund be capitalized with moneys from the General Fund and donations. This bill contains other related provisions.

SB (Wiggins) State Status: 05/09/2007-Location: 04/30/2007-Calendar: 05/21/07

292 bond funds: Set for hearing May S APPR. 10 a.m. - John L. **Summary:** Would require **allocation.** 21. Burton Hearing the Secretary for Room (4203) SEN Environmental Protection APPROPRIATIONS and the Secretary of the Resources Agency to develop a planning grant program for local and regional agencies to develop urban greening plans. The bill would require the planning grant program to comply with the requirements of the bond act pertaining to urban greening projects. This bill contains other related provisions.

SB (Simitian) State Status: 05/14/2007-Location: 05/14/2007-

412 Energy Placed on APPR. S APPR. SUSPENSE **Summary:** Would enact the Liquefied Natural Resources suspense file. FILE Gas Terminal Evaluation Act and would **Conservation** require the commission to make a liquefied natural gas (LNG) needs assessment study **and** that assesses demand and supply for natural gas and alternatives to natural gas to meet **Development** energy demands, and to determine the number of LNG terminals, if any, needed to meet **Commission:** the state's projected natural gas demand. The act would require the LNG needs **liquefied** assessment study to be completed no later than November 1, 2008, and incorporated into **natural gas** the commission's biennial integrated energy policy report. The commission would be **terminals.** required to hold public hearings to consider the results of the LNG needs assessment study and to provide an opportunity for public comment. All costs of the LNG needs

assessment study for the implementation of these requirements, including costs for any temporary personnel or consultants, would be funded from fees charged to persons or entities applying for permits to build and operate a LNG terminal. This bill contains other related provisions and other existing laws.

SB (Kehoe) San Status: 05/15/2007-Location: 05/15/2007-

419Diego River Conservancy. From committee with author's amendments. Read second time. Amended. Referred to Com. on APPR. **S APPR.** **Summary:** Would revise those provisions to state that the conservancy has developed a Five Year Strategic and Infrastructure Plan that is consistent with the San Diego River Parkway Concept Plan and that it is the intent of the Legislature that the conservancy pursue the implementation of the Five Year Strategic and Infrastructure Plan. This bill contains other related provisions.

SB (Denham) DisasterStatus: 05/09/2007-Location: 04/30/2007-Calendar: 05/21/07

424Preparedness and Flood Prevention Bond Act of 2006: flood management projects. Set for hearing May 21. **S APPR.** 10 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS **Summary:** Would declare legislative intent to give fair and balanced consideration, consistent with that act and the state's budget process, to all proposed flood management projects, including certain specified projects .

SB (Corbett) SanStatus: 05/14/2007-Location: 05/14/2007-

584Francisco Bay Area Conservancy Program. Placed on APPR. suspense file. **S APPR. SUSPENSE FILE** **Summary:** Would require the State Coastal Conservancy to establish a program, as part of the San Francisco Bay Area Conservancy Program, to restore the salt ponds in the south San Francisco Bay and to create trails and visitor facilities for public use in that area. The program would be implemented to the extent funds are appropriated for these purposes.

SB (Torlakson) ContinuousStatus: 05/08/2007-Location: 05/08/2007-Calendar: 05/21/07

669regional recreation corridors: funding. From committee with author's amendments. Read second time. Amended. Referred to Com. on APPR. **S APPR.** 10 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS **Summary:** Would provide that continuous regional recreation corridors are eligible for planning grants and planning incentives pursuant to that provision in the initiative. This bill contains other related provisions and other existing

laws.

SB (Correa) RealStatus: 05/09/2007-Location: 05/08/2007-

670property: transfer fees. Testimony taken. Hearing postponed by committee. (Refers to 5/8/2007 hearing) **S JUD.** **Summary:** Would provide that any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of real property that contains a requirement that any transferee pay a fee upon transfer of the real property is void. The bill would except from this prohibition a covenant, restriction, or condition that was in effect on or before December 31, 2007, transfer fees that meet specified requirements regarding subdivided lands, taxes and fees imposed by governmental entities, mechanics' liens, and fees imposed by lenders, among others. This bill contains other related provisions and other existing laws.

SB (Steinberg) SafeStatus: 05/15/2007-**Location:** 05/15/2007-**Calendar:** 05/21/07

732**Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.** From committee with author's amendments. Read second time. Amended. Referred to Com. on APPR. S APPR. 10 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS
Summary: Would require the various departments that are to implement the provisions of the initiative, among other things, to develop and adopt guidelines and regulations, consult with other entities, conduct studies, and follow certain procedures for establishing a project, or grant or loan program implementing the initiative. This bill contains other related provisions and other existing laws.

Notes: Water and Parks bond. Establishes Forest Conservation as entity for appropriation of bond funds.

SB (Torlakson) StateStatus: 05/09/2007-**Location:** 05/09/2007-**Calendar:** 05/21/07

784**General Obligation Bond Law: reports.** From committee with author's amendments. Read second time. Amended. Referred to Com. on APPR. Set for hearing May 21. S APPR. 10 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS
Summary: Would establish new reporting and audit provisions applicable to general obligation bond authorized on or after November 7, 2006, in order to ensure maximum transparency and accountability regarding the expenditure of bond funds. It would require each department or agency responsible for implementing a project funded by bond

proceeds to submit in an electronic format to the Department of Finance, the Controller, and the Treasurer specified information about the plans, progress, and completion of the project. This bill contains other related provisions and other existing laws.

SB (Simitian) BeverageStatus: 05/08/2007-**Location:** 05/08/2007-

898**containers: solid waste cleanup: marinas and harbors.** From committee with author's amendments. Read second time. Amended. Referred to Com. on APPR. S APPR. **Summary:** Would additionally include, in the list of codes, "0" or "PLA," which indicates bottles or containers made with polylactic acid. This bill contains other related provisions and other existing laws.

SB (Migden) WatershedStatus: 05/02/2007-

917**Conservation Protection Program.** Failed Deadline pursuant to Rule 61 (a)(2). Last location was N.R. & W.

Location: 05/02/2007-

S 2 YEAR **Summary:** Would enact the Watershed Conservation Protection Program, within the act, to fund regional cooperative conservation partnership accounts, natural resource protection and restoration programs, regional watershed protection and recovery programs, and watershed improvement programs in counties or water basins that are the sources of water that is bottled or vended in the state. The bill would create the Watershed Conservation Protection Fund in the State Treasury, administered by the Secretary of the Resources Agency. All funds available for watershed planning, management, and restoration

projects and cooperative conservation partnerships, appropriated by the act or any other measure, would be required to be deposited into the fund. Upon appropriation by the Legislature, the funds would be allocated as described. This bill contains other existing laws.

SB (Ridley-Thomas) Parks and nature education facilities. **Status:** 05/09/2007-**Location:** 05/01/2007-**Calendar:** 05/21/07
 Set for hearing May S APPR. 10 a.m. - John L. **Summary:** Would require
 21. Burton Hearing the department to establish
 Room (4203) SEN a program to offer grants,
 APPROPRIATIONS on a competitive basis, to
 eligible projects submitted by nonprofit or publicly operated natural history museums,
 aquariums, research facilities, or botanical gardens. This bill contains other related provisions.

SB (Wiggins) Local government: Hoopa Valley Indian Tribe. **Status:** 05/17/2007-**Location:** 05/17/2007-
 In Assembly. Read A DESK **Summary:** Would revise and recast these
 first time. Held at provisions in another section of the Government Code.
 Desk.

SB (Lowenthal) Oil spills: California Physical Oceanographic Real-Time System (CalPORTS). **Status:** 05/07/2007-**Location:** 05/07/2007-
 Placed on APPR. S APPR. SUSPENSE **Summary:** Would establish the California
 suspense file. FILE Physical Oceanographic Real-Time System
 (CalPORTS). The bill would authorize the administrator, in cooperation with the National
 Oceanic and Atmospheric Administration/National Ocean Service, port authorities, and
 harbor safety committees, to establish, maintain, and operate a CalPORTS information
 network linking existing and proposed information systems, to improve the efficiency and
 access to critical environmental information affecting safe navigation. This bill contains
 other related provisions.

SB (Perata) Water quality, flood control, water storage, and wildlife preservation. **Status:** 05/17/2007-**Location:** 04/30/2007-**Calendar:** 05/21/07
 Hearing postponed S APPR. 10 a.m. - John L. **Summary:** with regard to
 by committee. Set Burton Hearing those bond funds, would
 for hearing May 21. Room (4203) SEN appropriate \$675,500,000
 (Refers to 5/9/2007 APPROPRIATIONS as follows: of the funds
 hearing) made available pursuant to the Disaster Preparedness and Flood
 Prevention Bond Act of 2006, \$50,000,000 to the Department of Water Resources for
 essential emergency preparedness supplies and projects, and \$150,000,000 to the
 department for stormwater flood management project grants; of the funds made available pursuant to the Safe
 Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006,
 \$50,000,000 to the State Department of Public Health for grants for small community drinking water systems
 infrastructure improvements and related actions, \$200,000,000 to the department for grants that integrate
 groundwater management with water supply management and water quality management \$15,000,000 to the
 department to complete feasibility studies associated with new surface storage under the California Bay-Delta
 Program, and \$15,000,000 to the department for the development of a plan for the reoperation of the state's
 flood protection and water supply systems; of the funds made available pursuant to the Costa-Machado Water
 Act of 2000, \$22,000,000 to the State Water Resources Control Board for water recycling project grants,
 \$16,000,000 to the department for grants for water conservation projects, groundwater recharge facilities,
 urban water conservation projects, and infrastructure rehabilitation projects, and \$125,000,000 to the
 department for projects to reduce losses of all life stages of fish to water diversions in the San Joaquin River
 and the Sacramento-San Joaquin Delta; and of the funds made available pursuant to the Water Security,
 Clean Drinking Water, Coastal and Beach Protection Act of 2002, \$12,500,000 to the department for

contaminant and salt removal technologies, and \$20,000,000 for implementation of the Franks Tract Pilot Project. This bill contains other related provisions and other existing laws.

SB (Hollingsworth) DepartmentStatus: 05/14/2007-Location: 05/14/2007-

1011 of Fish and Game: Placed on APPR. S APPR. SUSPENSE **Summary:** Would authorize the
endowment funds. suspense file. FILE department to authorize a local

public entity or nonprofit organization that satisfies certain requirements to hold and manage mitigation endowment funds, as defined, under regulations adopted by the department, for the purpose of ensuring adequate funding for permanent stewardship of preserved and protected habitats. The bill would impose annual audit and reporting requirements on an entity or organization. This bill contains other related provisions and other existing laws.

Total rows: 49