

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

September 20, 2007
9:00 am
Town Hall
Fort Bragg, CA

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chair
Jeremy Hallisey (Public Member)
Marisa Moret (Public Member)
Patrick Kruer, Coastal Commission Chair
Bryan Cash (Designated Representative, Resources Agency)

OVERSIGHT LEGISLATORS PRESENT:

Annette Porini (Designated representative for Senator Joe Simitian)

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General
Jack Judkins, Staff Counsel

Chair Bosco thanked and acknowledged Fred Klass' work and 12 years of service with the Conservancy. Due to Fred's promotion, he will be unable to attend Conservancy meetings. Karen Finn will be the designee for Department of Finance.

1. ROLL CALL

2. APPROVAL OF MINUTES

Moved and seconded: the minutes of the July 16, 2007 public meeting were approved without change, 5-0.

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3. GIACOMINI RANCH

Joel Gerwein of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Don Neubacher, Superintendent of the Point Reyes National Seashore.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million five hundred thousand dollars (\$1,500,000) to the Point Reyes National Seashore Association (“the Association”) to implement the Giacomini Wetland Restoration Project, subject to the following conditions:

1. Prior to disbursement of any funds, the Association shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, schedule, budget, and the names of any contractors to be employed for implementation of the project
2. The Association shall acknowledge Conservancy funding by erecting and maintaining signs that have been reviewed and approved by the Executive Officer.
3. Grantee shall enter into an agreement to protect the public interest in any improvements to privately-owned lands funded by the Conservancy, consistent with Public Resources Code Section 31116(c).
4. The Grantee shall ensure the provisions of the Mitigation and Monitoring Plan attached to the accompanying staff report as part of Exhibit 2 are implemented with 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 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding the enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Point Reyes National Seashore Association is a non-profit organization existing under section 501(c)(3) of the Internal Revenue Service code whose purposes are consistent with Division 21 of the Public Resources Code.
3. The Conservancy has reviewed the proposed Final Environmental Impact Statement and Final Environmental Impact Report (attached to the accompanying staff recommendation as Exhibit 2) adopted by the California State Lands

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Commission on June 28, 2007, pursuant to the California Environmental Quality Act, public comment to the FEIS/FEIR and the Mitigation Monitoring Program developed to mitigate potentially significant environmental effects, and finds that the project as designed avoids, reduces or mitigates the potentially significant environmental effects to a less-than-significant level, and that there is no substantial evidence based on the record as a whole that the restoration activities may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.”

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

4. POFF PROPERTY

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Stuart Martin, Open Space District

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seven hundred fifty thousand dollars (\$750,000) to the Sonoma County Agricultural Preservation and Open Space District (SCAPOSD) for the acquisition of the 1,235-acre Poff property (Assessor’s Parcel Numbers 101-150-005 and 101-150-006) for addition to the adjacent Sonoma Coast State Beach in western Sonoma County, subject to the following conditions:

1. Prior to the disbursement of funds for acquisition of the real property, SCAPOSD shall submit for the review and approval of the Executive Office of the Conservancy (“the Executive Officer”):
 - a. All relevant acquisition documents, including, but not limited to, appraisal, environmental assessment, agreement of purchase and sale, escrow instructions, and documents related to title.
 - b. Evidence that SCAPOSD has obtained all funds necessary to complete the acquisition.
2. SCAPOSD shall pay no more than fair market value for the property as established in an appraisal approved by the Executive Officer.
3. SCAPOSD shall permanently dedicate the property in a manner acceptable to the Executive Officer for the purposes of protecting, restoring and enhancing habitat and open space, and providing public access where appropriate.
4. Within a reasonable time following acquisition of the real property, SCAPOSD shall prepare a management plan for the property that is consistent with the purposes for which it is being acquired.

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5. SCAPOSD shall acknowledge Conservancy funding by erecting and maintaining a sign on the property that has been reviewed and approved by the Executive Officer.”

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

5. PONCIA RANCH

Su Corbaley of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Jeff Stump, Marin Agricultural Land Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seven hundred fifty thousand dollars (\$750,000) to the Marin Agricultural Land Trust for the acquisition of an agricultural conservation easement over the approximately 750-acre Poncia Ranch property (Marin County Assessors Parcel Nos. 104-110-02 and 104-110-10), subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the Marin Agricultural Land Trust shall submit for review and approval of the Executive Officer of the Conservancy (the “Executive Officer”):
 - a. All relevant acquisition documents, including, without limitation, appraisals, purchase agreements, conservation easements, escrow instructions and documents of title.
 - b. A Baseline Conditions Report certified by the grantor and a Monitoring and Reporting Plan.
 - c. Documentation that all other funds necessary to the acquisition have been obtained.
2. The purchase price of the conservation easement shall not exceed fair market value, as established in an appraisal approved by the Executive Officer of the Conservancy.
3. The easement interest acquired under this authorization shall be managed and operated in a manner consistent with the purpose of agricultural conservation, open space preservation and natural resource protection. The property interests acquired under this authorization shall be permanently dedicated to those purposes in accordance with Public Resources Code Section 31116(b).
4. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign, the design and placement of which has been reviewed and approved by the Executive Officer.”

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Findings:

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

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160 *et seq.*), regarding the preservation of agricultural lands.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Marin Agricultural Land Trust is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes, which include the preservation of land for agricultural and open space opportunities, are consistent with Division 21 of the Public Resources Code.”

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

6. LOWER EEL RIVER WATERSHED

Su Corbaley 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 ninety-three thousand dollars (\$193,000) to the Humboldt County Resource Conservation District (RCD) to implement stream habitat restoration and protection projects initiated during the 2007 construction season on Howe Creek and Price Creek, tributaries to the Lower Eel River watershed, subject to the condition that prior to the disbursement of any Conservancy funds, the RCD shall submit the following for review and approval of the Executive Officer:

1. A work program, including schedule and budget.
2. The names of any contractors to be used for the activities under this authorization.
3. Documentation that all permits necessary to this project have been issued.
4. A written agreement for recording between the RCD and the owner of any privately-owned land on which the project is to be undertaken by which the landowner authorizes the project work and access to do the work and agrees to monitor and maintain the project work for a reasonable period.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of Division 21 (section 31251 - 31270) of the Public Resources Code, regarding resource

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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 Humboldt County 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 Mitigation, Monitoring and Reporting Program prepared by the Department of Fish and Game (Exhibits 2 and 3) with respect to the implementation of the stream restoration projects on Howe Creek and Price Creeks, and the fencing project on Howe 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.”

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

7. PINE GULCH CREEK

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 seventy-five thousand dollars (\$275,000) to the Marin Resource Conservation District, for the preparation of final design and permits for water-storage facilities to assist in the conservation of water and the protection and enhancement of anadromous fish in Pine Gulch Creek, a tributary to the Bolinas Lagoon, in Marin County. Prior to the disbursement of Conservancy funds for the project, the Executive Officer of the Conservancy shall approve in writing a final work program, including schedule and budget, and any contractors to be employed 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 Chapter 6 of the Public Resources Code (Sections 31251-70), 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.”

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

8. SAN FRANCISCO BAY TRAIL

Joan Cardellino of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation and delivering a power point presentation:
Laura Thompson, Director and Project Manager, San Francisco Bay Trail.

Resolution:

“The State Coastal Conservancy hereby authorizes a grant of three million dollars (\$3,000,000) to the Association of Bay Area Governments (ABAG) for the San Francisco Bay Trail Project, its associated nonprofit organization, to develop individual San Francisco Bay Trail projects. The funds shall be used to establish criteria for potential Bay Trail access grant projects, to solicit and evaluate grant proposals, to recommend to the Conservancy the award of grant funds to selected projects, to implement selected projects, to monitor implementation of funded projects, and for related matters including administrative costs.

Prior to the execution of an agreement with each individual project grantee, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a work program, schedule and budget for each project. No Conservancy funds shall be disbursed toward implementation of any proposed project that is not exempt from the California Environmental Quality Act, until the Conservancy authorizes the project.”

Findings:

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

1. The proposed project is consistent with Public Resources Code Sections 31160-31165 regarding the San Francisco Bay Area Conservancy Program; and with Sections 31400-31409 regarding public access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

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

9. PIER 52

Joan Cardellino of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to two hundred thousand dollars (\$200,000) to the Port of San Francisco for the purpose of constructing a public boat launch ramp near Pier 52 in San Francisco, subject to the following conditions:

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1. No Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has reviewed and approved in writing:
 - a. Any contractors to be used.
 - b. A final work plan, including a final budget and schedule.
 - c. A signing plan acknowledging the Conservancy's funding of this project.
2. The Port shall maintain the improvements for no less than 20 years."

Findings:

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

1. The proposed project is consistent with Chapter 4.5 (Sections 31160-31165) of Division 21 of the Public Resources Code regarding resources and recreational goals in the San Francisco Bay Area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.
3. The Conservancy has independently reviewed and considered the following documents adopted by the City and County of San Francisco under the California Environmental Quality Act on the dates indicated (collectively attached to the accompanying staff recommendation as Exhibit 2): Negative Declaration (September 12, 1995); Addendum to Negative Declaration (July 15, 1996); and Addendum to Negative Declaration (February 17, 1998). 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."

Move and seconded. Approved by a vote of 4-0. Board member Marisa Moret abstained from voting.

10. BEACH AND MARINE DEBRIS PREVENTION AND REMOVAL PROGRAM

Rachel Couch of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Fred Keeley, Save Our Shores.

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to Save Our Shores to develop a community-based beach and marine debris reduction and removal program to benefit the Monterey Bay National Marine Sanctuary in Santa Cruz County. Prior to the disbursement of funds, the Executive Officer of the Conservancy shall review and approve in writing a work program, budget and schedule for the project and any contractors proposed to be engaged for the

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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 9 (Section 31400) of Division 21 of Public Resources Code, regarding provision of a system of public accessways to and along the coast.
2. 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 undertaking coastal watershed and coastal and marine habitat water quality projects to reduce contamination of waters within the coastal zone or marine waters, to protect and restore fish and wildlife habitat within coastal and marine waters and coastal watersheds, and to reduce threats to coastal and marine fish and wildlife.
3. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
4. The proposed project serves greater than local need.”

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

11. HISTORIC SHIP SAN SALVADOR RECONSTRUCTION

Prentiss Williams of the Coastal Conservancy presented the Staff Recommendation:

Speaking in favor and presented a power point presentation: Ray Ashley, Maritime Museum Association of San Diego.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two million dollars (\$2,000,000) to the Maritime Museum Association of San Diego (the Association) to construct a replica of the historic tall ship *San Salvador*.

1. Prior to the disbursement of any Conservancy funds, the Association shall submit for review and approval of the Executive Officer of the Conservancy (Executive Officer) a budget, schedule, final designs and plans, and the names of any contractors and subcontractors to be engaged; and a signing plan for the finished project acknowledging the Coastal Conservancy funding.
2. The Association shall repay to the Conservancy \$750,000 of the grant amount, together with interest accruing on the outstanding balance at five and one quarter percent (5¼ %) per year, beginning on the date of disbursement of the funds to the grantee. The full

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amount, including interest, shall be repaid no later than two years following completion of the project, or by December 31, 2013, whichever is earlier.

3. The Association shall acknowledge the Coastal Conservancy funding on educational materials, advertisements, and publications, associated with the *San Salvador* in a manner that shall be approved in advance by the Executive Officer of the Conservancy.”

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 31300 et seq. regarding urban waterfront restoration projects.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Association 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.”

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

12. SEASIDE LEARNING CENTER

Greg Gauthier of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Daniel Stetson, President and Chief Executive Officer, Ocean Institute.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two million dollars (\$2,000,000) to the Ocean Institute to assist in the construction of the new Seaside Learning Center, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for construction, the Ocean Institute shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. Evidence that the Ocean Institute has obtained all necessary permits and approvals and adequate funding to complete the project.
 - b. A detailed, final work plan, a project schedule and budget.

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- c. The names and qualifications of any contractors to be used in the completion of the project.
2. The Ocean Institute shall enter into an agreement consistent with Section 31116(c) of the Public Resources Code, to protect the public's interest in the constructed improvements at the project site.
3. The Ocean Institute shall install and maintain signs on the project site, the design, number and placement of which has been approved by the Executive Officer, acknowledging Conservancy funding participation.
4. The Ocean Institute shall ensure the provisions of the Mitigation and Monitoring Plan (Exhibit 3) are implemented with the project.
5. The Ocean Institute shall fully repay one million dollars (\$1,000,000) and accrued interest of 5.25% per annum to the Conservancy on or before June 30, 2013 on terms satisfactory to the Executive Officer.
6. The Ocean Institute shall provide security to the Conservancy in a form and amount deemed adequate by the Executive Officer to secure repayment of the one million dollars (\$1,000,000) to the Conservancy."

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 Chapters 3 and 9 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 project will serve greater than local needs.
4. The Conservancy has independently reviewed the Ocean Institute's Mitigated Negative Declaration and Mitigation and Monitoring Plan for the Seaside Learning Center Project, adopted by the County of Orange on April 5, 2006 (Exhibit 3) and finds that there is no substantial evidence based on the record as a whole that the project, as mitigated, will have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.
5. The Ocean Institute is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the California Public Resources Code."

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

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13. BALLONA WETLANDS

Mary Small of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one million five hundred thousand dollars (\$1,500,000) to prepare a comprehensive restoration plan and complete environmental impact analysis and permit applications for a project to restore natural habitat and improve public access to the Ballona Wetlands.”

Findings:

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

1. The proposed project authorization is consistent with Public Resources Code Sections 31251-31270, regarding the Conservancy’s mandate to protect and enhance coastal resources.
2. The proposed project authorization is consistent with Public Resources Code Sections 31400-31409, regarding the Conservancy’s mandate to assist in the development of a system of public accessways to and along the coast.
3. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
4. The project serves greater than local need.“

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

14. CONSENT ITEMS

A. TOPANGA CANYON STATE PARK

Resolution:

“The State Coastal Conservancy hereby authorizes 1) disbursement of an amount not to exceed four hundred forty thousand dollars (\$440,000) to the California Department of Parks and Recreation (DPR); and 2) disbursement of an amount not to exceed sixty thousand dollars (\$60,000) to the Resource Conservation District of the Santa Monica Mountains (RCDSMM) for berm removal and riparian habitat restoration in Topanga Canyon State Park, to implement the Santa Monica Bay Restoration Plan (the “Bay Plan”), approved by the Conservancy on August 2, 2001. This authorization is subject to the following conditions:

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1. Prior to the disbursement of Conservancy funds to DPR or RCDSMM, each entity shall submit for the review and written approval of the Executive Officer of the Conservancy:
 - a. A work program, including schedule and budget;
 - b. The names of any contractors it intends to employ for the project; and
 - c. Documentation that the grantee has obtained all required permits and approvals for the project.
2. DPR and RCDSMM shall implement all applicable mitigation and monitoring measures and the mitigation monitoring and reporting program as identified in the Mitigated Negative Declaration for the Rodeo Grounds Berm Removal and Restoration Project, adopted by DPR on December 20, 2006, which is attached to the accompanying staff recommendation as Exhibit 4.
3. DPR and RCDSMM shall construct the project in accordance with all permits and additional approvals 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 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; and
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration adopted by DPR on December 20, 2006 and attached as Exhibit 4 to the accompanying staff recommendation 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.”

B. VALLEY VIEW RANCH

Resolution:

“The State Coastal Conservancy hereby authorizes the expenditure of \$100,000 of the funds previously authorized on November 9, 2006 for acquisition of a conservation easement on the Valley View Ranch (Humboldt County Assessor’s Parcel Numbers 104-231-002, 104-231-007, 104-232-001, 104-232-002, 104-232-007, 104-242-004, 104-242-005, and 105-151-006) to purchase an option to secure the acquisition of the conservation

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easement. This authorization is subject to the condition that, prior to the disbursement of funds the Conservancy review, approve, and execute with the seller an agreement that outlines the terms of the purchase.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the proposed authorization is consistent with Chapter 8 of Division 21 of the Public Resources Code (Sections 31350 *et seq.*), regarding reservation of significant coastal resources, and remains consistent with Chapter 5.5 of Division 21 of the Public Resources Code (Section 31220 *et seq.*) regarding protection of coastal resources and with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

C. ISLA VISTA BEACH ACCESSWAY

Resolution:

“The State Coastal Conservancy hereby approves disbursement of an additional amount of up to one hundred thousand dollars (\$100,000) to the County of Santa Barbara to reconstruct three public beach accessways on Del Playa Drive in Isla Vista as conditioned and approved by the Conservancy on September 8, 2005, and as described in the accompanying staff recommendation.”

Findings:

“Based on the accompanying staff report and attached exhibit relating to the Isla Vista Accessway Improvements project, the State Coastal Conservancy hereby finds that:

1. The proposed project remains consistent with the purposes and criteria set forth in Chapter 9 of Division 21 of the Public Resources Code.
2. The proposed project remains consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve greater than local needs.”

D. JUGHANDLE CREEK FARM AND NATURE CENTER

Speaking in favor of the Staff Recommendation: Helen Chalfin, Jughandle Creek Farm and Nature Center.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed eighty-seven thousand three hundred dollars (\$87,300) to the Jughandle Creek Farm and Nature Center (JCFNC) to prepare an Education and Access Enhancement Plan, to conduct studies, prepare designs, and conduct permitting for improvements to educational

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and visitor facilities, and to remove hazardous trees and limbs from trails and campground areas at the nature center subject to the following condition:

1. Prior to the disbursement of funds, the grantee shall submit for the review of the Executive Officer of the Conservancy a work program, including a budget and project schedule and the names and qualifications of any contractor to be retained by JCFNC to undertake work on the project.”

Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Section 31119 (Chapter 3) of Division 21 of the Public Resources Code.
2. The proposed authorization is consistent with the Project Selection Criteria adopted by the Conservancy on January 24, 2001.
3. JCFNC is an organization existing under Section 501(c)(3) of the Internal Revenue Service code whose purposes are consistent with Division 21 of the Public Resources Code.”

E. PIEDRAS BLANCAS ELEPHANT SEALS

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed forty thousand dollars (\$40,000) to the Friends of the Elephant Seal for the management of public access to the Piedras Blancas Elephant Seals Viewing Area, including the training and support of volunteer docents and the development of interpretive materials, subject to the condition that prior to the disbursement of funds, the Friends of the Elephant Seal shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget, and the names of any contractors it intends to employ for this project.”

Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Friends of the Elephant Seal 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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4. The project serves greater than local need.”

F. COYOTE POINT BAY TRAIL CONSTRUCTION

Resolution:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse an amount not to exceed three hundred forty-eight thousand dollars (\$348,000) of the total Conservancy funds authorized on September 15, 2004, for construction of 1.2 miles of Bay Trail through Coyote Point Recreation Area.

This authorization is subject to the following conditions:

1. Prior to the disbursement of funds, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and a grant agreement between ABAG and the project proponent.
2. Posted signs resulting from these projects shall, where deemed appropriate by the Executive Officer, recognize the contribution of the Conservancy and display its logo.
3. ABAG shall require the County of San Mateo to assure implementation of the relevant mitigation measures and the relevant portion of the mitigation monitoring and reporting program contained in the Mitigated Negative Declaration (attached as Exhibit 2 to the accompanying staff recommendation) for the Coyote Point Bay Trail Project, adopted by the County of San Mateo on August 17, 2007 pursuant to the California Environmental Quality Act (“CEQA”).”

Findings:

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

1. The proposed San Francisco Bay Trail project authorization is consistent with the purposes and objectives of Public Resources Code Section 31400-31409, regarding public access to the coast.
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 serve greater than local needs for public access to the shoreline.
4. The Conservancy has independently reviewed the Coyote Point Bay Trail Mitigated Negative Declaration adopted on August 17, 2007 by the County of San Mateo, attached to the accompanying staff recommendation as Exhibit 2, and finds that there is no substantial evidence that the project, as mitigated,

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will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382."

G. CAMBRIA/LODGE HILL RESTORATION PROGRAM

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of up to \$200,000 to the Land Conservancy of San Luis Obispo County (grantee) to continue the Cambria/Lodge Hill Restoration Program (Program), including the acquisition, for purposes of open space, resource protection, public access or restoration, of real property in unincorporated San Luis Obispo County that is identified as a priority property in Exhibit 2 to the staff recommendation. The Conservancy also hereby modifies its August 22, 1986 authorization for disbursement of funds to the grantee for the Program ("the initial authorization") so that the grantee may continue to utilize the initial authorization funds and any real property or interests acquired or held through the use of those funds in a manner consistent with the current authorization and subject to the conditions of approval for the current authorization. The grant and disbursement of funds shall be subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition of real property, the grantee shall submit for the review and approval of the Executive Officer of the Coastal Conservancy (Executive Officer) all relevant acquisition documents, including but not limited to the appraisal, agreement of purchase and sale, environmental assessments, deed restriction, escrow instructions, and documents of title.
2. The grantee shall pay no more than fair market value for the acquisition of real property, as established in an appraisal approved by the Executive Officer of the Conservancy.
3. The grantee shall permanently dedicate any real property acquired pursuant to this authorization for natural resource protection, open space preservation, or public access by an appropriate instrument approved by the Executive Officer, in accordance with Public Resources Code Section 31116(b).
4. Any real property or right or interest in real property (including development rights) acquired by the grantee pursuant to this authorization may be transferred by the grantee, subject to the approval of the Executive Officer and on terms and conditions as may be prescribed by the Executive Officer. With respect to a transfer of a fee interest in real property acquired pursuant to this authorization, the grantee shall retain a conservation easement or other appropriate interest to ensure protection of the natural resources, preservation of open space or public access purposes for which the property was acquired. Prior to any transfer, the Executive Officer shall review and approve the proposed transfer and associated transfer documents, including the conservation easement or other appropriate instrument. The grantee shall not sell any

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- right or interest in real property acquired pursuant to this agreement for less than fair market value.
5. Prior to the disbursement of funds for any hazard abatement or other restoration activity related to real property acquired pursuant to this authorization, the grantee shall submit a work program, including a schedule, budget and the names of any subcontractors, and evidence that any permits necessary to complete the maintenance activities have been obtained.

Upon termination of the Program, any remaining, unexpended Program funds and/or Program-retained development rights in real property shall be used to repay the Conservancy or, on approval of the Executive Officer, shall be used for long-term hazard abatement and other restoration activities on the real property acquired pursuant to this authorization.”

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 guidelines and criteria set forth in Chapter 5 of the Public Resources Code (Sections 31200-31215) regarding the restoration of coastal resources.
2. The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines adopted January 24, 2001.
3. The Land Conservancy of San Luis Obispo County is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.
4. The project area has been identified in San Luis Obispo County's Local Coastal Plan as requiring public action to resolve existing or potential resource protection problems.”

H. BODEGA BAY TRAILS

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to Sonoma County Regional Parks Department ("Sonoma County") to complete a programmatic environmental document for the Bodega Bay Bicycle and Pedestrian Trail Plan for Bodega Bay, Sonoma County, subject to the condition that prior to the disbursement of funds, Sonoma County shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget, and the names of any contractors it intends to employ for the project.”

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Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 9, 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 project will serve greater than local needs.”

I. BILINGUAL RIP CURRENT AND STEEP BEACH SIGNS

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed twenty-one thousand, nine hundred twenty-five dollars (\$21,925) to Stewards of the Coast and Redwoods (Stewards) to produce and distribute for posting 725 ocean safety warning signs and outreach materials in Spanish and English for local, state and federally managed beaches in Sonoma County and Statewide, subject to the condition that prior to the disbursement of funds, Stewards 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 plan to acknowledge the Conservancy and Proposition 40 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 the purposes and objectives of Chapter 9 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. Stewards of the Coast and Redwoods is a nonprofit organization existing under Section 501 (c)(3) of the IRS code whose purposes are consistent with Division 21 of the Public Resources Code.”

J. BATTERY POINT AND BROWN PROPERTY FEASIBILITY STUDY

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed twenty thousand dollars (\$20,000) to the City of Crescent City to complete a

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feasibility study for potential acquisition, restoration and public access on the half-acre Battery Point property (Assessor's Parcel Numbers 118-030-22 and 118-030-23) and the nine-acre Brown property (Assessor's Parcel Numbers 118-020-15 and 118-020-21) on the waterfront in Crescent City, Del Norte County, subject to the following conditions:

1. Prior to the disbursement of funds, the City of Crescent City shall submit for the written approval of the Conservancy's Executive Officer a work program, budget, and the names of any contractors it intends to employ for the project.
2. The grantee shall obtain appropriate authorization of sufficient duration to perform the work on the parcels."

Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 9 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 project will serve greater than local needs."

Moved and seconded. The Consent Items were approved by a vote of 5-0.

15. 2007 STATE COASTAL CONSERVANCY STRATEGIC PLAN

Nadine Hitchcock of the Coastal Conservancy reviewed the edits recommended at the July 16, 2007 meeting. Chair Bosco acknowledged and thanked Nadine and the Conservancy staff for all their work in completing the strategic plan. Adoption of the 2007 State Coastal Conservancy Strategic Plan was moved and seconded. By a vote of 5-0, the Conservancy adopted the 2007 State Coastal Conservancy Strategic Plan.

16. EXECUTIVE OFFICER'S REPORT

Sam Schuchat pointed out that this is our first meeting utilizing Prop 84 funds, and predicted that SCC meetings will start to get longer in the future.

- a. Matt Gerhart, of the Coastal Conservancy and Linda Ruffing, City of Fort Bragg gave an update on the Georgia Pacific Mill Site Acquisition Project.

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- b. Sam Schuchat reported that a number of bills were on the Governor's desk awaiting signature and would be reported on at the November 8 meeting.
- c. Approval of the 2008 Conservancy meeting scheduled was postponed for future discussion and adoption at the November meeting.
- d. Drew Bohan gave a briefing on the Ocean Protection Council.

17. DEPUTY ATTORNEY GENERAL'S REPORT

There was no report given

18. BOARD MEMBER COMMENTS

There were no comments

19. PUBLIC COMMENTS

There were no public comments

20. CLOSED SESSION

There was no closed session

21. ADJOURNMENT

Meeting adjourned at 12:00 pm

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