

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

April 24, 2008

9:00 a.m.

Ocean Institute – Dana Point, CA

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chair
Jeremy Hallisey (Public Member)
Marisa Moret (Public Member)
Ann Notthoff (Public Member)
Karen Finn (Designated Representative, Department of Finance)
Bryan Cash (Designated Representative, Resources Agency)
Pat Kruer (Coastal Commission Chair)

OVERSIGHT LEGISLATORS PRESENT:

There were no Oversight Legislative members present

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General
Glenn Alex, Staff Counsel

1. ROLL CALL

The chair announced the recent loss of the Conservancy's chief counsel, Marcia Grimm, who passed away on April 13, 2008 after having worked for the Conservancy for 26 years. There was a moment of silence at the beginning of the meeting.

The chair introduced Ocean Institute Executive Director, Daniel Stetson, who presented a short video of the programs provided by the Ocean Institute.

2. APPROVAL OF MINUTES

Moved and seconded. The minutes of the January 17, 2008 public meeting were approved without change, 7-0.

3. SANTA CLARA RIVER PARKWAY

Peter Brand of the Coastal Conservancy presented the Staff Recommendation.

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Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four million five hundred thousand dollars (\$4,500,000) for the acquisition of two properties (Ventura County Assessor Parcel Numbers: 138-0-090-245 and 103-0-060-055) and an amount not to exceed seven hundred fifty thousand dollars (\$750,000) of funds from the U.S. Fish and Wildlife Service for the acquisition of one of these properties (Ventura County Assessor Parcel Number: 138-0-090-245) to The Nature Conservancy to implement the Santa Clara River Parkway project, as shown in Exhibits 1 and 2 of the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of funds for each acquisition, the Executive Officer shall review and approve all title and acquisition documents including but not limited to the appraisal, agreement of purchase and sale, escrow instructions and documents of title pertaining to that acquisition;
2. The Nature Conservancy shall pay no more than fair market value for any property acquired pursuant to this authorization, as established by an appraisal approved by the Executive Officer; and
3. All property interests acquired with these funds shall be permanently protected for public access, open space and habitat conservation in a manner acceptable to the Executive Officer and consistent with the Enhancement Plan and Public Resources Code Section 31116(b).”

Findings:

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

1. The proposed project is consistent with and will help to carry out the Santa Clara River Conceptual Enhancement Plan approved by the Conservancy on October 26, 2000, pursuant to Chapter 6 of the Division 21 of the Public Resources Code (Sections 31241-31270) regarding enhancement of coastal resources;
2. The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007; and
3. The Nature Conservancy is a private, nonprofit organization existing under the provisions of Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 7-0.

4. SANTA MONICA BAY RESTORATION PLAN

Kara Kemmler of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Jack Topel, staff to the Santa Monica Bay Restoration Commission

Resolution:

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“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two million eight hundred forty thousand two hundred seventy five dollars (\$2,840,275) to be disbursed to seven nonprofit organizations and public agencies for the following projects, as more specifically defined in the accompanying staff recommendation, to implement the Santa Monica Bay Restoration Plan approved by the Conservancy on August 2, 2001, as follows:

- a. Three hundred thousand dollars (\$300,000) to the Santa Monica Bay Restoration Foundation (SMBRF) for preparation of the Ballona Creek Watershed Historical Ecology Study.
- b. One hundred seventy-five thousand dollars (\$175,000) to the SMBRF for development of the Ballona Creek Watershed Water Budget.
- c. One hundred twenty-five thousand dollars (\$125,000) to the SMBRF for preparation of planning documents for the Ballona Greenway Plan.
- d. Two hundred fifty thousand dollars (\$250,000) to the California Department of Parks and Recreation (CDPR) for preparation of the Malibu Creek Environmental Restoration Study.
- e. One hundred thousand dollars (\$100,000) to the CDPR for the California Red-legged Frog Survey Project.
- f. Two hundred thousand (\$200,000) to the Los Angeles Conservation Corps for the Beach Bluffs Restoration Project.
- g. One hundred fifty thousand dollars (\$322,143) to Community Conservancy International for the Green Solution Project, Phase II.
- h. One hundred thousand dollars (\$100,000) to Santa Monica Baykeeper for the Stone Canyon Creek Restoration Project.
- i. One million dollars (\$1,000,000) to the City of Los Angeles for implementation of Stormwater Best Management Practices (BMPs) in the Ballona Creek watershed.
- j. One hundred eighty-nine thousand, six hundred-fifty-six dollars (\$189,656) to the Palos Verdes Peninsula Land Conservancy (PVPLC) for the Point Vicente Fishing Access Bluff Habitat Restoration Project.
- k. Seventy-eight thousand four hundred seventy-six dollars (\$78,476) to the PVPLC for the McCarrell's Canyon Habitat Restoration Project.

These authorizations are subject to the condition that prior to disbursement of funds for an individual project, the project grantee shall submit the following for review and written approval of the Executive Officer of the Conservancy: a final work program, schedule and budget for the project; all contractors to be employed for the project; evidence of all permits and approvals for the project; a plan for acknowledgement of Conservancy funding; and a resolution from the Santa Monica Bay Restoration Commission authorizing the project for Conservancy funding."

Findings:

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

1. The proposed projects are consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 (Sections 31251-31270) of the Public Resources Code, regarding the enhancement of coastal resources;
3. The Santa Monica Bay Restoration Foundation, Los Angeles Conservation Corps, Community Conservancy International, Santa Monica Baykeeper and the Palos Verdes Peninsula Land Conservancy are nonprofit organizations existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded, with the added condition that the Executive Officer report back to the Conservancy at a future meeting regarding the budget for the City of Los Angeles project. Approved by a vote of 7-0.

5. LOS PENASQUITOS LAGOON

Megan Johnson 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 ninety seven thousand dollars (\$297,000) to the Los Peñasquitos Lagoon Foundation (LPLF) for continued mechanical opening of the Los Peñasquitos Lagoon mouth.

Prior to the disbursement of any funds, the LPLF shall submit for the review and approval of the Conservancy’s Executive Officer:

1. A work program, including schedule, budget, and deliverables;
2. Written evidence that all permits and approvals necessary to the completion of the project under applicable local, state and federal laws and regulations have been obtained;
3. The names of any contractors it intends to use to conduct 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 current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 of the Public Resources Code, Sections 31251 – 31270.
3. The proposed project is consistent with the Los Peñasquitos Lagoon Enhancement Plan approved by the Conservancy on October 30, 1985.

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4. The periodic mouth opening of the Los Peñasquitos Lagoon is identified in the City of San Diego North City Local Coastal Program (LCP) as necessary for restoring and enhancing the environmental qualities of the lagoon.
5. The proposed disbursement is consistent with the purposes of the Los Peñasquitos Special Deposit Fund established to provide for management of the lagoon.
6. The Los Peñasquitos Lagoon Foundation is a nonprofit organization whose purposes are consistent with Section 501(c)(3) of the United States Internal Revenue Code, and has among its principal charitable purposes the restoration of Los Peñasquitos Lagoon, and the preservation of land for scientific, historic, educational, ecological, recreational, scenic or open space opportunities."

Moved and seconded. Approved by a vote of 7-0.

6. SBD PROPERTY

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Derek Ostensen, The Laguna Canyon Foundation.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of one hundred seventy-two thousand dollars (\$172,000) to the City of Laguna Beach ("City") for acquisition in fee of the 10.38-acre SBD property, County of Orange Assessors Parcel No. 641-171-06; and up to \$3,000 for estimated closing costs for the transaction, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for the acquisition of the property, the City shall submit for the review and approval of the Executive Officer of the Conservancy ("the Executive Officer"):
 - a. All relevant acquisition documents, including without limitation, an appraisal, purchase agreement, escrow instructions, environmental assessment, and title report.
 - b. Evidence that sufficient funds are available to complete the acquisition.
 - c. Evidence of commitment by the County of Orange to manage the property as part of the Laguna Coast Wilderness Park for public access and for wildlife habitat.
2. The City shall pay no more than fair market value for the property, as established in appraisal approved by the Executive Officer.
3. The City shall permanently dedicate the property for open space, public access and habitat preservation, through an appropriate instrument approved by the Executive Officer.
4. The City shall acknowledge Conservancy and Proposition 12 funding by erecting and maintaining on the property signs, the design and location of which have been 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 Chapter 9 of Division 21 of the Public Resources Code (Sections 31400-31409) with respect to public access. The proposed acquisition will connect important coastal watershed and scenic areas in the Laguna Coast Wilderness Park area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. The proposed project would serve a greater-than-local need.”

Moved and seconded. Approved by a vote of 7-0.

7. LAGUNA COAST ACQUISITION

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mary Fegraus, The Laguna Canyon Foundation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred twenty thousand dollars (\$120,000) to the Laguna Canyon Foundation for acquisition expenses associated with future acquisition of properties near the Laguna Coast and Aliso and Wood Canyons Wilderness Parks and restoration of existing pedestrian trails on recently acquired properties.

Prior to disbursement of funds, the Conservancy’s Executive Officer shall review and approve in writing a final work program, including a final budget and schedule, and the names of any contractors that the grantee proposes to employ for the project.”

Findings:

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

1. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code with respect to public access.
3. The Laguna Canyon Foundation is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 7-0.

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8. TROUT UNLIMITED

Michael Bowen of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Chuck Bonham, California Director, Trout Unlimited.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million dollars (\$1,000,000) to Trout Unlimited for the preparation of a feasibility report for water conservation projects, including but not limited to conceptual designs for water-storage facilities, to assist in the conservation of water and the protection and enhancement of anadromous fish in at least five key coastal watersheds. 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 Sections 31251-31270 and 31111 of the Public Resources Code regarding the enhancement of coastal resources and authorization to fund feasibility studies.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. Trout Unlimited is a nonprofit organization existing under Section 501(c)(3) of the Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

The Conservancy reduced the amount of the grant to \$600,000, and imposed a requirement that the grantee contribute a like amount. The Conservancy directed that the grantee narrow the number of watersheds to four or five, and provide a budget before returning to request additional Conservancy funds. Moved and seconded as amended. Approved by a vote of 7-0.

9. SALMON CREEK WATER CONSERVATION

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred ninety thousand dollars (\$290,000) to the Occidental Arts and Ecology Center (OAEC) to analyze water supply and demand in the Salmon Creek watershed; design a set of water conservation strategies to improve summer stream flows for juvenile salmonids and community water security; design and implement public outreach workshops and tours focused on water conservation strategies; implement water conservation demonstration

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programs tailored for small coastal communities and residents; and complete design and permitting for a large woody debris habitat enhancement project in the Salmon Creek Estuary in western Sonoma County, subject to the condition that prior to the disbursement of funds, the Executive Officer of the Conservancy shall approve in writing a detailed work program, budget, schedule, and any contractors and subcontractors to be employed;”

Findings:

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

1. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 of the Public Resources Code, regarding the enhancement of coastal resources.
3. The project area is identified in the Sonoma County Local Coastal Program as requiring public action to restore existing resource protection problems.
4. The Occidental Arts and Ecology Center is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 7-0.

10. MA-LE’L DUNES COOPERATIVE MANAGEMENT AREA - This item was removed from the agenda

11. CHICKEN BEACH RANCH

Liza Riddle 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 nine thousand dollars (\$109,000) to the Tomales Bay Watershed Council Foundation to develop a restoration plan to improve water quality and habitat in Third Valley Creek and at Chicken Ranch Beach and to reduce erosion at Chicken Ranch Beach, subject to the condition that, prior to disbursement of any funds, the Council shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, schedule, budget, and the names of any contractors to be employed for preparation of the restoration 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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.

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2. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 of the Public Resources Code, regarding coastal resource enhancement projects.
3. The project area is identified by the Marin County Local Coastal Program as requiring public action to resolve existing resource protection problems.
4. The Tomales Bay Watershed Council Foundation 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.”

Moved and seconded. Approved by a vote of 7-0.

12. MINDEGO HILL PROPERTY

Janet Diehl of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Michael Williams, Real Property Manager, Midpeninsula Regional Open Space District.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed seven million five hundred thousand dollars (\$7,500,000) to the Midpeninsula Regional Open Space District (“the District”) for the purpose of acquiring the Mindego Hill property (San Mateo County Assessor Parcel Numbers 080-320-060, 080-340-010 and 083-310-060) consisting of approximately 1,047 acres for habitat preservation, open space protection and public access, subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition, the District shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. All relevant acquisition documents, including, without limitation, the appraisal, purchase agreement, escrow instructions, environmental or hazardous materials assessment and title report.
 - b. Evidence that sufficient funds are available to complete the acquisition.
2. The District shall pay no more than fair market value for the property, as approved by the Conservancy, based on an appraisal of the property.
3. In carrying out the project, the District shall comply with all applicable mitigation and monitoring measures of the project that are included in the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program attached to the accompanying staff recommendation as Exhibit 2, and with all mitigation, monitoring and other measures that are required by permit or approval for this project.
4. The District shall permanently dedicate the property for habitat preservation, open space protection, public access and compatible agricultural use through an irrevocable offer to dedicate the property or other instrument approved by the Executive Officer of the Conservancy.

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5. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which to be 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 current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code Sections 31160-31165, regarding the San Francisco Bay Area Conservancy Program.
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation and Monitoring Program adopted by the District under the California Environmental Quality Act and attached to the accompanying staff recommendation as Exhibit 2, 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 Sections 15074 and 15382.”

Moved and seconded. Approved by a vote of 7-0.

13. INVASIVE SPARTINA PROJECT CONTROL PROGRAM

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation.

“The State Coastal Conservancy hereby authorizes the following:

1. Acceptance of an augmentation in the amount of \$249,425 (two hundred forty-nine thousand four hundred twenty-five dollars) to the existing grant to the Conservancy from the Wildlife Conservation Board (WCB) to implement the Invasive *Spartina* Project (ISP) Control Program for 2008.
2. Disbursement of up to \$223,152 (two hundred twenty-three thousand one hundred fifty-two dollars) of Conservancy funding and up to \$249,425 (two hundred forty-nine thousand four hundred twenty-five dollars) of the WCB grant for invasive *Spartina* treatment and eradication projects in 2008 and planning for such activities in 2009 under the ISP Control Program. Funds for treatment and eradication projects may be used to supplement existing grants to the California Wildlife Foundation, Friends of Corte Madera Creek Watershed, the East Bay Regional Park District, City of Alameda, City of San Leandro, the San Mateo County Mosquito Abatement District, the California Department of Parks and Recreation, and United States Fish and Wildlife Service Don Edwards San Francisco Bay National Wildlife Refuge. Any grant of funds for treatment and eradication shall be subject to the following conditions:
 - a. Prior to disbursement of funds for treatment and eradication activities, there shall be in place a fully executed amendment to the Memorandum of Understanding between the Conservancy and WCB authorizing an augmentation of funding and identifying

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- the 2008 ISP Control Program activities as an addition to the previously approved ISP project.
- b. Prior to implementing any treatment and eradication project and prior to disbursement of any funds to the grantee, the grantee shall submit for review and approval of the Executive Officer a plan detailing the site-specific work for 2008, based on the outcome and extent of the 2007 treatment and including a list of identified mitigation measures, a work program for 2008 treatment and 2009 activities, if applicable, including a schedule and budget, and evidence that the grantee has obtained all necessary permits and approvals for the project.
 - c. In carrying out any treatment and eradication project, the grantee shall comply with all applicable mitigation and monitoring measures that are set forth in the approved site-specific plan, that are required by any permit, the amended Biological Opinion or approval for the project, and that are identified in the “Final Programmatic Environmental Impact Statement/Environmental Impact Report, San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program” (FEIS/R), adopted by the Conservancy on September 25, 2003.
3. Disbursement of up to \$1,749,038 (one million seven hundred forty-nine thousand thirty-eight dollars) of Conservancy funding for ongoing environmental consulting services needed to operate and manage the ISP Control Program on an accelerated schedule through spring of 2010.”

Findings:

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

1. Disbursement of additional funds for the ISP Control Program treatment and eradication projects, and ongoing management, is consistent with Public Resources Code Sections 31160-31165 and with the resolutions, finding and discussion accompanying the Conservancy authorizations of September 25, 2003 and June 16, 2005, as shown in the staff recommendations attached as Exhibits 1 and 2 to this staff recommendation.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007.
3. The California Wildlife Foundation and Friends of Corte Madera Creek Watershed are private nonprofit organizations existing under Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the California Public Resources Code.
4. On June 16, 2005 the Conservancy authorized initial funding for the 2005 and 2006 ISP Control Program treatment and eradication projects at 22 different sites (the original treatment projects), under site-specific plans for each site, and made appropriate findings under the California Environmental Quality Act (CEQA). This authorization provides for additional funding for those same 22 original treatment projects. The nature, duration and extent of the original treatment projects, including environmental effects and proposed mitigation measures, was fully described and considered by the Conservancy in

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connection with the initial funding authorizations and have not changed, other than by extending the same (or less extensive) work into 2008 (See Exhibit 6). Disbursement of additional funds for the original treatment projects is, thus, consistent with the previous CEQA finding: that the environmental effects associated with the proposed original treatment projects and the mitigation measures needed to reduce or avoid those effects were fully identified and considered in the FEIS/R adopted by the Conservancy in September 25, 2003. (See Exhibits 1 and 2).

5. On May 24, 2007, the Conservancy authorized 2007 funding for the ISP Control Program treatment and eradication project at the Petaluma River Watershed site (the Petaluma River treatment project), under a site-specific plan for the site, and made appropriate findings under CEQA. Work under the ISP Control program at the Petaluma River treatment project site will continue into 2008, without the need for additional funding. The nature, duration and extent of the Petaluma River treatment project, including environmental effects and proposed mitigation measures, was fully described and considered by the Conservancy in connection with the initial funding authorization and has not changed, other than by extending the same (or less extensive) work into 2008 (See Exhibit 7). Extending work into 2008 for the Petaluma River treatment project is, thus, consistent with the previous CEQA finding: that the environmental effects associated with the proposed treatment projects and the mitigation measures needed to reduce or avoid those effects were fully identified and considered in the FEIS/R adopted by the Conservancy in September 25, 2003. (See Exhibits 1 and 7).
6. This authorization provides funding for an additional treatment and control project at the North San Pablo Bay site (North San Pablo Bay treatment project). Based on the “Invasive Spartina Control Plans for the San Francisco Estuary, 2008-2010 Control Seasons” (Site 26: North San Pablo Bay, Napa & Solano Counties); and “Impact and Mitigation Checklists” (North San Pablo Bay, Napa & Solano Counties Site-Specific Impact Evaluation and Site Specific Mitigation Checklists), attached to the accompanying staff recommendation as Exhibit 6 and its Attachment 2 , respectively, the environmental effects associated with the North San Pablo Bay treatment project proposed for grant funding and coordination by the Conservancy under this authorization and the mitigation measures to reduce or avoid those effects were fully identified and considered in the FEIS/R adopted by the Conservancy September 25, 2003. (See Exhibit 1).”

Moved and seconded. Approved by a vote of 7-0.

14. NORTH SLOPE SONOMA MOUNTAIN RIDGE TRAIL

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Kim Batcholder, Sonoma County Agricultural Preservation and Open Space District.

Resolution:

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“The State Coastal Conservancy hereby authorizes disbursement of up to five hundred seventy-five thousand dollars (\$575,000) to the Sonoma County Agricultural Preservation and Open Space District (“the District”) to construct 4.25 miles of the Bay Area Ridge Trail and one half mile of a spur trail overlook, on the north slope of Sonoma Mountain in Sonoma County subject to the following conditions:

1. Prior to the disbursement of funds the District shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. A work program, including project schedule and budget, and the names of any contractors and/or subcontractors to be employed on the project;
 - b. Evidence that all permits and approvals necessary to implement the project have been obtained; and
 - c. A signing plan for the project.
2. The District shall enter into an agreement with the Sonoma County Regional Parks Department for the operation and maintenance of the project after completion of the construction of the project.
3. The District shall provide evidence to the Conservancy that it has implemented the Mitigation Monitoring and Reporting Program, attached to the accompanying staff recommendation as Exhibit 4.”

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 the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007.
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration adopted by the District on March 18, 2008 pursuant to the California Environmental Quality Act (CEQA), the Mitigation Monitoring and Reporting Program, and the public comments for the North Slope Sonoma Mountain Ridge Trail Project (attached to the accompanying staff recommendation as Exhibit 4). The Conservancy finds that the project, as mitigated, avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

Moved and seconded. Approved by a vote of 7-0.

15. DUFF RANCH ACQUISITION

Amy Hutzel of the Coastal Conservancy presented the Staff Recommendation.

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Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million dollars (\$1,000,000) to the Land Trust of Napa County (“the Land Trust”) toward its acquisition of the approximately 1,000-acre Duff Ranch (Exhibit 3). This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition, the Land Trust shall submit for the review and approval of the Executive Officer of the Conservancy (“the Executive Officer”):
 - a. All relevant acquisition documents, including but not limited to the appraisal, environmental assessments, agreement of purchase and sale, escrow instructions, title reports, and documents of title necessary to the acquisition of the Duff Ranch.
 - b. A Duff Ranch Stewardship Plan, budget and schedule which shall describe the actions that the Land Trust will take annually to monitor and maintain existing Duff Ranch natural resources and shall also describe any natural resource-compatible public access proposed for the property.
 - c. Evidence that sufficient funds other than Conservancy funds are available to complete the acquisition and provide stewardship.
2. The Land Trust shall dedicate a portion of the property proportionate to the Conservancy’s contribution and approved by the Executive Officer for habitat preservation and restoration, protection of natural areas, and public access and nature study compatible with those habitat and natural resource purposes, consistent with Public Resources Code Section 31116(b).
3. The Land Trust shall manage and maintain the property in accordance with the Duff Ranch Stewardship Plan that has been reviewed and approved by the Executive Officer. If an “Interim Management Plan” for the Duff Ranch and other adjacent public and private properties has been prepared and has been reviewed and approved by the Executive Officer, the Land Trust shall manage and maintain the property in accordance with the Interim Management Plan.
4. The Land Trust shall pay no more than fair market value for the property.
5. Any future transfer of this property or of any interest in the property shall be subject to the prior written approval of the Executive Officer. Any funds generated from such a transfer in excess of the grantee’s costs, up to the total amount disbursed pursuant to this authorization, shall be repaid to the Conservancy proportionately, based on all contributions to the acquisition.
6. The Land Trust shall acknowledge Conservancy funding by erecting and maintaining on the Duff Ranch a sign noting the Conservancy’s role in the acquisition, 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:

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1. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
3. The Land Trust of Napa County is a nonprofit organization existing under provisions of U.S. Internal Revenue Code Section 501(c)(3), and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 7-0.

16. WILDLAKE DUFF IMP

Michelle Jesperson of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby:

1. Authorizes disbursement of an amount not to exceed two hundred and fifty thousand dollars (\$250,000) to the Land Trust of Napa County (Land Trust) to prepare an Interim Management Plan for the stewardship and management of the Wildlake Ranch and Duff Ranch properties, Robert Louis Stevenson State Park, and other public and private lands in the vicinity. This authorization is subject to the following conditions:
 - a. Prior to disbursement of funds, the Land Trust shall submit for review and approval of the Executive Officer a detailed work plan and budget by task, a schedule, and a list of any contractors or consultants to be employed in this project.
 - b. The Land Trust shall contribute matching funds of at least \$41,915 and any additional amount, beyond the matching funds and the Conservancy grant, needed to complete the Interim Management Plan.
2. Modifies its April 27, 2006 authorization for the disbursement of up to \$2,000,000 to the Land Trust for acquisition of the Wildlake Ranch by amending condition 3 of that authorization so that it reads as follows (added language in italics):
3. The Land Trust shall manage and maintain the property in accordance with a the Wildlake Ranch Stewardship Plan reviewed and approved by the Executive Officer, *until such time that an ‘Interim Management Plan’ for the Wildlake Ranch and other adjacent public and private properties has been prepared, with additional Conservancy funding under separate Conservancy authorization and conditions, and has been reviewed and approved by the Executive Officer, after which the Land Trust shall manage and maintain the property in accordance with the Interim Management Plan.*”

Findings:

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

1. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy.
3. The Land Trust is a private 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.”

Moved and seconded. Approved by a vote of 7-0.

17. SAN FRANCISCO BAY CREOSOTE ASSESSMENT

Abe Doherty of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mike Connor, Executive Director, San Francisco Estuary Institute.

Resolution:

“The State Coastal Conservancy (“Conservancy”) hereby authorizes the disbursement of up to one hundred sixty-five thousand dollars (\$165,000) to the San Francisco Estuary Institute to conduct mapping, data collection and prepare a feasibility study of the removal or treatment options for creosote-treated pilings and other structures in San Francisco Bay and to develop recommendations on reducing negative impacts from artificial substrates in San Francisco Bay. Prior to the disbursement of any of these funds, the San Francisco Estuary Institute 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 the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the Conservancy’s resource goals in the San Francisco Bay Area.
3. The San Francisco Estuary Institute is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”

Moved and seconded. Approved by a vote of 7-0.

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18. REDWOOD SHORES COMMUNITY LIBRARY INTERPRETIVE CENTER

Michelle Jespersen of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred and fifty thousand dollars (\$150,000) to the City of Redwood City for final design, fabrication, and installation of exhibits for the Redwood Shores Community Library Interpretive Center on Belmont Slough in San Mateo County. This authorization is subject to the condition that prior to the disbursement of funds, the City of Redwood City shall submit for the review and approval of the Executive Officer for the Conservancy, a detailed work program, budget, schedule and sign plan, 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 Redwood Shores Community Library Interpretive Center project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165, regarding the San Francisco Bay Area Conservancy Program.”

Moved and seconded. Approved by a vote 7-0.

19. LAGUNITAS CREEK

Tom Gandesbery of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred and forty nine thousand nine hundred fifty dollars (\$149,950) to the Marin Municipal Water District for construction of habitat restoration and public access improvements on its lands along Lagunitas Creek in Marin County. This authorization is subject to the condition that prior to the disbursement of funds, the Marin Municipal Water District shall submit for the review and approval of the Executive Officer of the Conservancy a detailed work program, budget, schedule and sign plan 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:

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1. The proposed project is consistent with the purposes and criteria set forth in Chapter 4.5 of the Public Resources Code (Sections 31160 – 31165) regarding the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the guidelines and criteria set forth in the Conservancy’s Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007.”

Moved and seconded. Approved by a vote of 7-0.

20. BEL MARIN KEYS UNIT V PROPERTY

Tom Gandesbery of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby:

1. Adopts the Bel Marin Keys Unit V -07 Parcel Disposition Plan (Exhibit 1), to implement the sale of “Parcel 07” of the Bel Marin Keys Unit V property (Marin County Assessor’s Parcel Number 171-157-07) in order to carry out wetland restoration of the Bel Marin Keys Unit V expansion of the Hamilton Wetland Restoration Project as envisioned in the Supplemental Environmental Impact Statement and Report, adopted by the Conservancy in 2004;
2. Directs the Department of General Services to transfer Parcel 07 substantially in accordance with the implementation plan subject to the following conditions:
 - a. A public access easement shall be dedicated or conveyed over property providing a potential bay trail connection, in a location and upon terms acceptable to the Executive Officer of the Conservancy.
 - b. Title to the Parcel shall be transferred to the highest responsible bidder pursuant to the Parcel Disposition Plan,
 - c. Proceeds from of the sale of the property shall be deposited in a Conservancy special account.
3. Directs the Executive Officer to review and approve the terms and conditions of the reservation of a public access easement as well as all other documents relating to the transfer and to take such other action as is necessary to complete the disposition of Parcel 07.”

Findings:

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

1. The Conservancy has completed planning for the Bel Marin Keys Unit V (BMKV) expansion of the Hamilton Wetland Restoration Project, adopted by the Conservancy in 2004, and as described in the Disposition Plan, Parcel 07 is unnecessary to the purposes

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of the project. Therefore, pursuant to the provisions of the restoration plan and Public Resources Code Section 31107, the property may be conveyed out of state ownership;

2. Transfer of Parcel 07 pursuant to the property disposition plan is necessary to implement the Hamilton BMKV wetland restoration project, approved by the Conservancy in 2004, and is consistent with the authority of the Conservancy under Section 31107 of the Public Resources Code and with the Property Disposition Procedures developed by the Conservancy and the Department of General Services pursuant to Section 31107.1 of the Public Resources Code.”
3. 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.
4. Retention of the public access easement and completion of property disposition is consistent with the Project Selection Criteria and Guidelines last updated on September 20, 2007.”

Moved and seconded. Approved by a vote of 6-0. Ms. Finn abstained. Ms. Finn requested that staff provide her information about the effect of Proposition 60A on the disposition of the sale proceeds.

21. SAN CLEMENTE DAM REMOVAL PROJECT – This item was removed from the agenda

22. CONSENT

A. S.F. BAY AREA CONSERVANCY PROGRAM

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred sixty thousand dollars (\$360,000) to Greenbelt Alliance to complete the Upland Habitat Goals report, update the Transit to Outdoors map, improve web-based communication tools for Bay Area land conservation organizations, conduct workshops to improve the effectiveness of land conservation and stewardship measures, and further the natural resource and recreational goals of the San Francisco Bay Area Conservancy Program. Prior to disbursement of any Conservancy funds, Greenbelt Alliance shall submit for review and approval of the Executive Officer of the Conservancy a detailed work program, timeline, and budget, and the names and qualifications of any intended contractors.”

Findings:

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

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 4.5 of Division 21 of the California Public Resources Code (Sections 31160-31165) regarding the San Francisco Bay Area Conservancy Program.

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2. The proposed project is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007.
3. Greenbelt Alliance is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”

B. BRISBANE ACRES

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred and forty-two thousand five hundred dollars (\$242,500) to the City of Brisbane to acquire five parcels of Brisbane Acres (the “properties,” City of Brisbane Assessor Parcel Numbers 007-481-050, 007-490-090, 007-490-100, 007-502-070, 007-502-100), an unrecorded subdivision located on the upper slopes of San Bruno Mountain in the City of Brisbane. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the City of Brisbane shall submit for review and approval of the Executive Officer of the Conservancy (“Executive Officer”):
 - a. All relevant acquisition documents, including but not limited to the appraisal, escrow instructions, title reports and documents of title necessary to the purchase of the Brisbane Acres properties.
 - b. A signing plan acknowledging Conservancy funding, to be sited on or near the properties in a location that is open to the public.
2. City of Brisbane shall pay no more than fair market value for the properties acquired, as established in an appraisal approved by the Executive Officer.
3. The City of Brisbane shall permanently dedicate the properties, by recording an offer to dedicate (“OTD”), or other instrument acceptable to the Executive Officer, that permanently dedicates the properties for open space, wildlife and habitat preservation.
4. Within a reasonable time following acquisition of the properties, the City of Brisbane shall incorporate the properties into its existing vegetation management plan for the Brisbane Acres in a manner that is consistent with the purposes for which the parcels are being acquired.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources

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Code Sections 31162 and 31163 regarding the protection of natural habitats and resources of regional importance within the San Francisco Bay Area.”

C. COYOTE POINT BAY TRAIL

Resolution:

“The State Coastal Conservancy authorizes the Association of Bay Area Governments (ABAG) to disburse an amount not to exceed one hundred fifty-two thousand dollars (\$152,000) of the total Conservancy funds authorized on September 20, 2007 for improvement of approximately 1.3 miles of Bay Trail through the Coyote Point Recreation Area in San Mateo County.”

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 relating to the Coyote Point Bay Trail Construction project, the State Coastal Conservancy hereby finds that:

1. The proposed San Francisco Bay Trail project authorization is consistent with the purposes and objectives of Chapter 4.5 (Sections 31160-31165) of Division 21 of the Public Resources Code, with regard to resource and recreation goals in the San Francisco Bay area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.”

D. KLAMATH RIVER ESTUARY

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the Yurok Tribe to conduct planning and

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feasibility studies and prepare a public access plan for the Klamath River estuary. Prior to disbursement of any Conservancy funds, 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.”

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 September 20, 2007.
3. The proposed project will serve greater than local needs.”

E. MOFFETT FIELD BAY TRAIL IMPROVEMENTS

Resolution:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse an amount not to exceed sixty-three thousand two hundred fifty dollars (\$63,250) of the total Conservancy funds authorized on September 20, 2007, to the San Francisco Bay Wildlife Society for improvement of approximately 2.4 miles of the San Francisco Bay Trail through the Alviso pond complex at the U.S. Fish and Wildlife Service- Don Edwards San Francisco Bay National Wildlife Refuge (USFWS Refuge) in Santa Clara County, 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 San Francisco Bay Wildlife Society.
2. ABAG shall ensure installation of signs identifying the trail segment and acknowledging the Conservancy and displaying its logo in a manner approved by the Executive Officer.
3. In carrying out the project, ABAG shall ensure compliance by the San Francisco Bay Wildlife Society with all project actions and components that are identified as needed to reduce or avoid significant environment effects in the Final Environmental Impact Statement/Environmental Impact Report for Phase I of the South Bay Salt Pond Restoration Project (EIS/R) certified by the California Department of Fish and Game on March 11, 2008 pursuant to the California Environmental Quality Act (CEQA), and accompanying the project staff recommendation as Exhibit 6. In particular, ABAG shall require the San Francisco Bay Wildlife Society to assure implementation of an additional study designed by the USFWS and the South Bay Salt Pond Restoration Project lead scientist that will ensure that waterfowl will not be significantly impacted by the

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opening of this Moffett Field Bay Trail segment to public access. This study shall be consistent with the Adaptive Management Plan contained in Appendix D of the Final EIS/R. ABAG shall ensure that the San Francisco Bay Wildlife Society does not commence any of the Conservancy-funded trail improvements for the Moffett Field Bay Trail site until this study has commenced.

4. ABAG shall provide documentation during the course of the project that the required project actions including the biological resources study have been implemented by or on behalf of the San Francisco Bay Wildlife Society.”

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 Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Conservancy.
3. The Conservancy has independently reviewed the EIS/R certified by the California Department of Fish and Game on March 11, 2008 pursuant to CEQA and finds that changes have been made in the proposed Conservancy project or its operating conditions to avoid, reduce or mitigate the possible significant environmental effects and that, accordingly, there is no substantial evidence that the proposed Conservancy project may have a significant effect on the environment.”

F. OFFER TO DEDICATE AN OPEN SPACE EASEMENT – was removed from the agenda.

G. MALIBU LAGOON RESTORATION

Resolution:

“The State Coastal Conservancy hereby amends its June 29, 2006 authorization and authorizes the disbursement of additional funds in an amount not to exceed twenty thousand dollars (\$20,000) to the Resource Conservation District of the Santa Monica Mountains (RCDSMM) to complete post-construction water quality monitoring and project evaluation reports for Phase I of the Malibu Lagoon Restoration and Enhancement Plan. This authorization remains subject to the Conservancy’s June 29, 2006 authorization conditions.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the proposed project remains consistent with the Conservancy’s June 29, 2006 findings regarding the Conservancy’s enabling legislation; Project Selection and Criteria Guidelines;

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Strategic Plan Goals and Objectives; Coastal Act and Local Coastal Program Policies; and the California Environmental Quality Act.”

H. SAN FRANCISCO BAY AREA WATER TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes the following disbursements for environmental analysis and project planning to implement the San Francisco Bay Area Water Trail Plan in the nine-county San Francisco Bay Area: 1) up to \$20,000 to Grasseti Environmental Consulting to augment an existing professional services contract for environmental review of the San Francisco Bay Area Water Trail Plan, and 2) up to \$20,000 to the Association of Bay Area Governments to conduct preliminary planning for future water trail signage.”

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 *et seq.*, 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, last updated by the Conservancy on September 20, 2007.”

I. HUMBOLDT COASTAL NATURE CENTER

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to five thousand four hundred dollars (\$5,400) to the Friends of the Dunes (FOD), to complete final access designs and to construct and install initial access improvements at the Humboldt Coastal Nature Center in Manila, Humboldt County, subject to the following conditions:

1. Prior to the disbursement of any funds, (a) the Executive Officer shall approve in writing a work plan, budget and schedule, any contractors to be used for the activities under this authorization, a trail maintenance schedule and final detailed designs of structures and signage to be installed; 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.”

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 Public Resources Code Sections 31400-31409 regarding establishing a system of public coastal accessways.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. FOD is a nonprofit organization existing under Internal Revenue Code Section 501(c)(3), and whose purposes are consistent with Division 21 of the Public Resources Code.
4. The Conservancy has independently reviewed the Negative Declaration prepared by the Humboldt County Planning Division, under the California Environmental Quality Act, and approved by the Humboldt County Planning Commission on April 5, 2007 (Exhibit 4) with respect to the implementation of the access improvements at the Humboldt Coastal Nature Center. 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.”

J. NAPA HISTORICAL ECOLOGY ATLAS

Resolution:

“The State Coastal Conservancy (“Conservancy”) hereby authorizes the disbursement of up to twenty-five thousand dollars (\$25,000) to the San Francisco Estuary Institute to conduct planning for, and documentation of, the historical ecology of the Napa River Watershed (“Watershed”). Prior to the disbursement of any funds, San Francisco Estuary Institute 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 to carry out the project.”

Findings:

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

1. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. 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 resource and recreational goals in the San Francisco Bay Area.
3. The San Francisco Estuary Institute is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. All consent items with the exception of Item F, were approved by a vote of 6-0. Ms. Finn was absent.

23. EXECUTIVE OFFICER REPORT

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- a. Sam gave a status report on the Morro Bay Acquisition in response to public comment at the January 17, 2008 public meeting.
- b. Nadine Hitchcock gave a update on the Project Selection Criteria to address Climate Change.
- c. Deborah Ruddock gave a legislative report (attached to minutes)

24. DEPUTY ATTORNEY GENERAL REPORT

No report was given

25. BOARD MEMBER COMMENTS

There were no board member comments

26. PUBLIC COMMENT

Jack Topel, Santa Monica Bay Restoration Commission thanked the board for their support of Consent item G, Malibu Lagoon Restoration and Enhancement Plan and congratulated the Conservancy on its recent completion of Phase I of the Malibu Lagoon project which included constructing a new parking area.

27. CLOSED SESSION

There was no closed session.

28. ADJOURNMENT

Meeting was adjourned at 2:00 p.m.



Legislative Report for April 2008

(Bills may be located at www.leginfo.ca.gov)

Public Works Exemptions for Volunteers

SB 1345 (Ashburn) Public Works: exemptions: volunteers

Under existing law, all workers employed on public works projects must not be paid less than the general prevailing rate of per diem wages for work, except for public works projects of \$1,000 or less, or except for any work performed on or after January 1, 2002, and until January 1, 2009, by a volunteer, a volunteer coordinator, or by members of the California Conservation Corps or of certified Community Conservation Corps.

- This bill would delete the January 1, 2009 repeal date, thereby extending the exemption for the work performed by a volunteer, a volunteer coordinator, or by members of the California Conservation Corps or of certified Community Conservation Corps, as provided, indefinitely.
- Status: Failed passage in committee. Returned to Secretary of Senate pursuant to Joint Rule 62(a).

AB 2537 (Furutani) Public Works: exemption: volunteers

This bill would extend the exemption for another three years.

- Status: Asm Appropriation Committee.

Acquisition Bills

SB 1323 (Cogdill) Public Resources: land conservation acquisition: appraisals

This bill would expand the definition of “conservation land” within Public Resources Code Chapter 1.695 to include interests in land acquired through state-funded grants, and require DGS to contract with a qualified organization to develop and implement appraisal standards for conservation lands.

- Status: The author has announced the bill will be withdrawn from consideration this year.

SB 1285 (Corbett) Resource Conservation Lands: acquisitions

This bill would require the Department of General Services, in consultation with the Department of Parks and Recreation, the Wildlife Conservation Board, and state conservancies, to develop and adopt standards, subject to the approval of the Resources Agency, with respect to the acquisition of conservation lands concerning the appraisal process, availability of appraisal information, and valuation for purposes of a charitable contribution.

- Status: Suspense file.

AB 2455 (Laird) State Lands: Resource Lands Transactions

Requires appraisals for land acquisitions by the Resources Agency to meet specified standards and be conducted by a licensed appraiser who is a member of the appraisal institute; adds Department of Parks and Recreation to the list of agencies that must meet additional appraisal requirements when spending more than \$25 million on an acquisition.

- Status: Asm Appropriations Committee.

AB 2255 (Aghazarian) Real property: Resource land acquisition and conservation easement registry.

Existing law requires the Secretary of the Resources Agency to establish a central public registry of all conservation easements held or required by the state, or purchased with state grant funds provided by an agency, department, or division of the state on or after January 1, 2000, and to make the registry available for use by the general public on or before January 1, 2009. Existing law specifies the information that is required to be included in the registry, and limits the information that the secretary is required to post on the Internet.

- This bill would add to the registry State acquisitions and funding of interests in properties that have cultural, natural, or recreational resource value. This bill would significantly broaden the scope of the registry and would require the agency to make this information available on the registry by January 1, 2011.
- Status: Asm Appropriations Committee.

Restoration Implementation

AB 2133 (Hancock) State contracts: Cost Limits

This bill would increase the cost limit, from \$500,000 to \$5 million, under which the Department of General Services (DGS) may delegate its contracting authority for a public works contract to departments, boards and commissions within the Resources Agency.

- Status: Assembly third reading file (4/24/08).

AB 1806 (Wolk) Fish and Wildlife: Rescue or Relocation: Emergency Contingency Plans

This bill would prohibit a public land management entity (state or federal public land manager) from implementing any action on land or waters under its control within the boundaries of the Sacramento-San Joaquin Delta that will significantly and adversely affect identified fishery resources unless it develops and implements, in consultation with the department and other relevant state and federal agencies, an emergency contingency plan to rescue or relocate the identified fishery resources. This bill may affect SCC's work at Dutch Slough.

- Status: Asm Appropriations Committee.

Delta Conservancy Program

SB 27 (Simitian) Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2008.

Subject to voter approval in November 2008, the bill would supplant the existing Bay Delta Authority with the Delta Water and Land Use Authority, prescribe the composition of its board of directors, and grant to the authority a broad range of powers relating to the preservation of the delta ecosystem and the water supply delivery. The bill would authorize the authority to contract to design, construct, and own one or more facilities to move water from the Sacramento River to federal and state pumping facilities on behalf of the State Water Project, the federal Central Valley Project, and local water agencies that can reasonably be served by those facilities.

Additionally, the bill would establish within SCC the Delta Watershed Conservancy, which would have its own, separate board. The conservancy would be required to implement projects and programs, within the watershed of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and the watershed of the Trinity River, to restore and enhance the bay-delta ecosystem and improve water quality. The bill would require the authority to adopt or reject each decision of the conservancy.

- Status: Asm Water, Parks and Wildlife

SB 1108 (Machado) Sacramento-San Joaquin Delta Conservancy Program

This bill would establish the Sacramento-San Joaquin Delta Conservancy Program within SCC for the purpose of restoring, enhancing, and protecting the unique agricultural, economic, natural, cultural, recreational, public access, and urban waterfront resources and opportunities of the Sacramento-San Joaquin Delta. This bill would additionally provide that legislative oversight appointments to SCC balance representation among coastal California, the San Francisco Bay Area, and the delta appropriate to SCC's activities.

- Status: Appropriations suspense file.

Prop 84 Implementation

AB 2687 (Krekorian) Parks and Nature Education Facilities

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute adopted by the voters at the November 7, 2006, statewide general election, among other things, makes \$100,000,000 in bond funds available to the Department of Parks and Recreation (department) for grants for nature education and research facilities and equipment to nonprofit organizations and public institutions, including natural history museums, aquariums, nature education and research facilities, and botanical gardens.

- This bill would require the department to establish a program to offer grants, on a competitive basis, to eligible projects submitted by eligible nonprofit or publicly operated nonprofit organizations, and public institutions, including natural history museums, aquariums, research facilities, or botanical gardens. The bill would provide that eligible projects are grants for buildings, structures, and exhibit galleries.
- Status: Asm Appropriations Committee

New Water Bond Bill

SBX2 6 (Machado) The Safe Drinking Water Act of 2008

This bill would enact the Safe Drinking Water Act of 2008 which, if approved by the voters at the November 2008 election, would authorize, for the purposes of financing a specified water supply reliability and environmental restoration program, the issuance of bonds in an amount TBD. Not less than \$200 million of the amount would be available to SCC; \$100 million to the Ocean Protection Council.

- Status: Natural Resources & Water and Environmental Quality committees.

Other

SB 1428 (Kehoe) San Diego River Conservancy

Existing law authorizes the San Diego River Conservancy to acquire and manage certain public lands in the San Diego River area. These provisions are repealed on January 1, 2010, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

- This bill would delete the repeal date, thereby extending the provisions indefinitely.
- Status: Appropriations suspense file.

AB 2785 (Ruskin) Wildlife Conservation

Requires the Department of Fish and Game (DFG) to investigate, study, and identify those areas in the state that are most essential as wildlife corridors and habitat linkages. Requires DFG to develop and maintain a standardized spatial data system on vegetation and land cover, identifying those areas most essential for habitat connectivity, including wildlife corridors and habitat linkages, and to make that data available to the public and other government entities.

- Status: Appropriations suspense file.