

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

December 4, 2008
Oakley City Hall, Council Chambers
Oakley, CA
1:00 p.m.

MEMBERS PRESENT:

Doug Bosco, (Public Member), Chair
Ann Notthoff (Public Member), Vice Chair
Jeremy Hallisey (Public Member)
Marisa Moret (Public Member)
Bryan Cash (Designated Representative, Resources Agency)
Karen Finn (Designated Representative, Department of Finance)

OVERSIGHT LEGISLATORS PRESENT:

Annette Porini was present representing Senator Joe Simitian

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General
Elena Eger, Staff Counsel

1. ROLL CALL

2. APPROVAL OF MINUTES

Moved and seconded: the minutes of the November 6, 2008 public meeting were approved without change, 6-0.

3. CONSENT ITEMS

A. YOSEMITE SLOUGH

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Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$1,000,000 (one million dollars) to the California State Parks Foundation (CSPF) to augment the previously authorized grant for the Yosemite Slough Restoration Project to implement Phase I of the Yosemite Slough Restoration Project, which includes habitat restoration at Yosemite Slough, Candlestick Point State Recreation Area.

This authorization is subject to conditions numbers 1 through 3 and 6 imposed by the Conservancy’s October 6, 2006 authorization, and the additional condition that prior to disbursement of any funds under this authorization, Memorandum of Understanding No. 02-097-02 between the Conservancy and the Wildlife Conservation Board (WCB) authorizing the Yosemite Slough Restoration Project as an ‘approved project’ under WCB Agreement Number WC-3032BT shall be amended to reflect the addition of \$1,000,000 under this authorization and to extend the project completion date.”

Findings:

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

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

B. STATE OF THE ESTUARY CONFERENCE

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$100,000 (one hundred thousand dollars) to the Association of Bay Area Governments for the purpose of organizing and presenting the State of the Estuary Conference in the fall of 2009. No Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing a work plan, including a budget and schedule, the names and qualifications of any contractors proposed to be used to carry out this project, and a plan for acknowledging the Conservancy’s contribution.”

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Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the resource and recreational goals in the San Francisco Bay Area.”

C. ELKHORN SLOUGH

Resolution:

“The State Coastal Conservancy hereby authorizes its Executive Officer to accept coastal estuaries grant funds from the National Oceanic and Atmospheric Administration (NOAA) and to disburse these funds to the Elkhorn Slough Foundation (ESF) to fund the programs of the Elkhorn Slough National Estuarine Research Reserve (ESNERR) in coordination with the California Department of Fish and Game. Prior to the disbursement of any funds by the Conservancy, ESF shall submit for review and approval of the Executive Officer a work program, budget, schedule and any contractors or subcontractors to be employed in the program.”

Findings:

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

1. The proposed authorization is consistent with the current Project Selection Criteria and Guidelines.
2. Acceptance of federal grant funds by the Conservancy is consistent with the authority of the Conservancy under Public Resources Code Section 31104, and disbursement of the granted funds for the proposed authorization is consistent with Chapter 5.5 of Division 21 of the California Public Resources Code (Section 31220) regarding Integrated Coastal and Marine Resources Protection.
3. The proposed authorization is consistent with local watershed management plans and water quality control plans.
4. The Elkhorn Slough Foundation is a nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources.”

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D. BODEGA BAY TRAILS

Resolution:

“The State Coastal Conservancy modifies its authorization of September 20, 2007 to redirect a portion of these funds for use by Sonoma County, Regional Parks Department (SCRPD) to develop 1) a programmatic environmental document for the Unincorporated Sonoma County Bicycle and Pedestrian Plan that will include the Bodega Bay area; and 2) site-specific environmental review and planning for the 1.2-mile segment of Coastal Trail along Bodega Bay in Sonoma County. This authorization remains subject to the conditions contained in the September 20, 2007 staff recommendation attached to the accompanying staff recommendation as Exhibit 2.”

Findings:

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

1. The proposed project is consistent with the purposes and objectives of Chapter 9, Division 21 of the Public Resources Code.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines updated by the Conservancy on September 20, 2007.
3. The project will serve greater than local needs.”

E. SAN DIEGO RIVER WATERSHED

Resolution:

The State Coastal Conservancy hereby authorizes the disbursement of up to seventy six thousand dollars (\$76,000) to the San Diego State University Foundation to prepare an implementation plan for establishing the San Diego River Watershed Data Collection and Restoration Program. Prior to the disbursement of funds, the Executive Officer of the Conservancy shall approve in writing a work program, including budget and schedule, and any contractors to be employed for these tasks.”

Findings:

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 5.5 of Division 21 of the Public Resources Code, regarding protection or restoration of fish and wildlife habitat within coastal watersheds, and protection and restoration of riparian areas, floodplains, and other sensitive watershed lands.

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3. The proposed project is consistent with applicable local watershed management plans and water quality control plans.
4. The proposed project has been approved by the San Diego River Conservancy.”

F. MALIBU ACCESS IMPROVEMENTS PHASE 3

Resolution:

“The State Coastal Conservancy hereby authorizes a grant of seventy-five thousand dollars (\$75,000) to Access For All (AFA), to prepare and finalize site designs and undertake other analysis needed to apply for necessary permits to develop coastal accessways in Malibu on easements held by AFA, subject to the condition that prior to the disbursement of any funds, AFA shall submit for the review and approval of the Executive Officer of the Conservancy a detailed work program, and the names and qualifications of any contractors to be employed on the project.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding establishing a system of public coastal access ways.
3. Access For All is a nonprofit organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Code, whose purposes, which include the preservation and restoration of land for public access and recreation, are consistent with Division 21 of the California Public Resources Code.”

G. MALIBU CREEK RESTORATION

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed forty thousand dollars (\$40,000) to Santa Monica Baykeeper (SMBK) to conduct a community- based restoration project adjacent to Malibu Creek and Malibu Lagoon, more particularly described in the attached staff recommendation. Prior to the disbursement of any funds, SMBK shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, and schedule; the names of any contractors to be employed in carrying out the work; and evidence of its right to access the project sites to accomplish the purposes of this authorization.”

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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 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.
3. SMBK is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code and whose purposes are consistent with Division 21 of the Public Resources Code.”

H. SF BAY SUBTIDAL GOALS

Resolution:

“The State Coastal Conservancy (“Conservancy”) hereby authorizes disbursement of up to \$45,000 (forty-five thousand dollars) to the Coastal Conservancy Association to provide technical, scientific services to the San Francisco Bay Subtidal Habitat Goals Project. Prior to disbursement of funds, the Coastal Conservancy Association shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget and the names and qualifications of contractors 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 of the San Francisco Bay Area Conservancy Program.
4. The Coastal Conservancy Association is a non-profit 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 were approved by a vote of 6-0.

4. EXECUTIVE OFFICERS REPORT

Items were given in this order:

- B. An update on the Conservancy’s Climate Change Initiative compiled by Nadine Hitchcock of the Coastal Conservancy was given. The board was happy with the direction they were taking and asked to be invited to future brownbags on Climate Change that were held at the Oakland office.

- C. An update on the SCC Bond Fund Status allocated, appropriated and authorized by the board this year was given, as well as a report on the Ocean Protection Councils funding and expenditures. Sam also welcomed new Sea Grant Fellow, Rachelle Fisher.

- A. A PowerPoint presentation on Dutch Slough was presented by John Cain of National Heritage Institute and Jay Chamberlain of Department of Water Resources.

SAN FRANCISCO BAY AREA:

5. LAKE MERRITT CHANNEL

Maxene Spellman of the State Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Joel Peter and Markley Bavinger, City of Oakland.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$9,000,000 (nine million dollars) to the City of Oakland (“the City”), which amount the Wildlife Conservation Board (“WCB”) will reimburse to the Conservancy, to restore the natural hydrological connection between Lake Merritt and the Oakland Estuary, create tidal marsh habitat along the channel, and install several technologies that remove pollutants at the Lake. This authorization is subject to the following conditions:

- 1. Prior to the disbursement of funds for this project, the City shall submit for review and written approval of the Executive Officer of the Conservancy:
 - a. A work program, including budget and schedule of completion.
 - b. A sign plan to acknowledge Conservancy funding for the project.
 - c. The names and qualifications of any contractors to be employed on the project.

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- d. Documentation that all permits and approvals necessary to complete the project have been obtained.
2. Prior to the disbursement of funds for this project, the Conservancy and WCB shall enter into a memorandum of understanding authorizing WCB funding for this project as an “approved project” under WCB Agreement WC-3032BT.
3. The City shall provide evidence to the Executive Officer of the Conservancy that it has implemented the Mitigation Monitoring and Reporting Program, attached to the accompanying staff recommendation as Exhibit 7.
4. Following the completion of constructed projects, the City shall provide for the operation and maintenance of the project for its reasonable life, but no less than twenty years.”

Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. The Conservancy has independently reviewed and considered the “Environmental Impact Report - Lake Merritt Channel Wetlands and Widening Project” (the “2006 EIR attached to the accompanying staff recommendation as Exhibit 6a”), which specifically analyzed the wetlands and channel widening portions of the City of Oakland Measure DD projects, and the “Environmental Impact Report, City of Oakland Measure DD Implementation Project Environmental Impact Report” (the “2008 EIR”, attached to the accompanying staff recommendation as Exhibit 6b), which comprehensively addressed all of the Measure DD projects certified by the City of Oakland on February 13, 2008 pursuant to the California Environmental Quality Act (“CEQA”).
4. With respect to the portion of the project to be funded by the Conservancy, the 2006 EIR identifies potentially significant impacts in the areas of biological resources, geology and soils, hazards and hazardous materials, and hydrology and water quality. With regards to these impacts, the Conservancy, as a Responsible Agency under CEQA, finds that the project avoids, reduces or mitigates all of the possible significant environmental effects to a level of insignificance.
5. With respect to the portion of the project to be funded by the Conservancy, the 2008 EIR identifies potentially significant impacts in the additional areas of cultural resources and noise. With regard to these impacts, the Conservancy finds that the project, avoids, reduces or mitigates all of the possible significant

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environmental effects, with the exception of short term noise impacts, to a level of insignificance.

6. The 2008 EIR identifies potential “significant and unavoidable” short term noise impacts that would result during construction of the project. However, the Conservancy finds that the specific long term environmental and public access benefits outweigh and render acceptable these unavoidable, adverse and temporary noise impacts, as described in the accompanying staff recommendation and 2008 EIR. The Conservancy adopts the Statement of Overriding Considerations (attached to the accompanying staff recommendation as Exhibit 9).”

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

6. SONOMA MOUNTAIN RANCH ACQUISITION

Maxene Spellman of the State Coastal Conservancy presented the Staff Recommendation. Ms. Spellman requested that public education be added to the allowable uses of the property under condition 3 to the proposed resolution.

Speaking in favor of the Staff Recommendation: Marta Puente, Sonoma County Agricultural Preservation and Open Space District; Wendy Eliot, Sonoma Land Trust

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one million five hundred thousand dollars (\$1,500,000) to the Sonoma County Agricultural Preservation and Open Space District (District), for the purpose of acquiring Sonoma County Assessor Parcel Nos. 136-190-003, 008, 015, and 016, consisting of 283 acres and known as the Sonoma Mountain Ranch Property, 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 (“Executive Officer”):
 - 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 established in an appraisal approved by the Executive Officer.
3. The District shall permanently dedicate the property for habitat preservation, open space, public access *and public education* consistent with the protection of natural resources, through an appropriate instrument approved by the Executive Officer.

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4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the Property, the design and location of which has been approved by the Executive Officer.”

Findings:

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

1. The proposed project is consistent with the 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.”

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

7. SAN FRANCISCO BAY TRAIL

Moira McEnespy of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Laura Thompson, Project Manager, San Francisco Bay Trail Project

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to an additional \$3,000,000 (three million dollars) to the Association of Bay Area Governments (ABAG) for the San Francisco Bay Trail Project (Bay Trail Project), its associated nonprofit organization, to evaluate, select, design and fund implementation of individual projects to complete the San Francisco Bay Trail. These funds shall be used to solicit and evaluate grant proposals, to recommend to the Conservancy the award of grant funds to selected projects, to help design selected projects, to fund implementation of selected projects, to monitor implementation of funded projects, and for related matters including administrative costs. This authorization is subject to the following conditions:

1. 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, including ABAG’s project development and administrative work.
2. Conservancy funds shall not be disbursed toward implementation of any proposed project that is not exempt from the California Environmental Quality Act until the Conservancy authorizes the project.
3. ABAG and the Bay Trail Project may not expend more than \$1,000,000 of these funds until after July 1, 2009.”

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Findings:

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

1. The proposed project is consistent with the Project Selection Criteria and Guidelines 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 public access to and around San Francisco Bay.”

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

8. GG BRIDGE ACCESS IMPROVEMENTS

Moira McEnespy of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mr. Kary Witt, Bridge Manager, Golden Gate Bridge, Highway and Transportation District.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to five hundred thousand dollars (\$500,000) to The Golden Gate Bridge, Highway and Transportation District (the District) to design improvements to visitor-serving amenities at the South Visitor Plaza of the Golden Gate Bridge, City and County of San Francisco. This authorization is subject to the condition that prior to the disbursement of funds, the District shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget; and the scopes of work and the roster of 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 the current 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 the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code regarding access-related facilities.”

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

9. BOBBA PROPERTY ACQUISITION

Michelle Jespersen of the Coastal Conservancy presented the Staff Recommendation.

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Speaking in favor of the Staff Recommendation: Sharon Burnham, Tri-Valley Conservancy.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$600,000 (six hundred thousand dollars) to the Tri-Valley Conservancy (TVC) for the purpose of acquiring the approximately 74-acre Bobba property (Alameda County Assessor’s Parcel Numbers 99-500-2-4 and 99-500-2-5), subject to the following conditions:

1. Prior to disbursement of any Conservancy funds for the acquisition of the property, TVC shall submit for review and approval of the Executive Officer of the Conservancy:
 - a. All relevant acquisition documents, including but not limited to the appraisal, environmental assessment, purchase agreement, escrow instructions, and documents of title.
 - b. Documentation that the property owner has filed a notice that will effectuate cancellation of the Williamson Act contract on the property by the end of 2018.
 - c. A signing plan acknowledging Conservancy funding, the design and placement of which is approved by the Executive Officer.
 - d. Evidence that sufficient funds are available to complete the acquisition.
2. TVC shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. The property acquired under this authorization shall be managed and operated in a manner consistent with the purpose of providing public access and protecting scenic and open space values and preserving agricultural uses and shall be permanently dedicated to those purposes in accordance with 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 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, regarding the San Francisco Bay Area Conservancy Program.

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3. TVC is a non-profit organization existing under 501(c)(3) of the U.S. Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

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

CENTRAL COAST:

10. IWRP PHASE 3

Kate Goodnight of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Kip Crump; NOAA Restoration Center; Karen Christensen, Santa Cruz County Resource Conservation District; Jim Robins, Alnus Ecological, Inc.

Resolution:

1. “The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$900,000 (nine hundred thousand dollars) to the Resource Conservation District of Santa Cruz County (the “RCDSCC”) to develop Phase 3 of the Integrated Watershed Restoration Program, as more particularly described in the accompanying staff recommendation, subject to the following condition that prior to the RCDSCC’s commencement of work, the Executive Officer of the Conservancy shall approve in writing a work program, schedule of completion, project budget, and any contractors to be employed.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resources protection.
3. The proposed project is consistent with applicable local watershed management plans and water quality control plans.”

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

11. SANTA CRUZ ISLAND HABITAT RESTORATION

Rachel Couch of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Lotus Vermeer, The Nature Conservancy.

Resolution:

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“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$538,000 (five hundred thirty-eight thousand dollars) to The Nature Conservancy to restore natural habitat, and work towards eradicating invasive species and preventing the introduction of new invasive species on Santa Cruz Island, one of the Channel Islands off the coast of Santa Barbara and Ventura counties. This authorization is subject to the condition that, prior to the disbursement of any funds, The Nature Conservancy shall submit for the review and approval of the Executive Officer of the Conservancy a work program, schedule, budget and the names of any subcontractors to be employed 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 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 regarding the enhancement of coastal resources.
3. The Nature Conservancy is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, with purposes consistent with Division 21 of the Public Resources Code. ”

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

SOUTH COAST:

12. SAN ELIJO LAGOON RESTORATION

Megan Johnson of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of up to six hundred eighty thousand dollars (\$680,000) to the San Elijo Lagoon Conservancy (SELC) to fund conceptual designs, technical studies, environmental review, and permitting for the San Elijo Lagoon Restoration Project. Prior to the disbursement of funds, the Conservancy’s Executive Officer shall approve in writing a work program, including budget and schedule, and any contractors to be employed for these tasks."

Findings:

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

1. The proposed project is consistent with 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 the enhancement of coastal resources.
3. The San Elijo Lagoon Conservancy is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code. ”

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

13. BUENA VISTA LAGOON

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed six hundred thousand dollars (\$600,000) to prepare preliminary engineering design and environmental documents for restoration of Buena Vista Lagoon.”

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 Division 21 of the Public Resources Code Sections 31251-31270.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

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

14. SOUTH COAST WETLANDS ENHANCEMENT PLANNING

Mary Small of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred seventy five thousand dollars (\$275,000) to the Department of Fish and Game (DFG) for planning, technical review, data collection and other activities to support the restoration of and public access to coastal wetlands at DFG’s State Ecological Reserves in Southern California. This authorization is subject to the condition that prior to disbursement of funds, the Conservancy’s Executive Officer shall approve the work plan, budget and any contractors employed for this work.”

Findings:

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

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1. The proposed project 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 last amended by the Conservancy on September 20, 2007.
4. The project serves greater than local need."

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

NORTH COAST:

15. FIVE COUNTIES FISH PASSAGE

Michael Bowen of the Coastal Conservancy presented the Staff Recommendation.

Speaking favor of the Staff Recommendation: Mark Lancaster, Program Director, Five Counties Salmonid Conservation Program/Northwest California Resource Conservation and Development Council.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of up to five hundred thousand dollars (\$500,000) to the Northwest California Resource Conservation and Development Council ("Council") for the preparation of engineering, design, environmental and permitting documentation for fish passage improvement and water quality improvement projects ("Program"). Prior to the commencement of work, the Council shall submit for the review and approval of the Executive Officer of the Conservancy a work program, schedule for completion, project budget, and the names and qualifications of any contractors to be employed in the preparation of the Program."

Findings:

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

1. The proposed authorization is consistent with Chapter 6 (Sections 31251-31270) of Division 21 of the Public Resources Code regarding the enhancement of coastal resources.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.

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3. The Northwest California Resource Conservation & Development Council is a non profit 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.”

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

16. TIMBER COVE

Matt Gerhart of the Coastal Conservancy presented the Staff Recommendation.

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

Speaking and requesting clarification about the project: Richard Lang, Timber Cove property owner.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to the Sonoma County Regional Parks Department (Sonoma County) to prepare a feasibility study and California Environmental Quality Act documentation for coastal trail access through the Timber Cove area, subject to the following conditions:

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

Findings:

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

1. The proposed project is consistent with the 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 9 of Division 21 of the Public Resources Code, regarding public access to and along the coast.
3. The project will serve greater than local needs.”

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

17. DEPUTY ATTORNEY GENERAL’S REPORT

No report was given

18. BOARD MEMBER COMMENTS

Bryan Cash thanked Conservancy staff, Brenda Buxton and Michael Bowen, for sending him the SBSP and Fisheries presentations from the November meeting. This was helpful in viewing the progress of both projects.

19. PUBLIC COMMENT

No public comment was given.

20. CLOSED SESSION

There was no closed session.

21. ADJOURNMENT

Adjournment was at 4:19 pm