

STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES
Civic Auditorium – Tony Hill Room
Santa Cruz, CA
Thursday, December 2, 2010
10:00 am

MEMBERS PRESENT

Doug Bosco (Public Member) Chair
Marisa Moret (Public Member)
Bryan Cash (Designated Representative, Natural Resources Agency)
Susan Hansch (Designated Representative, Coastal Commission)

OVERSIGHT MEMBERS PRESENT

Rachel Goodman, representing Assemblyman William Monning
Annette Porini, representing Senator Joseph Simitian

OTHERS PRESENT

Sam Schuchat, Executive Officer
Glenn Alex, Legal Counsel

1. ROLL CALL

2. APPROVAL OF MINUTES

Moved and seconded. The minutes of the Conservancy October 21, 2010 public meeting were approved by a vote of 4-0 without change.

3. CONSENT

3A. CARPINTERIA CALIFORNIA COASTAL TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$50,000 (fifty thousand dollars) to the City of Carpinteria (the City) to prepare environmental compliance documents for a segment of the California Coastal Trail in Santa Barbara County, subject to the following conditions:

1. Prior to the commencement of work and the disbursement of funds, the City shall submit for the review and written approval of the Executive Officer of the

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

2. To the extent appropriate, the City shall ensure that the final designs of project improvements are consistent with the Conservancy's 'Standards and Recommendations for Accessway Location and Development' and all applicable federal and state statutes, regulations and guidelines for disabled access.
3. The City shall post California Coastal Trail signs along existing segments of the Coastal Trail within its jurisdiction."

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 June 4, 2009.
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.
3. The project will serve greater than local needs."

3B. SF BAY TRAIL PIER 43 PROMENADE

Resolution:

"The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse up to \$90,000 (ninety thousand dollars) of previously granted Conservancy funds to the Port of San Francisco to install trail improvements in connection with the construction of an 800-foot-long segment of the Bay Trail in Fisherman's Wharf, San Francisco, 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 Port of San Francisco.
2. ABAG shall ensure installation of signs acknowledging the Conservancy and displaying the Conservancy logo in a manner approved by the Executive Officer.
3. In carrying out the project, ABAG shall ensure compliance by the Port of San Francisco with all project actions, components, and mitigation measures that are needed to reduce or avoid significant environmental effects of the trail improvements as identified in the Mitigated Negative Declaration adopted by the City of San Francisco on October 30, 2009 pursuant to the California Environmental Quality Act (CEQA), and accompanying the project staff recommendation as Exhibit 3.
4. The Port of San Francisco shall provide the Conservancy with funds sufficient to pay the CEQA filing fee required by California Fish and Game Code section 711.4."

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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 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.
3. The Conservancy has independently reviewed the Mitigated Negative Declaration for the “Port Prop A Open Space Improvements” adopted by the City of San Francisco on October 30, 2009 pursuant to CEQA and finds no substantial evidence that the project as proposed, and with the identified measures to avoid, reduce or mitigate the possible significant environmental effects, will have a significant effect on the environment.”

3C. VERNAL POOL HABITAT CONSERVATION PLAN

Resolution:

“The State Coastal Conservancy hereby authorizes the City of San Diego to expend up to fifty-six thousand dollars (\$56,000) to complete a Vernal Pool Habitat Conservation Plan within the City, more particularly described in the attached Exhibit 1 to the accompanying staff recommendation.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Sections 31111 and Sections 31251-270 (Chapter 6) of Division 21 of the Public Resources Code, regarding coastal resource enhancement.”

The consent items were moved and seconded. Approved by a vote of 4-0.

Speaking with respect to Consent Item 3A, John Kessler, representing Hancock Trust, expressed concerns that the proposed trail would cross a portion of his property. However, staff reassured him that that would not be the case.

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EXECUTIVE OFFICER REPORT

- A. **Ocean Protection Report** - Executive Officer Schuchat briefed the Coastal Conservancy on the November 29 Ocean Protection Council meeting. A complete meeting summary may be found at: www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20101129 OPC_meeting

CENTRAL COAST

5. **MONTEREY BAY NATIONAL MARINE SANCTUARY EXPLORATION CENTER**

Kate Goodnight of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the staff recommendation: Bonnie Lipscomb, Director of Eco-Development and Redevelopment for the City of Santa Cruz; Paul Michel, Monterey Bay National Marine Sanctuary; Fred Keeley, Chair of National Marine Sanctuary Foundation; Athena Barrios; Mark Diorio, National Marine Sanctuary Foundation

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of Santa Cruz for the construction of interpretive exhibits within the Monterey Bay National Marine Sanctuary Exploration Center subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for construction, the City 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; and
 - b. Evidence that all permits and approvals necessary to implement the project have been obtained.
2. Conservancy funding shall be acknowledged by erecting and maintaining at the project site a sign or signs, the design, placement and duration of which shall be approved by the Executive Officer.
3. The project shall be maintained in operable condition for a period of no less than 20 years.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 7 of Division 21 of the Public Resources Code regarding restoration of urban waterfronts.”

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Ms. Hansch asked that the authorization include a condition requiring that one of the interpretive exhibits describe the California Coastal Zone Management Program. Moved and seconded with the condition. Approved by a vote of 4-0.

SAN FRANCISCO BAY AREA

6. SAN FRANCISCO BAY LIVING SHORLINES PROJECT

Amy Hutzel of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy (“Conservancy”) hereby authorizes the disbursement of up to \$400,000 (four hundred thousand dollars) of grant funds received from the Wildlife Conservation Board (WCB), and disbursement of up to \$300,000 (three hundred thousand dollars) of U.S. Environmental Protection Agency grant funds provided through the Association of Bay Area Governments (ABAG), to implement a multi-objective subtidal restoration and climate change adaptation pilot project, known as “Living Shorelines,” in San Francisco Bay. These funds will augment funds previously authorized by the State Coastal Conservancy Board on August 5, 2010. The total authorized funds may be disbursed to the following contractors in the approximate amounts that are identified below, which may change, so long as the total does not exceed \$700,000:

1. Disbursement of up to approximately \$257,000 (two hundred fifty seven thousand dollars) to San Francisco State University for eelgrass restoration and monitoring (eelgrass, fish use, aquatic invertebrate use).
2. Disbursement of up to \$216,500 (two hundred sixteen thousand five hundred dollars) to one or more environmental services contractors to undertake native oyster restoration activities.
3. Disbursement of up to \$192,000 (one hundred ninety two thousand dollars) to one or more environmental services contractors for environmental services necessary to implement the project including monitoring of biological and physical effects of the pilot project.”

Findings:

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

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

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

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7. TOLAY LAKE

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Elizabeth Tyree, Sonoma Land Trust, and presented a 6 minute video on Sonoma County Regional Parks.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement to Sonoma County Regional Parks of an amount not to exceed three hundred thousand dollars (\$300,000) to complete analysis, planning and final preparation for the Tolay Lake Regional Park Master Plan to improve resource management and public access in southwestern Sonoma County. Prior to the disbursement of any Conservancy funds, the County shall submit for review and approval of the Executive Officer of the Conservancy a work program, schedule and budget, and the names and qualifications of any subcontractors that it intends to employ for this planning work.”

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 Project Selection Criteria and Guidelines adopted by the Conservancy on June 4, 2009.
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 protection of land and water resources and the recreational goals of the San Francisco Bay Area.”

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

8. GLEN CANYON PARK

Amy Hutzler of the Coastal Conservancy presented the Staff Recommendation

Speaking in favor of the Staff Recommendation: Jennifer Isacoff, Director of Parks with The Trust for Public Land.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to \$289,950 (two hundred eight nine thousand nine hundred fifty dollars) to the Trust for Public Land (“TPL”) to develop a Master Plan (“Master Plan”) for the recreation area and trails in Glen Canyon Park, City and County of San Francisco. This authorization is subject to the following conditions:

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1. Prior to the disbursement of funds, TPL 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 in the project.
2. TPL shall develop the Master Plan in close consultation with the San Francisco Recreation and Park Department.”

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 the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code regarding public access.
3. The Trust for Public Land is a non-profit organization existing under 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 4-0.

SOUTH COAST

9. SFEI HISTORICAL ECOLOGY STUDY

Megan Cooper of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred thousand dollars (\$300,000) to the San Francisco Estuary Institute (SFEI) for the Historical Ecology Study of North San Diego County Coastal Wetlands. Prior to the disbursement of any Conservancy funds, SFEI shall submit for review and approval of the Executive Officer of the Conservancy a work program and budget, and the names and qualifications of any contractors that it intends to employ in the study.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed project is consistent with Chapter 6 sections 31251-31270 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources, and with section 31111 regarding preparation of plans and feasibility studies.

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3. The proposed project is identified in several Local Coastal Programs as requiring action to resolve existing or potential resource protection problems.
4. The San Francisco Estuary Institute is a nonprofit organization existing under section 501(c)(3) of the United States Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

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

NORTH COAST

10. TRINIDAD PIER

Su Corbaley of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the Cher-Ae Heights Indian Community of the Trinidad Rancheria (“the Rancheria”) to undertake the reconstruction of the public fishing pier in Trinidad, subject to the following conditions:

1. Prior to the disbursement of any 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.
2. The grantee shall provide evidence that all permits and approvals necessary for each component of the project to be funded have been obtained.
3. Conservancy funding shall be acknowledged by erecting and maintaining at the project site a sign or signs, the design, placement and duration of which shall be approved by the Executive Officer.
4. With respect to work funded by the Conservancy an agreement to protect public interest shall be entered into between the Conservancy and the Rancheria.
5. The Rancheria shall implement or cause to be implemented the mitigation measures identified in the Mitigated Negative Declaration (MND) for the Trinidad Pier Reconstruction Project, dated August 2007, and specifically the Best Management Practices pertaining to the generation of greenhouse gases, as discussed in Project Selection Criterion No. 18 of the accompanying staff recommendation, below. Prior to the approval of the project as complete, and prior to the final disbursement of retained funds, the grantee shall submit, and the Executive Officer shall approve, a completed Mitigation Monitoring Report which evaluates implementation of mitigation measures identified in the MND.

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Findings:

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

1. The proposed project is consistent with the purposes and criteria in Chapter 7 of Division 21 of the Public Resources Code (Sections 31300-31315) regarding the restoration of urban waterfronts.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines most recently updated by the Conservancy on June 4, 2009.
3. The Conservancy has independently reviewed the Mitigated Negative Declaration prepared by the Rancheria, under the California Environmental Quality Act, and approved by the Trinidad Planning Commission on November 14, 2007 (attached to the accompanying staff recommendation as Exhibit 5) with respect to the reconstruction of the Trinidad Pier. The Conservancy finds that the project as conditioned avoids, reduces, or mitigates the possible significant environmental effects to a level of insignificance, and 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.”

Member Susan Hansch offered use of the Coastal Commission scientist’s research.

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

11. CONSERVANCY MEMBER COMMENTS:

There were no comments.

12. PUBLIC COMMENT

There were no comments.

13. CLOSED SESSION

There was no closed session.

14. ADJOURNMENT

The meeting was adjourned at 11:50 am.