

**STATE COASTAL CONSERVANCY  
PUBLIC MEETING MINUTES**  
The County Administration Center, Room 310  
1600 Pacific Highway, San Diego, CA  
November 10, 2011  
10:00am

**MEMBERS PRESENT**

Douglas Bosco (Public Member), Chair  
Mary Shallenberger, (Chair, Coastal Commission)  
Bryan Cash (Designated Representative, Natural Resources Agency)  
Ann Notthoff (Public Member)

**OTHERS PRESENT**

Sam Schuchat, Executive Officer  
Glenn Alex, Legal Counsel

**1. ROLL CALL**

A quorum was determined to be present.

Chair Bosco introduced San Diego Port Commissioner Lee Burdick, who welcomed the Coastal Conservancy. San Diego County Supervisor Greg Cox also made comments.

Una Glass also spoke on behalf of CoastWalk.

**2. APPROVAL OF THE MINUTES OF THE SEPTEMBER 22, 2011 CONSERVANCY MEETING**

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

**3. CONSENT ITEMS**

**A. BAY AREA IRWMP**

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to Bay Area Clean Water Agencies (BACWA) to administer grants that implement the Bay Area Integrated Regional Water Management Plan. Prior to disbursement of any Conservancy funds, BACWA 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.”

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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 Chapter 4.5 of Division 21 of the Public Resources Code, regarding the resource and recreational goals of the San Francisco Bay Area.”

**B. COASTAL CONSERVANCY CLIMATE CHANGE POLICY**

Resolution:

“The State Coastal Conservancy hereby adopts the revised: 1) *Coastal Conservancy Climate Change Policy*, attached as Exhibit 1 to the accompanying memorandum; and 2) *Conservancy Project Selection Criteria*, attached as Exhibit 2 to the accompanying memorandum, to address vulnerability to flooding and erosion due to sea level rise, and extreme events such as storms and tsunamis.”

Findings:

“Based on the accompanying staff memorandum and its attached exhibits, the Conservancy hereby finds that:

1. The revised *Coastal Conservancy Climate Change Policy* and *Conservancy Project Selection Criteria and Guidelines* regarding vulnerability to sea-level rise and extreme events are consistent with and will support implementation of the Conservancy’s statutory responsibilities under Division 21 of the California Public Resources Code.
2. The revisions to the *Coastal Conservancy Climate Change Policy* and to the Conservancy’s *Project Selection Criteria and Guidelines* are intended to provide a policy reference and a strategy to address the impacts from sea-level rise and extreme events while conserving California’s coastal and ocean resources, ensuring public access to and along the coast, and providing a broad context for evaluating new opportunities and allocating resources.”

**C. COLORADO LAGOON**

Resolution:

“The State Coastal Conservancy hereby authorizes the augmentation of the Conservancy’s January 20, 2011 authorization to the City of Long Beach by an amount not to exceed three hundred thousand (\$300,000) for the dredging,

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treatment and disposal of contaminated sediments at Colorado Lagoon.

This authorization is subject to all of the conditions specified in the Conservancy's original authorization for this project on January 20, 2011 (Exhibit 1)."

Findings:

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

1. The proposed project remains consistent with Chapter 6 of the Public Resources Code (Sections 31251-31270), regarding the enhancement of coastal resources.
2. The proposed project remains consistent with the current Project Selection Criteria and Guidelines."

Moved and seconded. Consent items approved by a vote of 4-0.

#### **4. EXECUTIVE OFFICER REPORT**

The Conservancy addressed these agenda items in the following order:

- C. Executive Officer Sam Schuchat presented a proposed schedule for the Conservancy's 2012 public meetings, and the Conservancy adopted it by consensus. (Schedule attached to minutes)
- B. Conservancy legislative liaison Deborah Ruddock provided a legislative report, noting that AB 565, which permits the Conservancy to provide grant funding to Cal American Water for removal of the San Clemente Dam and was signed by the Governor.(Legislative report attached to minutes)
- A. Conservancy project manager Sam Jenniches presented a report on the demographics of the Conservancy's projects.

### **SOUTHERN CALIFORNIA**

#### **5. DEFOREST WETLANDS**

Chris Kroll of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Ann Mendiola, City of Long Beach, James Gorham.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million five hundred thousand dollars (\$1,500,000) to the City of Long Beach (City) for the restoration of 39 acres of habitat at the DeForest Basin and related improvements.

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The City shall implement the DeForest project mitigation measures contained in the environmental impact report (EIR) and mitigation monitoring and reporting program described below and attached to the accompanying staff recommendation as Exhibit 2. The City shall also implement the greenhouse gas reduction measures described in the accompanying staff recommendation and its Exhibit 3.

Prior to disbursement of Conservancy funds, the City of Long Beach shall submit for the review and written approval of the Conservancy's Executive Officer:

1. A detailed work program, including budget and schedule.
2. The names and qualifications of any contractors to be employed on the project.
3. A sign plan to acknowledge Conservancy funding for the project.
4. Evidence that all permits and approvals for this project have been issued
5. An agreement between the City of Long Beach and the County of Los Angeles allowing the City to construct, operate, maintain, and monitor 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 Conservancy's current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 8 of Division 21 of the Public Resources Code, regarding the reservation and protection of coastal resource areas.
3. The Conservancy has independently reviewed the environmental impact report for the “Joint Dominguez Gap and DeForest Treatment Wetlands Project” certified by the County of Los Angeles Department of Public Works in November 2005 and revised in December 2005 pursuant to the California Environmental Quality Act, and finds no substantial evidence that the project, with the identified measures to avoid, reduce or mitigate the possible significant environmental effects, will have a significant effect on the environment.”

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

**6. MCGRAW PROPERTY**

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Penny Elia, Sierra Club

Resolution:

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“The State Coastal Conservancy hereby authorizes the disbursement of three hundred twenty-five thousand dollars (\$325,000) to the City of Laguna Beach (“City”) for acquisition in fee of the 2-acre McGraw property, County of Orange Assessor’s Parcel No. 632-031-02; and up to \$5,000 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 (“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 Aliso and Wood Canyons 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 an 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 signs on the property, the design and location of which have 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 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 (Sections 31400-31409) with respect to public access. The proposed acquisition will preserve a link in a trail network providing access along the Laguna Coast and to the coast from inland areas, as well as provide scenic coastal views.
3. The proposed project serves a greater-than-local need.”

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

**7. UPPER NEWPORT BAY ECOLOGICAL RESERVE**

Megan Cooper 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 hundred fifty-six thousand dollars (\$156,000) to Orange County Coastkeeper to conduct eelgrass restoration in the Upper Newport Bay Ecological Reserve. This authorization is subject to the condition that, prior to the disbursement of any funds, Coastkeeper shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, schedule, and the names of any contractors to be employed in carrying out the work.”

Findings:

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

1. The proposed project is consistent with the 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 enhancement of coastal resources.
3. Orange County Coastkeeper 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.

**8. ALAMITOS BAY OYSTER PROJECT**

Megan Cooper of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$89,100 to California State University Fullerton Auxiliary Service Corporation to conduct native oyster restoration and monitoring using community volunteers in the Jack Dunster Marine Reserve in Alamitos Bay. Prior to the disbursement of any funds, California State University Fullerton Auxiliary Service Corporation shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, schedule, and the names of any contractors to be employed in carrying out the work.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.

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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 enhancement of coastal resources.
3. The project area is identified by the City of Long Beach's Local Coastal Program as requiring public action to resolve existing resource protection problems.
4. California State University Fullerton Auxiliary Service Corporation 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.

## **CENTRAL COAST**

### **9. CARMEL BEACH ACCESS**

Tim Duff 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 and fifty thousand dollars (\$250,000) to the City of Carmel-by-the-Sea (grantee) to complete final plans, construct public access improvements and restore dune habitat at Carmel Beach and the surrounding North and Del Mar Dune areas. This authorization is subject to the following conditions:

1. Prior to the disbursement of funds, grantee shall submit for the review and approval of the Executive Officer of the Conservancy:
  - a. Evidence that the grantee has obtained all necessary permits and approvals, and all other funds necessary to complete the public access improvements.
  - b. A final work program, budget, schedule, and names of any contractors to be employed for these tasks.
  - c. A signing plan for the project acknowledging Conservancy participation.
2. The City shall ensure that the final designs of the project are consistent with the Conservancy's 'Standards and Recommendations for Accessway Location and Development' and with all applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.
3. The City shall install California Coastal Trail emblems in the project area and on all other properties within its jurisdiction that are deemed by the Conservancy to be existing segments of the California Coastal Trail. Emblem locations shall be determined by the City in consultation with the Conservancy."

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 Conservancy's current Project Selection Criteria and Guidelines.
2. The proposed project is consistent with Chapters 6 and 9, sections 31251-31270 and 31400-31410 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources and coastal access.
3. The proposed project area is identified in the City of Carmel-by-the-Sea's certified Local Coastal Program's Land Use Plan, including the Master Plan for the North Dunes and Del Mar Dunes, as requiring public action to resolve existing resource protection problems.
4. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by the City on June 2, 2009, under the California Environmental Quality Act (CEQA) 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 section 15382.
5. The proposed project serves greater than local needs."

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

**10. PEDRO POINT HEADLANDS**

Janet Diehl of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Steve Rhodes, City Manager, City of Pacifica

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred and fifty thousand dollars (\$250,000) to the City of Pacifica ("the City") for the purpose of acquiring real property known as the "Tronoff Property" (San Mateo County Assessor Parcel Number 023-074-030), consisting of approximately six acres, for open space protection and public access. This authorization is subject to the following conditions:

1. Prior to the disbursement of Conservancy funds for acquisition of the Tronoff Property ("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, the appraisal, purchase agreement, escrow instructions, environmental assessment, and title report.
  - b. Evidence that sufficient funds are available to complete the acquisition.
2. The City shall pay no more than fair market value for the property, as approved by the Conservancy, based on an appraisal of the property.



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3. The City shall permanently dedicate the property for open space protection and public access through an instrument approved by the Executive Officer.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property or in a nearby public staging area, the design and location of which to be approved by the Executive Officer.
5. Within one year of acquisition of the property, the City shall install California Coastal Trail emblems provided by the Conservancy on all properties within its jurisdiction that are deemed by the Conservancy to be existing segments of the California Coastal Trail. Emblem locations shall be determined by the City in consultation with the Conservancy.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21(Sections 31400-31410) of the Public Resources Code, regarding the establishment of a system of public accessways to and along the California Coast.
3. The proposed project serves more than local needs.”

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

**SAN FRANCISCO BAY AREA**

**11. BERTAGNOLLI RANCH**

Melanie Denninger of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Ron Brown, Save Mount Diablo

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$2,500,000 (two million five hundred thousand dollars) to Save Mount Diablo for acquisition of Assessor’s Parcel Nos. 080-090-005, 220-020-001, and 220-020-002 in Contra Costa County (“the property”) which compose a 560-acre portion of the 1,080-acre Bertagnolli Ranch (shown in Exhibits 1 and 2, which are attached to the accompanying staff recommendation), for the purposes of preserving open space, scenic resources, plant and wildlife communities, and other natural resources, protecting watersheds, and enabling public access that is compatible with those purposes. This authorization is subject to the following conditions:

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1. Prior to disbursement of any Conservancy funds, Save Mount Diablo shall submit for review and approval by the Executive Officer of the Conservancy (“the Executive Officer”):
  - a. All relevant acquisition documents including but not limited to the appraisal, environmental assessments, escrow instructions, title reports and documents of title necessary for the purchase of the property.
  - b. Evidence that there is legal access to the property.
  - c. Evidence that sufficient funds are available to complete the acquisition.
  - d. A stewardship plan, budget, and schedule describing the actions that Save Mount Diablo will take, prior to the anticipated transfer of the property to a long-term manager, to monitor and maintain existing natural resources on the property and any natural resource-compatible public access, and any grazing proposed for the property.
  - e. A plan showing the design and placement of signs acknowledging Conservancy funding for the acquisition.
2. Save Mount Diablo shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. Save Mount Diablo shall permanently dedicate the property for the purposes of preserving open space, scenic resources, plant and wildlife communities, and other natural resources, protecting watersheds, and enabling public access that is compatible with those purposes, by recording an offer to dedicate or other instrument acceptable to the Executive Officer.
4. Save Mount Diablo shall submit a written monitoring report to the Executive Officer before close of escrow on acquisition of the property, and at five-year intervals thereafter for as long as it holds a property interest, identifying the conditions and circumstances of the property as relevant to the purposes of preserving open space, scenic resources, plant and wildlife communities, and other natural resources, protecting watersheds, and enabling public access that is compatible with those purposes.”

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

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

**12. ALAMEDA CREEK WATERSHED**

Melanie Denninger of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Brad Ledesma, Zone 7 Water Agency.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$190,000 (one hundred ninety thousand dollars) to Zone 7 Water Agency (Zone 7) to update its Stream Management Master Plan (SMMP) for approximately 100 miles of stream corridors in its service area in the Alameda Creek watershed in eastern Alameda County and to update environmental review of the SMMP, subject to the condition that prior to disbursement of any Conservancy funds, Zone 7 shall submit for review and approval by the Executive Officer of the Conservancy (“the Executive Officer”):

1. A work program, budget and schedule for the project and
2. All contractors that Zone 7 intends to retain in connection with the project.”

Findings:

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

1. The proposed project is consistent with the 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.”

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

**13. SOUTH BAY SALT PONDS RESTORATION PROJECT**

Brenda Buxton of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mendel Stewart, U.S. Fish and Wildlife Service.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to two million five hundred thousand dollars (\$2,500,000), four hundred seventy five thousand dollars (\$475,000) of which will be reimbursed by the Wildlife Conservation Board, for adaptive management

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activities and applied scientific studies, engineering and environmental services, design and planning, project management, public outreach, and other work associated with completing planning for Phase II of the South San Francisco Bay Salt Pond Restoration Project. These disbursements include:

Up to \$400,000 (four hundred thousand dollars) to the Resources Legacy Fund (RLF) for adaptive management and applied studies. Prior to the disbursement of any Conservancy funds for any study, RLF shall submit for the review and approval of the Conservancy's Executive Officer a work program for that study, including schedule and budget, and the names of any contractors it intends to use to complete the study.

Up to \$25,000 (twenty five thousand dollars) to the San Francisco Estuary Institute (SFEI) for website maintenance and data management at [www.southbayrestoration.org](http://www.southbayrestoration.org). Prior to the disbursement of any Conservancy funds, SFEI shall submit for the review and approval of the Conservancy's Executive Officer a work program, including schedule and budget, and the names of any contractors it intends to use."

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 Conservancy's 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 Conservancy's mandate to address the resource and recreational goals of San Francisco Bay Area.
3. The Resources Legacy Fund and San Francisco Estuary Institute 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. Approved by a vote of 4-0.

## **NORTH COAST**

### **14. POINT ARENA RANCH**

Joel Gerwein of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: David Sutton, Trust for Public Land.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two million, two hundred ten thousand dollars (\$2,210,000) to the Trust for Public Land ("TPL") to acquire approximately 123 acres of the Point Arena Ranch Property,

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Mendocino County Assessor's Parcel Numbers 027-041-06, 027-041-107, 027-041-14, and 027-061-01 ("the property"), as shown on Exhibit 1 to the accompanying staff recommendation, for open space and natural resource protection, and to the extent compatible with these purposes: public access, recreation, education, agriculture, and scientific research, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for the acquisition, TPL shall submit for review and approval by the Executive Officer:
  - a. All relevant acquisition documents, including but not limited to an appraisal, environmental assessments, agreement of purchase and sale, escrow instructions, and documents related to title.
  - b. Evidence that TPL has obtained all funds necessary to complete the acquisition.
2. TPL shall dedicate the property for open space and natural resource protection, and to the extent compatible with these purposes: public access, recreation, education, agriculture, and scientific research, in a manner acceptable to the Executive Officer, in accordance with Public Resources Code Section 31116(b).
3. TPL shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property that has been reviewed and approved by the Executive Officer.
5. TPL shall purchase the property only from willing sellers.
6. TPL may transfer its interests in the property to the federal Bureau of Land Management provided BLM agrees to hold, manage and operate these interests in the manner set forth in condition number two above."

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 8 of Division 21 of the Public Resources Code, regarding Reservation of Significant Coastal Resource Areas.

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

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

**15. BORDESSA RANCH PROPERTY**

Karyn Gear of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$650,000 (six hundred fifty thousand dollars) to Sonoma County Agricultural Preservation and Open Space District (“SCAPOSD”) for the purpose of acquiring conservation and public access easements over the 495-acre Bordessa Ranch Property (Sonoma County Assessor’s Parcel No. 026-030-011). The State Coastal Conservancy further authorizes disbursement of an amount not to exceed \$50,000 (fifty thousand dollars) to Sonoma County Regional Parks Department (“SCRPD”) to conduct resource assessment studies and prepare a public access plan for the Bordessa Ranch Property. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, SCAPOSD shall submit for review and approval of the Executive Officer of the Conservancy (the “Executive Officer”):
  - a. All relevant acquisition documents, including, without limitation, appraisals, environmental assessments, title reports, purchase agreements, conservation easement, public access easement, escrow instructions and documents of title.
  - b. A Baseline Conditions Report and a Monitoring and Reporting Plan.
  - c. Documentation that all other funds necessary to the acquisition have been obtained.
2. The purchase price of the conservation and public access easements shall not exceed fair market value, as established in appraisals approved by the Executive Officer.
3. The easement interests acquired under this authorization shall be managed and operated in a manner consistent with the purposes of natural resource protection, public access, open space preservation and limited agricultural use.
4. SCRPD shall develop a public access plan within two years of SCAPOSD acquiring the conservation and access easements. Prior to the disbursement of funds to the SCRPD for planning and resource assessment, the Executive Officer shall approve in writing a work plan, including budget and schedule, and any contractors proposed to be used.
5. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign, the design and placement of which has been reviewed and approved by the Executive Officer.”

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Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines, updated by the Conservancy on June 4, 2009.
2. 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, Sections 31160-31165.”

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

**16. CONSERVANCY MEMBER COMMENTS**

There were no Conservancy member comments.

**17. PUBLIC COMMENT**

There were no public comments.

**18. CLOSED SESSION**

There was no closed session.

**19. ADJOURNMENT**

The meeting adjourned at 1:00 p.m.



## Memorandum

From: Sam Schuchat  
To: Coastal Conservancy Board  
RE: Proposed Meeting Schedule in 2012  
Date: November 10, 2011

Here is a schedule of dates for board meetings in 2012. I would like you to adopt this schedule at your November 10, 2011 meeting.

In putting the schedule together, we have avoided the meetings of the Coastal Commission and the SF Bay Restoration Authority<sup>1</sup> and done our best to avoid the meetings of BCDC (held on the first and third Thursdays of the month). We have taken in to account the legislative schedule, and have strived to maintain at least 3 weeks between SCC and OPC<sup>2</sup> meetings. This meeting schedule also takes into account the major holidays.

Thursday, January 19  
Thursday, March 29  
Thursday, May 24  
Thursday, August 2  
Thursday, October 18  
Thursday, December 6

I have left the locations blank; staff will take a look at what we plan to bring to the board in 2012 and think about where to meet based on our agendas.

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<sup>1</sup> A new regional entity in the Bay Area that I Chair.

<sup>2</sup> The OPC will get a proposed schedule for adoption at its December meeting.



# State Coastal Conservancy November 2011 Legislative Report

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## ASM

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### [AB 565](#) **(Monning D) Conservation: State Coastal Conservancy.**

**Chapter Number:** 479

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 479, Statutes of 2011

**Summary:** Existing law establishes the State Coastal Conservancy in the Natural Resources Agency with prescribed powers and responsibilities for implementing a program of agricultural land protection, area restoration, and resource enhancement within the coastal zone, as defined. Existing law authorizes the conservancy, for the purpose of implementing the provisions governing the conservancy, to fund and undertake plans and feasibility studies, and award grants to public agencies and nonprofit organizations. This bill would additionally authorize the conservancy, for the purpose of implementing the provisions governing the conservancy, to award a grant to a for-profit entity to accomplish removal or alteration of the San Clemente Dam under specified conditions. The bill would limit total expenditures of state funds for the removal or alteration of the San Clemente Dam and related activities to not more than \$25,000,000.

### [AB 587](#) **(Gordon D) Public works: volunteers.**

**Chapter Number:** 219

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 219, Statutes of 2011

**Summary:** Existing law defines "public works," for purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work that is performed under contract and paid for in whole or in part out of public funds. Pursuant to existing law, all workers employed on public works projects are required to be paid not less than the general prevailing rate of per diem wages for work, except as specified. This bill would extend that repeal date to January 1, 2017, and make technical, nonsubstantive changes to that provision. This bill contains other related provisions and other existing laws.

### [AB 703](#) **(Gordon D) Property taxation: welfare exemption: nature resources and open-space lands.**

**Chapter Number:** 575

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 575, Statutes of 2011

**Summary:** Existing property tax law, in accordance with the California Constitution, provides for a welfare exemption under which property used exclusively for religious, hospital, scientific, or charitable purposes and owned and operated by funds, foundations, or corporations meeting certain statutory requirements is exempt from taxation. Existing law also provides that property used exclusively for the preservation of specified nature resources or open-space lands meeting other specified criteria shall be deemed to be included within the welfare exemption. Existing law makes the inclusion of this property within the welfare exemption inoperative on the lien date in 2012, which is January 1, 2012, and repeals this provision on January 1, 2013. This bill would extend the January 1, 2012, inoperative date until January 1, 2022, and the January 1, 2013, repeal date until January 1, 2023, of the inclusion of this property within the welfare exemption. This bill contains other related provisions and other existing laws.

### [AB 971](#) **(Monning D) Personal income tax: voluntary contributions: California Sea Otter Fund.**

**Chapter Number:** 209

**Status:** 9/1/2011-Chaptered by the Secretary of State, Chapter Number 209, Statutes of 2011

**Summary:** The Personal Income Tax Law allows, for taxable years beginning on or after January 1, 2006, and before January 1, 2011, individual taxpayers to contribute amounts in excess of their tax liability for the support of the California Sea Otter Fund. This bill would, for taxable years beginning on or after January 1, 2011, and before January 1, 2016, unless as otherwise provided, allow taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the California Sea Otter Fund, which would be created by this bill. This bill would require money in that fund, upon appropriation by the Legislature, be allocated to the Department of Fish and Game for the purposes of establishing a sea otter fund, as prescribed, and to the California Coastal Conservancy for competitive grants and contracts for research, projects, and programs related to the Federal Sea Otter Recovery Plan or improving the nearshore ocean ecosystem. This bill contains other related provisions.

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## SEN

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**[SB 436](#) (Kehoe D) Land use: mitigation lands: nonprofit organizations.**

**Chapter Number:** 590

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 590, Statutes of 2011

**Summary:** The Planning and Zoning Law authorizes a state or local public agency, if the agency requires a property owner to transfer to the agency an interest in real property to mitigate an adverse impact upon natural resources caused by permitting the development of a project or facility, to authorize a nonprofit organization to hold title to and manage that interest in real property, provided that the nonprofit organization meets specified requirements. This bill would revise these provisions and would additionally authorize a state or local public agency to authorize a nonprofit organization, a special district, a for-profit entity, a person, or another entity to hold title to and manage an interest in property held for mitigation purposes, subject to certain requirements. This bill would also provide that if a state or local agency, in the development of its own project, is required to protect property to mitigate an adverse impact upon natural resources, the agency is authorized to take any action that it deems necessary to meet its mitigation obligations, including, but not limited to, providing funds to a nonprofit organization to acquire land or easements that satisfy the agency's mitigation obligations, including funds that have been set aside for the long-term management of any lands or easements conveyed to a nonprofit organization, as specified. This bill would, until January 1, 2022, require a special district or nonprofit organization that holds funds on behalf of a local agency, for the long-term management of land, to comply with certain requirements. The bill would also state the findings and declarations of the Legislature with respect to the preservation of natural resources through mitigation, and would state that it is in the best interest of the public to allow state and local public agencies and nonprofit organizations to utilize the tools and strategies they need for improving the effectiveness, cost efficiency, and durability of mitigation for California's natural resources.

**[SB 468](#) (Kehoe D) Department of Transportation: north coast corridor project: high-occupancy toll lanes.**

**Chapter Number:** 535

**Status:** 10/7/2011-Chaptered by the Secretary of State, Chapter Number 535, Statutes of 2011

**Summary:** Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law imposes various requirements for the development and implementation of transportation projects. This bill would impose additional requirements on the department with respect to specified highway projects on State Highway Route 5 in southern California, known collectively as the north coast corridor project, that are located entirely or partially in the coastal zone, including requiring the department to collaborate with local agencies, the California Coastal Commission, and other affected local, state, and federal agencies to ensure that multimodal transportation options are evaluated and included in the public works plan and, where appropriate, in the project design for the projects. The bill would make these requirements applicable to the San Diego Association of Governments (SANDAG) and would also require SANDAG, for these projects, to establish a safe routes to transit program that integrates the adopted regional bike plan with transit services and, pursuant to SANDAG's agreement, as specified, to commit to dedicate for regional habitat acquisition, management, and monitoring activities a portion of specified taxes approved by the voters in San Diego County. The bill would, for these projects, require the department to suspend a notice of determination relating to environmental impact, issued between January 1, 2011, and January 1, 2012, until it is determined that environmental documents for the projects satisfy the requirements of the bill. The bill would also make legislative findings and declarations. This bill contains other related provisions and other existing laws.

**Total Measures: 6**

**Total Tracking Forms: 6**