

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

Port San Luis Harbor District
3900 Avila Beach Drive
Avila Beach, CA

MEMBERS PRESENT

Douglas Bosco (Public Member), Chairman
Marisa Moret (Public Member)
Peter Sadowski (Public Member)
Bryan Cash (Designated, Natural Resources Agency)
Mary Shallenberger, Coastal Commission Chair

OTHERS PRESENT

Sam Schuchat, Executive Officer
Elena Eger, Legal Counsel

LOCATION

Port San Luis Harbor District
3900 Avila Beach Drive
Avila Beach, CA

1. ROLL CALL

Douglas Bosco (Public Member), Chairman
Marisa Moret (Public Member)
Peter Sadowski (Public Member)
Bryan Cash (Designated, Natural Resources Agency)
Mary Shallenberger, Coastal Commission Chair

2. APPROVAL of Minutes of Conservancy, October 18, Public meeting

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

The chair introduced Mary Matakovich, Commissioner, Port San Luis Harbor District, who welcomed the Conservancy to Port San Luis Harbor, Avila Beach.

3. CONSENT ITEMS

A. CRYSTAL COVE STATE PARK

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed fourteen thousand two hundred dollars (\$14, 200) to Crystal Cove Alliance to provide beach wheelchairs for people with disabilities at Crystal Cove State Park’s ‘Historic District’ and the newly opened El Moro Campground and Day Use Area, at Crystal Cove State Park, in Orange County, subject to the following conditions:

1. Prior to disbursement of any Conservancy funds, the Executive Officer of the Conservancy shall approve in writing a work plan to maintain the wheelchairs for their useful lifetime or five years, whichever is longer;
2. The Executive Officer has approved in writing a signing plan to include signs bearing the Conservancy’s logo; and
3. Crystal Cove Alliance shall provide in-kind services to store the wheelchairs, deploy them for public use and publicize their availability.”

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 Public Access.”

B. SAN DIEGO RIVER CONSERVATION PLAN

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to fifty-five thousand dollars (\$55,000) to The Trust for Public Land (TPL) to prepare a plan for projects to preserve and restore the San Diego River area, including those to complete the San Diego River Park. Prior to the disbursement of any funds, TPL 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.”

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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 Chapters 6 and 9 of Division 21 of the Public Resources Code, regarding coastal resource enhancement and a system of public accessways, respectively.
3. The proposed project was approved by the San Diego River Conservancy on July 12, 2012.
4. The Trust for Public Land 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.”

C. SAN ELIJO LAGOON RESTORATION

Resolution:

“The State Coastal Conservancy hereby augments its December 4, 2008 authorization to disburse an additional amount of up to seventy-seven thousand dollars (\$77,000) to the San Elijo Lagoon Conservancy to fund technical studies and environmental review for the San Elijo Lagoon Restoration Project, San Diego County. This authorization remains subject to the conditions of the Conservancy’s December 4, 2008 authorization.”

Finding:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the proposed project remains consistent with the Conservancy’s findings under its December 4, 2008 authorization.”

D. SAN FRANCISCO BAY AREA CONSERVATION PROGRAM

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$390,000 (three hundred ninety thousand dollars) to the San Francisco Parks Alliance (the “Alliance”) to further the natural resource and recreational goals of the San Francisco Bay Area Conservancy Program by undertaking the following activities through the Bay Area Open Space Council (the “Council”): (1) develop

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regional media for promoting understanding of the value of regional open space; (2) develop a unified regional approach to park and trail online technology; (3) increase stewardship capacity for land managers in the Bay Area through meetings, technical resources, and case examples; (4) provide updated and expanded public information on the Conservation Lands Network and lead its implementation; and (5) update the Bay Area Protected Areas Database. Prior to the commencement of work and the disbursement of funds, the Alliance and the Council shall submit for the review and written approval of the Executive Officer of the Conservancy a detailed work program, schedule and budget and the names and qualifications of any contractors to be employed in carrying 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 criteria of Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-31165), regarding the San Francisco Bay Area Conservancy Program.
3. The San Francisco Parks Alliance is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”

E. HUNT PROPERTY

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed sixty-five thousand five hundred dollars (\$65,500) to the California Department of Parks and Recreation (DPR) to acquire real property commonly known as the “Hunt Property”, Mendocino County Assessor Parcel Number 069-010-36 (the “Property”) for open space and wildlife and habitat preservation purposes to add to the Inglenook Fen-Ten Mile Dunes Natural Preserve in MacKerricher State Park.

This authorization is subject to the following conditions:

1. Prior to disbursement of any Conservancy funds, DPR shall:
 - a. Submit for the review and approval of the Executive Officer of the Conservancy (“Executive Officer”) all relevant acquisition documents,

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including but not limited to the appraisal, escrow instructions and documents of title.

- b. Obtain all other funds necessary to complete the acquisition.
2. DPR shall pay no more than fair market value for the Property, as established in an appraisal approved by the Executive Officer.
3. DPR shall permanently dedicate the property in a manner acceptable to the Executive Officer for the purpose of protecting and restoring habitat and open space.
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.”

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 November 10, 2011.
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.”

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

4. EXECUTIVE OFFICER REPORT

The Executive Officer thanked Tim Duff for organizing the tour of the Port San Luis Harbor District and thanked the District for hosting the meeting at the site which was renovated with Conservancy funding.

- A. The Ocean Protection Council met November 29th in Sacramento and approved a grant program to fund vulnerability assessments and Local Coastal Program updates to address impacts of future Sea Level Rise. The grant program will be run cooperatively between OPC, SCC and the Coastal Commission.
- B. Provided meeting locations for 2013: February 14: Santa Rosa; April 18: Monterey; June 20: Sacramento; October 3: Mendocino; December 5: Los Angeles.

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- C. The Final Draft Conservancy Strategic Plan and the Draft Ten Year Funding plan were presented by Mary Small. Adoption of the Strategic Plan and Draft Ten Year Funding Plan was moved and seconded; approved by a vote of 5-0.

CENTRAL COAST

5. HEALTHY LANDS & HEALTHY COMMUNITIES INITIATIVE

Kate Goodnight of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$200,000 (two hundred thousand dollars) to the Resource Conservation District of Santa Cruz County (the “RCDSCC”) to coordinate and to prepare at least three economic and community benefit case studies of conservation projects in Sonoma, Santa Clara and Santa Cruz Counties as part of the *Healthy Lands & Healthy Communities Initiative - Demonstrating the Economic Value of Natural Areas and Working Landscapes*, as more particularly described in the accompanying staff recommendation, subject to the 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 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 November 10, 2011 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.
3. 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.
4. The proposed project is consistent with applicable local watershed management plans and water quality control plans.”

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

6. PORT SAN LUIS HARBOR

Tim Duff of the Coastal Conservancy presented the Staff Recommendation.

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Steve McGrath, Facilities Manager of the Port San Luis Harbor District gave a power point presentation in favor of the Staff Recommendation.

Speaking in opposition to the Staff Recommendation: Christine Cornejo on behalf of Gary McCumber, resident of the Port San Luis Trailer Park.

Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed four hundred thousand dollars (\$400,000) to undertake entitlement activities, including the preparation and submission of documentation needed for environmental review and regulatory permits for the future development of a campground in the area known as Harbor Terrace located in the Port San Luis Harbor, San Luis Obispo County. The Conservancy further authorizes its Executive Officer to enter into an agreement on behalf of the Conservancy with the Port San Luis Harbor District to undertake these entitlement activities and, in return, to share in the future potential revenue from the campground facilities."

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 project is consistent with Public Resources Code section 31104, regarding the receipt of rents, royalties, and other financial support from public and private sources; with section 31111 regarding planning; with sections 31300-31315 regarding urban waterfront restoration; and with sections 31400 *et.seq.*, regarding coastal access."

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

SOUTH COAST

7. SAN DIEGO RIVER PARK TRAIL – FLUME TRAIL

Megan Cooper of the Coastal Conservancy presented all of the Staff Recommendations for the San Diego River Park Trails, item nos 7-9.

Speaking in favor of the Staff Recommendation: Mike Nelson, Executive Officer, San Diego River Conservancy.

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Resolution:

“The State Coastal Conservancy (“the Conservancy”) hereby authorizes the disbursement of up to four hundred fifty thousand dollars (\$450,000) to the County of San Diego (“the County”) to construct the approximately 2.5-mile Flume Trail segment of the San Diego River Trail.

This authorization is subject to the condition that prior to the disbursement of any Conservancy funds, the County shall submit for review and approval of the Executive Officer of the Conservancy:

- a. A work program, including final design plans and specifications, schedule and budget for construction.
- b. Evidence that all necessary permits and approvals have been obtained.
- c. A signing plan for the project acknowledging Conservancy funding.”

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 a system of public accessways to and along the coast.
3. The proposed project would serve a greater-than-local need.
4. The Conservancy has independently reviewed the Mitigated Negative Declaration, public comment and Mitigation and Monitoring Plan (attached to the accompanying staff recommendation) adopted by the County on September 26, 2012 for the proposed project pursuant to the California Environmental Quality Act. The Conservancy 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.”

8. SAN DIEGO RIVER PARK TRAIL – CARLTON OAKS

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred thirty two thousand dollars (\$332,000) to the San Diego Association of Governments (“SANDAG”) to complete preliminary engineering and environmental analysis for the Carlton Oaks segment of the San Diego River Trail. Prior to the disbursement of any Conservancy funds, SANDAG shall submit for review and approval of the Executive Officer of the Conservancy 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 9 of Division 21 of the Public Resources Code, regarding a system of public accessways to and along the coast.
3. The proposed project would serve a greater-than-local need.”

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

9. SAN DIEGO RIVER PARK TRAIL – QUALCOMM STADIUM

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one hundred sixty eight thousand dollars (\$168,000) to the San Diego Association of Governments (“SANDAG”) to complete preliminary engineering and environmental analysis for the Qualcomm Stadium segment of the San Diego River Trail.

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

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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 a system of public accessways to and along the coast.
3. The proposed project would serve a greater-than-local need.”

Items Nos. 7 thru 9 were moved and seconded. Items Nos. 7-9 were approved by a vote of 5-0.

Megan Cooper acknowledged and thanked Mike Nelson, retiring Executive Officer for the San Diego River Conservancy, for all his support and work with the San Diego River Conservancy.

10. MALIBU COASTAL ACCESS PUBLIC WORKS PLAN

Joan Cardellino of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Joseph Edmiston, Mountains Recreation and Conservation Authority; Linda Locklin, California Coastal Commission;

Speaking in favor of the Staff Recommendation requesting alternate funding or conditional support: Joseph Smith, City of Malibu.

Speaking in opposition to the Staff Recommendation: Herbert Donell, attorney for Mr. Wildman and Mr. Mancuso.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to four hundred seventy thousand dollars (\$470,000) to the Mountains Recreation and Conservation Authority (MRCA) to prepare a Malibu Coastal Access Public Works Plan, subject to the following conditions:

1. Prior to the disbursement of funds, MRCA shall submit for the review and approval of the Conservancy’s Executive Officer a work program, including budget and schedule, for the project and any contractors to be retained.
2. To the extent appropriate, the Malibu Coastal Access Public Works Plan shall incorporate the guidelines of the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and shall be consistent with the requirements of all applicable federal and state laws governing barrier-free access for persons with disabilities .
3. The Malibu Coastal Access Public Works Plan shall be consistent with the Local Coastal Plan for the City of Malibu.

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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 November 10, 2011 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 public access.
3. The proposed project will serve greater-than-local needs.”

Moved and seconded with amendment by Ms. Shallenberger to add condition no. 3 .
Roll call vote:

Mr. Cash – Yes; Mr. Sadowski – No; Ms.Shallenberger-Yes; Ms. Moret-Yes; Chair Bosco - No. Approved by a vote of 3-2.

11. MILTON STREET

David Hayes of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred thousand dollars (\$300,000) to the Mountains Recreation and Conservation Authority (MRCA) for construction of a 1.2-acre park along the Ballona Creek Bike Path on Milton Street, in the City of Los Angeles, subject to the following conditions:

1. Prior to disbursement of funds, MRCA shall submit for review and approval of the Executive Officer of the Conservancy:
 - a. Evidence that MRCA has obtained all necessary project permits and approvals.
 - b. A final work plan including project schedule and budget and any contractors to be used to complete the project.
 - c. Evidence that the property owner has entered into a written agreement authorizing the project and agreeing to allow the grantee to maintain the park for at least twenty years.
2. Prior to disbursement of the final 10 percent withheld grant funds, MRCA shall submit for Conservancy review:
 - a. A site management plan and a copy of the Milton Street maintenance contract, and
 - b. A signage program acknowledging Conservancy funding and identifying the project as a gateway to the California Coastal Trail.”

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Findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding coastal public accessways;
2. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
3. The proposed project serves greater than local needs.
4. As a responsible agency, the Conservancy has independently reviewed and considered the mitigated negative declaration for the project, *Initial Study/Mitigated Negative Declaration for the Milton Street Park Project, July 2012* and concludes that the project as mitigated will not have a significant adverse effect on the environment .”

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

SAN FRANCISCO BAY AREA

12. ISLAIS CREEK ACCESS IMPROVEMENTS

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to six hundred sixteen thousand, five hundred and thirty-four dollars (\$616,534) to the Port of San Francisco to improve the southeast San Francisco waterfront access by removing creosote-treated pilings at Islais Creek and designing plans for the renovation of the Copra Crane at Pier 84 as a waterfront labor history landmark, subject to the following conditions:

1. Prior to the disbursement of funds, the Port of San Francisco shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. A final work program, schedule and budget.
 - b. The scopes of work and the roster of contractors to be employed in the project.
 - c. A sign plan acknowledging the Conservancy and displaying its logo in a manner approved by the Executive Officer.
2. Prior to initiating construction, the Port of San Francisco shall provide written evidence to the Executive Officer that all permits and approvals necessary to the implementation and completion of the project under applicable local, state and federal laws and regulations have been obtained.”

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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 relevant sections of “The 34th America’s Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza Final EIR” certified by the City of San Francisco Planning Department on December 15, 2011, pursuant to the California Environmental Quality Act, and finds no substantial evidence that the project, with the identified measures to avoid or reduce the possible significant environmental effects, will have a significant effect on the environment.”

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

13. CONSERVANCY MEMBER COMMENTS

There were no member comments.

14. PUBLIC COMMENT

There was no public comment.

15. CLOSED SESSION

There was no closed session.

16. ADJOURNMENT

Meeting was adjourned at 12:40 p.m.