

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

December 4, 2014

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chairman
Sara Ramirez Giroux (Public Member)
Steve Kinsey, Coastal Commission Chair
Bryan Cash (Designated, Natural Resources Agency)

OVERSIGHT MEMBERS PRESENT:

No oversight members attended

OTHERS PRESENT:

Nadine Peterson, Deputy Executive Officer
Jeannette MacMillan, Legal Counsel

LOCATION:

Novato Arts Center at Hamilton Field
Building 500
500 Palm Dr.
Novato, CA

1. ROLL CALL

Douglas Bosco (Public Member), Chairman
Sara Ramirez Giroux (Public Member)
Steve Kinsey, Coastal Commission Chair
Bryan Cash (Designated, Natural Resources Agency)

2. APPROVAL OF MINUTES OF THE CONSERVANCY'S OCTOBER 2, 2014 PUBLIC MEETING

Moved and seconded. Approved by members present: Chair Bosco, Ms. Ramirez Giroux, Mr. Cash and Mr. Kinsey by a vote of 4-0.

3. CONSENT ITEMS

A. SEA OTTER RECOVERY

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one hundred eighteen thousand dollars (\$118,000) to implement projects focused on the recovery of the southern sea otter to the Regents of the University of California at the following locations:

- The U.C. Santa Cruz campus (UCSC) fifty eight thousand three hundred thirty three dollars (\$58,333) to: 1) assess the use of Elkhorn Slough by southern sea otters; and 2) conduct a public education program on the recovery of southern sea otters.
- The U.C. Davis campus (UCD) fifty nine thousand six hundred sixty seven dollars (\$59,667) to assess southern sea otter mortality patterns and identify key causes of premature mortality.

Prior to the disbursement of funds each project grantee shall submit for the review and written approval of the Executive Officer of the Conservancy a work program, including scope of work, budget and schedule; 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 authorization is consistent with Chapter 5.5 of Division 21 of the Public Resources Code, regarding Integrated Coastal and Marine Resource Protection.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

B. ALNUS RETAINER AUGMENTATION

Resolution:

“The State Coastal Conservancy hereby authorizes an amount not to exceed fifty thousand dollars (\$50,000) to Alnus Ecological, Inc. to augment the existing contract providing environmental services to the Conservancy to guide development of watershed restoration projects that meet resource goals and achieve full compliance with all applicable environmental regulations. Use of this additional funding is limited to projects that promote recovery of steelhead in the Carmel River watershed. This authorization is subject to the condition that prior to commencement of work utilizing the augmented funding, the Executive Officer of the Conservancy shall approve in writing a work authorization, including scope of work, schedule of completion, budget, and any subcontractors to be employed.”

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 Sections 31111 and 31220 of Division 21 of the Public Resources Code, regarding, respectively, project planning and development and integrated coastal and marine resources protection.”

C. SOUTH BAY SALT POND ADAPTIVE MANAGEMENT PROGRAM

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one million dollars (\$1,000,000) of funds to be reimbursed by the Santa Clara Valley Water District to undertake applied studies associated with the implementation of the South Bay Salt Pond Restoration Project’s Adaptive Management Studies, including as follows: to the United States Geological Survey (USGS) up to six hundred thousand dollars (\$600,000) and to the University of California at Davis (UCD) up to three hundred forty thousand dollars (\$340,000), in order to undertake studies related to sediment transport, mercury accumulation in sediments, mercury bioaccumulation, and movement of salmonid fish in the Guadalupe River watershed and the Pond A8 complex. Prior to the disbursement of Conservancy funds for a study, the entity responsible for the study shall submit for the review and approval of the Conservancy’s Executive Officer a work program for that study, including a schedule and budget.”

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 Conservancy’s mandate to address the resource and recreational goals of the San Francisco Bay Area.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

D. SOUTHERN CA ABALONE AND KELP FOREST HABITAT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$17,152.50 (seventeen thousand one hundred fifty two dollars and fifty cents) to The Bay Foundation to re-introduce and restore green abalone (*Haliotis fulgens*) populations off the coast of Palos Verdes Peninsula, Los Angeles County, to implement the Santa Monica Bay Restoration Plan approved by the Conservancy on August 2, 2001. Prior to the disbursement of any funds, the grantee shall submit for the review and

approval of the Executive Officer of the Conservancy:

- a. A work program, budget, schedule, and the names of any contractors to be employed in carrying out the project.
- b. Evidence that all permits and approvals necessary to the completion of the project have been obtained.

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 5.5 of Division 21 of the Public Resources Code (sections 31220 *et seq.*), regarding integrated coastal and marine resources protection.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Bay Foundation is a nonprofit organization existing under section 501(c)(3) of the Internal Revenue Service, and whose purposes are consistent with Division 21 of the Public Resources Code.”

E. SCRIPPS COASTAL TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an additional amount of up to one hundred thousand dollars (\$100,000), for a total grant of up to three hundred fifty thousand dollars (\$350,000), to the Scripps Institution of Oceanography (SIO), University of California, San Diego, to prepare final plans and construction drawings and to construct a Coastal Trail segment on the SIO campus and to install directional and interpretive signage on the trail. This authorization remains subject to the budget and project schedule with an updated trail design prior to disbursement of funds for the project.”

Findings:

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

1. The proposed project, as augmented, remains consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding public access.

2. The proposed project, as augmented, is consistent with the current Conservancy Project Selection Criteria and Guidelines, as updated and approved on October 2, 2014.
3. The proposed project, as augmented, continues to meet greater-than-local needs.
4. The project environmental effects remain unchanged from those described in the June 30, 2013 staff recommendation and there are no other conditions requiring additional environmental documentation for the project under the California Environmental Quality Act.”

F. SAN CLEMENTE COASTAL TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the City of San Clemente (the City) for preparation of designs, environmental analysis and permit applications for a segment of the California Coastal Trail that will extend the San Clemente Railroad Corridor Pedestrian Beach Trail.

Prior to the disbursement of any Conservancy funds, the City 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 will serve a greater-than-local need.”

G. HUNTINGTON HARBOR ACCESSWAY

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$32,110 (thirty two thousand one hundred ten dollars) to augment the existing grant to Orange County Coastkeeper (OCC) for the purpose of maintaining the public access easement at Portofino Cove. This authorization is subject to the condition that prior to the disbursement of any funds, OCC 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 purposes and criteria set forth in Public Resources Code Sections 31400-31409 regarding establishing a system of public coastal accessways.
2. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
3. Orange County Coastkeeper is a nonprofit organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Service Code, whose purposes, which include the preservation and restoration of land for public access and recreation, are consistent with Division 21 of the Public Resources Code.”

H. POINT ARENA COVE ACQUISITION

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to sixty-five thousand dollars (\$65,000) to the City of Point Arena to acquire the Point Arena Cove property (Mendocino County Assessor’s Parcel Number 027-04-145, depicted in Exhibit 1 to the accompanying staff recommendation) in Point Arena, Mendocino County for open space, natural resource protection and public access subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for the acquisition, the City of Point Arena shall submit for review and approval by the Executive Officer:
 - a. All relevant acquisition documents, including but not limited to an appraisal, environmental assessment, agreement of purchase and sale, escrow instructions, and documents related to title.
 - b. Evidence that the City of Point Arena has obtained all funds necessary to complete the acquisition.
2. The City of Point Arena shall permanently dedicate the property for public access, open space, and habitat and natural resource conservation, in a manner acceptable to the Executive Officer.

3. The City of Point Arena shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
4. In the event that the current owner (or successor) of the property successfully challenges the tax-default sale to the City of Point Arena, the City shall promptly repay to the Conservancy all Conservancy funds disbursed for the acquisition.
5. 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 authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The proposed project serves greater than local needs.”

I. COASTAL TRAIL GARRAPATA STATE PARK

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$75,000 (seventy five thousand dollars) to the California Department of Parks and Recreation (“State Parks”) to develop improvements to the Coastal Trail within Garrapata State Park in Monterey County using the services of the California Conservation Corps, subject to the following conditions:

1. Prior to the disbursement of funds State Parks shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. A work program, budget, schedule, and names and qualifications of any contractors to be employed for these tasks.
 - b. Evidence that State Parks has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
 - c. A signing plan for the project acknowledging Conservancy participation and designation of the project as a segment of the California Coastal Trail.
2. State Parks shall ensure that all project improvements 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.

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 9 of Division 21 of the Public Resources Code, regarding public access.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration certified by the California Department of Parks and Recreation on August 24, 2012 under the California Environmental Quality Act (“CEQA”) and attached to the accompanying staff recommendation as Exhibit 3.

Moved and seconded. Consent items were approved by members present: Chair Bosco, Ms. Ramirez Giroux, Mr. Cash and Mr. Kinsey by a vote of 4-0.

4. EXECUTIVE OFFICER REPORT

Deputy Executive Officer, Nadine Peterson gave the EO report.

- A. Nadine discussed the process for Adoption of Proposition 1 Project Solicitation and Evaluation Guidelines. Sam’s memo was distributed to the members explaining the process including the following:

Draft guidelines to Conservancy board: January 29. Coastal Conservancy board members review and comment on the proposed guidelines at our meeting in Ventura.

Public meetings: March and April. These can be held by staff; were thinking that we would do them all in the span of a week or so. We may team up with some of the other conservancies.

Resources Agency review and approval: late April - May.

Board adoption: June 25. Based on Conservancy comments from January, public comments in March and April, and the CNRA review, we would bring back a final set of guidelines for your review and approval at our June meeting in Sacramento.

- B. Jeannette MacMillan, Coastal Conservancy legal staff, informed the members about a new law requiring recordation of votes at public agency meetings going into effect in 2015, and asked the board what their preferred approach would be for recording votes at the public meetings which will begin with the January 29, 2015 meeting. The board agreed they would take a roll call vote if there were any abstaining or “no” votes. If all approved the item, the Conservancy executive assistant would record all the members present.
- C. Amy Hutzal, of the Coastal Conservancy, gave a power point presentation explaining the ways that Conservancy staff maintain and share data about Conservancy projects,

including the Project Database, the Project Viewer map at www.scc.ca.gov, and the new Map Collaborator program, which staff are using to map our projects.

- D. Trish Chapman, of the Coastal Conservancy, gave an update on potential Conservancy collaboration with the California Endowment.

CENTRAL COAST

5. MORRISSEY RANCH – LOS OSOS CREEK

This item was postponed to a future date

6. PILARCITOS CREEK BRIDGE

Janet Diehl of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff recommendation: John Douty, Senior Management Analyst for Special Projects, City of Half Moon Bay.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to the City of Half Moon Bay (“the City”) to prepare designs, environmental analysis and permit applications for replacing the Pilarcitos Creek Bridge, a part of the Coastal Trail at Half Moon Bay State Beach in northern San Mateo County. This authorization is subject to the following conditions:

1. Prior to the disbursement of Conservancy funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a work program, budget, and schedule for completion of the proposed project, and the names and qualifications of any contractors to be employed to carry out the work program.
2. To the extent appropriate, the City shall ensure that the final designs of the replacement bridge are consistent with the Conservancy’s “Standards and Recommendations for Accessway Location” and with all applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.
3. The City shall incorporate into the replacement bridge design a signing plan acknowledging Conservancy participation and identifying the bridge as a segment of the California Coastal Trail.”

Findings:

“Based on the accompanying staff report and attached exhibits, the 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 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 greater than local needs.”

Moved and seconded. Approved by members present: Chair Bosco, Ms. Ramirez Giroux, Mr. Cash and Mr. Kinsey by a vote of 4-0.

NORTH COAST

7. BLUE CREEK WATERSHED

Karyn Gear of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: The Honorable Thomas O’Rourke, Tribal Chairman, Yurok Tribe.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to two million dollars (\$2,000,000) to the Western Rivers Conservancy (“WRC”) to acquire approximately 4,063 acres of real property in and around the Blue Creek watershed in unincorporated Humboldt and Del Norte Counties (Humboldt County Assessor Parcel Nos. and Del Norte County Assessor Parcel Nos. as listed in Exhibit 2 to the accompanying staff recommendation) for purposes of protection, restoration and enhancement of natural resources and open space, and compatible public access. Title to the property may vest in WRC or Western Rivers Forestry Inc. (“WRF”). This authorization is subject to the following conditions:

1. Prior to disbursement of any Conservancy funds, WRC shall:
 - a. Submit for review and approval of the Executive Officer of the Conservancy (“Executive Officer”) all relevant acquisition documents, including but not limited to the appraisal, escrow instructions and documents of title.
 - b. Secure all other funds necessary to complete the acquisition.
 - c. Enter into a revenue sharing agreement acceptable to the Executive Officer of the Conservancy.
 - d. Submit a plan for the acknowledgement of Conservancy funding through installation of a sign or signs and other appropriate means.
 - e. Obtain a resolution of support for the project from the Del Norte County Board of Supervisors.

2. WRC shall pay no more than fair market value for the property, as established in an approved appraisal.
3. The property shall be permanently dedicated, in a manner acceptable to the Executive Officer, for purposes of protecting, restoring and enhancing natural resources and open space, including, without limitation, protecting, restoring and enhancing water quality and salmonid habitat; preventing fragmentation of forestlands; potential carbon sequestration and creation of carbon credits to help address climate change; and compatible public access.
4. WRC or WRF may transfer the property to the Yurok Tribe if the Yurok Tribe has entered into an agreement with the Conservancy sufficient to protect the public interest and including: a) a waiver of sovereign immunity and b) a requirement that before the property is transferred to the federal government to be held in trust for the Tribe, the federal government shall enter into an agreement with the Conservancy sufficient to protect the public interest in the property.
5. Within one year of this authorization, WRC or WRF shall submit a management plan for the property for review and approval to the Executive Officer of the Conservancy. The management plan shall provide for protection, restoration and enhancement of natural resources and open space, shall provide recommendations to enhance anadromous fish and other wildlife habitat, and identify opportunities for compatible public access.”

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 8 of Division 21 of the Public Resources Code, regarding reservation of significant coastal resource areas.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Western Rivers Conservancy and Western Rivers Forestry 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 members present: Chair Bosco, Ms. Ramirez Giroux, Mr. Cash and Mr. Kinsey by a vote of 4-0.

8. PARKER RANCH

This item was postponed to a future date.

9. USAL-SHADY DELL CREEK

Karyn Gear of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Christine Aralia, Save the Redwoods League.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred fifty thousand dollars (\$350,000) to Save the Redwoods League (SRL) to construct an approximately 2.3-mile segment of the California Coastal Trail on the Usal-Shady Dell Creek property in northern Mendocino County, subject to the following conditions:

1. Prior to the disbursement of any funds for the project, SRL shall submit for the review and approval of the Executive Officer:
 - a) A work program, schedule, budget and the names and qualifications of any contractors.
 - b) Evidence that all necessary permits and approvals have been obtained.
2. SRL shall ensure the project is 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 access for persons with disabilities.
3. SRL shall install coastal trail emblems provided by the Conservancy at locations identified in the project area 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 of the Public Resources Code, regarding public access.
3. SRL is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code and its purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by members present: Chair Bosco, Ms. Ramirez Giroux, Mr. Cash and Mr. Kinsey by a vote of 4-0.

10. CLOSED SESSION

There was no closed session

11. CONSERVANCY MEMBER COMMENTS

There were no member comments

12. PUBLIC COMMENTS

There were no public comments

13. ADJOURNMENT

Meeting adjourned at 2:12 pm