

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES
March 26, 2015**

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chairman
Ann Notthoff (Public Member)
Steve Kinsey, Coastal Commission Chair
Karen Finn (Designated, Department of Finance)
Bryan Cash (Designated, Natural Resources)
Sara Ramirez Giroux (Public Member)

OVERSIGHT MEMBERS PRESENT:

No oversight members attended

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Glenn Alex, Legal Counsel

LOCATION:

Napa County Transportation and Planning Agency
625 Burnell Street
Napa, CA 94559

1. ROLL CALL

Douglas Bosco (Public Member), Chairman
Ann Notthoff (Public Member)
Steve Kinsey, Coastal Commission Chair
Karen Finn (Designated, Department of Finance)
Bryan Cash (Designated, Natural Resources)
Sara Ramirez Giroux (Public Member)

2. APPROVAL OF MINUTES OF THE CONSERVANCY'S January 29, 2015 PUBLIC MEETING

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

The Conservancy next heard agenda item 4.A., from the Executive Officer’s report.

4. EXECUTIVE OFFICER REPORT

- A. **CONSENT DELEGATION** –The Conservancy approved an increase in the maximum cost of consent items that the executive officer may place on public meeting consent calendars from \$100,000 to \$250,000. Moved and seconded. Approved by a vote of 6-0. In conjunction with that approval, regular items 6, 8, 11, and 12 were moved to the consent calendar.

The Conservancy then addressed the augmented consent calendar, item 3.

3. CONSENT ITEMS

A. SONOMA COUNTY LANDSMART ENVIROMENTAL DOCUMENT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed thirty-seven thousand dollars (\$37,000) to the Sonoma Resource Conservation District (Sonoma RCD) to prepare an environmental document pursuant to the California Environmental Quality Act (CEQA) that analyzes the environmental impacts of a suite of conservation practices proposed for properties throughout Sonoma County watersheds, subject to the condition that prior to the disbursement of funds, Sonoma RCD shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget and the names of any contractors it intends to employ for 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 6 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

B. HUMBOLDT BAY DUNES AND MARSH RESTORATION PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes the acceptance of \$75,000 (seventy five thousand dollars) in grant funds from the National Fish and Wildlife Foundation (NFWF), and the disbursement of up to \$25,434 (twenty five thousand four hundred thirty-four dollars) to the Friends of the Dunes (“FOD”) and \$47,075 (forty seven

thousand seventy-five dollars) to the Redwood Community Action Agency (RCAA) to implement the Humboldt Bay Dunes and Marsh Restoration Project (Project) on approximately 100 acres of coastal dunes and tidal marsh adjacent to Arcata Bay (Exhibit 1). This authorization is subject to the following conditions:

1. Prior to initiating work on or disbursement of any funds for their respective components of the Project, FOD and RCAA shall each submit for the review and approval of the Executive Officer:
 - a. A work plan, schedule, budget, and the names of any contractors or subcontractors to be retained for implementation of the Project.
 - b. An agreement of the landowner of any land on which the Project work will occur by which the landowner authorizes the work and entry onto the land for purposes of implementing the work and post-implementation monitoring and inspection.
2. In implementing the Humboldt Marsh Restoration component of the Project, RCAA shall ensure compliance with all applicable mitigation measures and monitoring and reporting requirements for the project that are identified in the “Final Programmatic Environmental Impact Report for the Humboldt Bay Regional Spartina Eradication Plan” (FEIR) and in the Mitigation Monitoring and Reporting Program certified and adopted by the Conservancy at its April 18, 2013 meeting, or in any permits, approvals or additional environmental documentation required for the project.
3. In implementing the Humboldt Bay Dunes Restoration component of the Project, FOD shall ensure implementation of and compliance with all aspects of the Project as described in the “Initial Study Negative Declaration for the FOD Coastal Development Permit, Conditional Use Permit, and Lot Line Adjustment” (ND), or in any permits, approvals or other environmental documentation required for the project.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resource protection projects.
3. The Conservancy has independently reviewed and considered the information contained in the ND pursuant to its responsibilities under CEQA (CEQA Guidelines, 14 California Code of Regulations, Section 15090). The ND identifies no potentially significant effects from implementation of the dunes restoration component of the Project.

4. The Conservancy has identified the environmental impacts associated with the Humboldt Bay Marsh Restoration component of the Project and the mitigation measures needed to reduce or avoid those effects, all of which were fully identified and considered in the programmatic FEIR. There are no new additional or more severe environmental impacts associated with this component of the Project beyond those previously considered by the FEIR and there is no need for new or additional mitigation measures to reduce or to avoid the impacts of the Project.
5. There is no substantial evidence that the implementation of the Project, as mitigated, will have a significant effect on the environment.
6. FOD and RCAA 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.”

C. SOUTH SAN FRANCISCO BAY SHORELINE STUDY

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to \$100,000 (one hundred thousand dollars) as the Conservancy’s share of increased costs under the Feasibility Cost Share Agreement with the U.S. Army Corps of Engineers and Santa Clara Valley Water District for the South San Francisco Bay Shoreline Study, authorized by the Conservancy on December 2, 2004.”

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.”

D. INVASIVE SPARTINA PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to a total of \$1,580,000 (one million five hundred eighty thousand dollars) for the San Francisco Estuary Invasive *Spartina* Project, allocated as follows:

1. Approximately \$150,000 (one hundred fifty thousand dollars), for ongoing invasive and hybrid *Spartina* treatment and eradication projects through 2015 (or in subsequent years). The grant funds for treatment and eradication projects may be used to augment

existing grants to the California Wildlife Foundation, the Friends of Corte Madera Creek Watershed, the East Bay Regional Park District, the City of Alameda, the City of Palo Alto, the San Mateo County Mosquito Abatement and Vector Control District, and the California Department of Parks and Recreation. Any grant of funds for treatment and eradication shall be subject to the following conditions:

- a. Prior to implementing any treatment and eradication project and prior to disbursement of any funds to the grantee, the grantee shall have in place all required permits and approvals and shall submit for review and approval of the Executive Officer a final plan detailing the site-specific work for 2015, based on the outcome and extent of the 2014 treatment, and including a list of identified mitigation measures, a work program for 2015 treatment, including a schedule and budget, and evidence that the grantee has obtained all necessary permits and approvals for the project.
 - b. In carrying out any treatment and eradication project, the grantee shall comply with all applicable mitigation and monitoring measures that are set forth in the approved site-specific plans, that are required by any permit, the applicable U.S. Fish and Wildlife Service Biological Opinion or any other approval for the project, and that are identified in the “Final Programmatic Environmental Impact Statement/Environmental Impact Report, San Francisco Estuary Invasive Spartina Project: Spartina Control Program” (FEIS/R), adopted by the Conservancy on September 25, 2003.
2. Approximately \$1,430,000 (one million four hundred thirty thousand dollars), planning, management, treatment, and monitoring activities for the Invasive *Spartina* Project.”

Findings:

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

1. Disbursement of additional funds for the Invasive Spartina Project treatment and eradication projects, and planning and management, remains consistent with Public Resources Code Sections 31160-31165.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy on October 2, 2014.
3. The California Wildlife Foundation and Friends of Corte Madera Creek Watershed are nonprofit organizations 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. HISTORIC SHIP SAN SALVADOR

Resolution:

“The State Coastal Conservancy hereby augments its authorizations of September 20, 2007 and May 11, 2012 to the Maritime Museum Association of San Diego by three hundred thousand dollars (\$300,000) to enable completion of a replica of the historic ship San Salvador. Additionally, notwithstanding the previous Conservancy authorizations, the Association shall not be obligated to repay any of these funds granted by the Conservancy or interest accrued on them.

1. Prior to the disbursement of any additional Conservancy funds, the Association shall submit for review and approval of the Executive Officer of the Conservancy (Executive Officer) a budget, schedule, final designs and plans, and the names of any contractors and subcontractors to be engaged; and a signing plan for the finished project acknowledging the Coastal Conservancy funding.
2. The Association shall acknowledge the Coastal Conservancy’s funding on educational materials, advertisements, and publications associated with the *San Salvador* in a manner that shall be approved in advance by the Executive Officer of the Conservancy.”

Findings:

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

1. Except as provided above or in the accompanying, current staff recommendation, the project remains consistent with the Conservancy’s authorizations and staff recommendations of September 20, 2007 and March 29, 2012, attached respectively as Exhibits 3 and 4 to the accompanying staff recommendation.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on October 2, 2014.”

F. FRESHWATER FARMS NATURE TRAIL AND IMPROVEMENTS

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to eighty-five thousand dollars (\$85,000) to the Northcoast Regional Land Trust (NRLT) to implement the Freshwater Farms Nature Trail Project in Humboldt County, subject to the following conditions:

1. Prior to the disbursement of funds, NRLT shall submit for review and approval by the Executive Officer of the Conservancy:
 - a. A work program including a schedule and budget for the project.
 - b. All contractors to be retained for the projects.

- c. Documentation that all funding required for the project has been secured.
- 2. NRLT shall ensure that the 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 access for persons with disabilities.
- 3. Prior to commencement of work on the project, the Northcoast Regional Land Trust shall record an agreement pursuant to §31116 (c) sufficient to protect the public interest in the project.”

Findings:

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

- 1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
- 2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public accessways.
- 3. The Conservancy has independently reviewed the *Wood Creek Estuary, Tidal Marsh, and Fish Access Enhancement Project, Freshwater, Humboldt County, California, Mitigated Negative Declaration*, adopted by Humboldt County under the California Environmental Quality Act on September 4, 2008, and the *Addendum* thereto, adopted by Humboldt County under the California Environmental Quality Act on December 18, 2014, both attached to the accompanying staff recommendation as Exhibit 3, and finds that the proposed project avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment as defined in 14 California Code of Regulations Section 15382.
- 4. The Northcoast Regional Land Trust 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.”

Regular Agenda Items moved to the consent calendar:

6. PINOLE CREEK FISH PASSAGE IMPROVEMENT PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$165,000 (one hundred sixty-five thousand dollars) to the Contra Costa Resource Conservation District (“the District”) for the Pinole Creek Fish Passage Improvement Project to eliminate a barrier to migration of anadromous steelhead. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the District shall submit the following for review and approval of the Executive Officer of the Conservancy:
 - A. A detailed work program, project budget, and schedule;
 - B. Evidence that all permits and approvals necessary for the project have been obtained;
 - C. A plan for the installation of a sign acknowledging Conservancy funding; and
 - D. The name(s) and qualifications of any contractors that the District intends to employ for 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 the purposes and objectives Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Conservancy has independently reviewed and considered the Initial Study and Mitigated Negative Declaration for the Pinole Creek Fish Passage Improvement Project that the Contra Costa Resource Conservation District adopted on January 12, 2015 under the California Environmental Quality Act (attached to the accompanying staff recommendation as Exhibit 3). Based on the record as a whole, the Conservancy finds that the project, as designed, avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

8. PHASE TWO LIVING SHORELINES PROJECTS

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one hundred fifty thousand dollars (\$150,000) to the City of Encinitas (“City”) to develop conceptual dune restoration alternatives at Cardiff State Beach. Prior to the disbursement of funds, the City shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, including budget and schedule, and any contractors to be employed for these work program tasks.”

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 3 of Division 21 of the Public Resources Code regarding funding feasibility studies and plans and addressing impacts of climate change, and with Chapter 6 of Division 21 of the Public Resources Code, regarding resource enhancement.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

11. MAD RIVER FLOODPLAIN RESTORATION & PUBLIC ACCESS PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to two hundred thousand dollars (\$200,000) to California Trout, Inc. to prepare designs and permit applications for a Mad River Floodplain Restoration and Public Access Project and to implement a floodplain biofiltration project, subject to the following conditions:

1. Prior to the disbursement of funds, California Trout, Inc. shall submit for review and approval by the Executive Officer of the Conservancy:
 - a. A work program including a schedule and budget for the floodplain restoration and biofiltration projects.
 - b. All contractors to be retained for the projects.
 - c. Documentation that all funding required for the projects have been secured.
2. Prior to commencement of work on the projects, California Trout, Inc. shall provide for the Executive Officer’s review and approval an agreement with the landowner sufficient to assure adequate access to the project sites to complete and monitor the projects.”

Findings:

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

1. The proposed projects are consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapters 6 and 9 of Division 21 of the Public Resources Code, regarding resource enhancement and public accessways, respectively.
3. California Trout, Inc. 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.”

12. FITCH MOUNTAIN PUBLIC ACCESS PLAN

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one hundred fifty thousand dollars (\$150,000) to the City of Healdsburg to develop a public access

plan for Fitch Mountain in Healdsburg, Sonoma County, subject to the following conditions:

1. Prior to the disbursement of funds, the City of Healdsburg shall submit for review and approval by the Executive Officer of the Conservancy:
 - a. A work program including a schedule and budget for the project.
 - b. The names and qualifications of all contractors to be retained for the project.
 - c. Agreements or other assurance acceptable to the executive officer of the Conservancy that the City will have access to the property adequate to implement the project.
2. The City of Healdsburg shall ensure that the plan 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."

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."

Consent items were moved and seconded. Approved by a vote of 6-0.

The Conservancy then heard the remainder of the Executive Officer's report, item 4, followed by the remainder of the agenda in original order.

B. PARTNERSHIP WITH THE CALIFORNIA ENDOWMENT

Presented by Amy Hutzler of the Coastal Conservancy – recommending partnership in building healthy communities. The parties are planning additional activities in June in Richmond.

C. LEGISLATIVE REPORT

The executive officer provided a legislative report. A written report is attached at the end of the minutes

D. STRATEGIC PLAN UPDATE

Deputy Executive Officer Mary Small provided an update on the pending revision of the Conservancy's Strategic Plan, and indicated four priorities for Proposition One funds: water sustainability, wetland restoration, urban greening with multiple benefits, and anadromous fish habitat. The discussion that followed also noted the need for more public access to the coast, including low-cost visitor accommodations.

E. DRAFT PROPOSITION 1 GRANT GUIDELINES PLAN UPDATE

Deputy Executive Officer Mary Small provided an update on the Draft Proposition 1 Grant Guidelines, noting four priorities: water sustainability, wetland restoration, urban greening with multiple benefits, and anadromous fish habitat. Member comments noted the importance of low-cost, visitor-serving overnight facilities to promote public access to the coast.

Public Comment:

John Woodbury, Napa County Regional Park and Open Space District
Brendan Moriarty, Trust for Public Land

SAN FRANCISCO BAY

5. DUTCH SLOUGH TIDAL MARSH RESTORATION PROJECT

Jeff Melby of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Patty Finrock, Program Manager, Department of Water Resources.

Resolution:

“The State Coastal Conservancy hereby accepts the grants of one million dollars (\$1,000,000) from the United States Fish and Wildlife Service (USFWS) and one million four hundred thousand dollars (\$1,400,000) from the United States Environmental Protection Agency (USEPA), and authorizes the disbursement of up to five million thirty thousand dollars (\$5,030,000) including two million seven hundred and fifty thousand dollars (\$2,750,000) in Conservancy funds to Reclamation District 2137 (RD) for restoration of the Emerson and Gilbert Parcels of the Dutch Slough Tidal Marsh Restoration Project (the Project), subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for the Project, the RD shall submit for the review and approval of the Conservancy's Executive Officer.
 - a. A work program for the Project, including schedule, budget, and names of any contractors it intends to use to complete the Project.
 - b. A sign plan to acknowledge Conservancy, USFWS, and USEPA funding for the Project.

2. Prior to construction of the project, the RD shall provide documentation that all permits and approvals required for the Project under federal, state, and local laws have been obtained.
3. The RD shall provide the Conservancy with copies of all mitigation monitoring and reporting documentation required by the Mitigation Monitoring and Reporting Program adopted by the Department of Water Resources (DWR) on March 17, 2010 and on October 31, 2014 (Exhibits 4-6).
4. No federal funds will be awarded through the Conservancy until all of the conditions of the federal grants are satisfied. The RD shall assist the Conservancy in complying with the conditions of the federal grants funding this project.
5. Prior to releasing funds to the grantee, DWR shall have entered into an agreement with the Conservancy sufficient to protect the public interest in the improvements and to provide public access to the project for the reasonable life of the improvements.”

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.
3. The Conservancy has independently reviewed and considered the information contained in the FEIR as a responsible agency under the California Environmental Quality Act (CEQA). The FEIR and FSEIR identify potential significant adverse environmental effects from implementation of the Dutch Slough Restoration Project, as modified in the FSEIR, in the areas of Hydrology and Geomorphology; Water Quality; Geology and Soils; Biological Resources; Air Quality; Noise; Recreation; Cultural Resources; and Hazards and Hazardous Materials. With regard to these impacts, the Conservancy finds
 - a. Mitigation measures have been adopted by the lead agency for the Project, DWR. As landowner, implementation of these mitigation measures is within the jurisdiction of DWR.
 - b. The Project, as modified by incorporation of the design and mitigation measures identified in the FEIR and FSEIR, would avoid the significant adverse environmental effects or mitigate the effects to a point where no significant effect on the environment would occur, except for the unavoidable significant impacts identified in Finding 4, below.
 - c. Except for the unavoidable significant impacts, the Conservancy finds no substantial evidence, based on a review of the record as a whole, that the Project as mitigated may have a significant effect on the environment.

4. Construction of the Project may result in significant and unavoidable impacts in the areas of creation of habitat that benefits non-native fish species, demolition of historic structures/ landscape features that contribute to the rural historic landscape, and cumulative impacts to cultural resources as detailed in the staff recommendation, FEIR, and FSEIR. Specific environmental and other benefits of the Project described in the accompanying staff recommendation and detailed in the FEIR and FSEIR outweigh and render acceptable these unavoidable adverse environmental effects because the Project:
 - a. Will result in the long-term environmental benefits of restoring native habitat for threatened Chinook salmon, Sacramento splittail, and other plant and animal species that are threatened by loss of critical habitat,
 - b. Will support the Sacramento Delta food web by producing and exporting nutrients,
 - c. Will contribute to scientific understanding of restoration processes, and
 - d. Provide shoreline access, recreational and educational opportunities for the public.
5. The Conservancy adopts the Statement of Overriding Considerations set forth in this staff report.”

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

7. PHASE TWO LIVING SHORELINES

Marilyn Latta of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy authorizes disbursement of up to \$775,000 (seven hundred seventy five thousand dollars), including \$475,000 (four hundred seventy five thousand dollars) of U.S. Fish and Wildlife Service grant funds, to implement the Living Shorelines Project (LSP) in San Francisco Bay as follows:

1. Up to \$100,000 in Conservancy funds to conduct 2015 monitoring for the current LSP demonstration project at the San Rafael Shoreline site in Marin County.
2. Up to \$675,000 (six hundred seventy five thousand dollars), including \$475,000 (four hundred seventy five thousand dollars) in U.S. Fish and Wildlife Service grant funds, to design, implement, and monitor additional demonstration Phase Two LSP demonstration projects at seven candidate sites in San Francisco Bay, including Breuner Marsh (Contra Costa County); San Rafael Shoreline (Marin County); Elsie Roemer Marsh and Eden Landing Ecological Reserve (Alameda County); Ravenswood Salt Ponds/Slough (Santa Clara County); and Coyote Point and Oyster Point (San Mateo County). One of these candidate sites will be selected for implementation of a one acre pilot project. These funds may be used to retain environmental services contractors needed to design or monitor the Living Shorelines projects, or to augment existing grants to nonprofit organizations and public entities or to provide new grants to such organizations or entities. Use of the funds shall be subject to the following conditions:

- a. If the grant is to a nonprofit organization, the grantee is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the California Public Resources Code.
- b. Prior to initiating any project work and prior to disbursement of any funds, each grantee shall submit for review and approval of the Executive Officer:
 - i. A plan detailing the proposed project work, including a work program, schedule and budget.
 - ii. Documentation that all permits and approvals needed for the project work have been obtained.
- c. In carrying out any monitoring, implementation or other work, the grantee or contractor shall comply with all applicable mitigation and monitoring measures that are that are required by any permit or approval for the project.”

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 4.5 of Division 21 of the Public Resources Code, regarding the resource goals of the San Francisco Bay Area Conservancy Program.
2. The proposed project remains consistent with the Project Selection Criteria and Guidelines adopted on October 2, 2014.
3. The California Wildlife Foundation, a potential grantee, 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.”

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

NORTH COAST

9. WHITE SLOUGH RESTORATION PROJECT

Joel Gerwein of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“ The State Coastal Conservancy hereby authorizes the acceptance of one million dollars (\$1,000,000) from the U.S. Fish and Wildlife Service for the White Slough Restoration Project and disbursement of an amount not to exceed one million four hundred fifty thousand dollars (\$1,450,000) to the Humboldt County Resource Conservation District (HCRCD) for the restoration of coastal wetlands at White Slough, within the Humboldt Bay National Wildlife Refuge on Humboldt Bay. The Conservancy further adopts the “Final Initial Study and Mitigated Negative Declaration for the White Slough Restoration Project” (IS/MND) and the Mitigation Monitoring and Reporting Program (MMRP) (attached to the staff recommendation as Exhibit 4). This authorization is subject to the following conditions:

1. Prior to disbursement of any funds for each phase of the Project, the HCRCDC shall submit for the review and approval of the Executive Officer:
 - a. A work plan, schedule, budget, and the names of any contractors or subcontractors to be retained for implementation of the project.
 - b. Evidence that all permits and approvals necessary to that phase of the Project have been obtained.
 - c. Evidence that all necessary funds for implementation of that phase of the Project have been obtained.
 - d. A plan for the installation of a sign acknowledging Conservancy and USFWS funding.
2. In implementing the Project, the HCRCDC shall ensure compliance with all applicable mitigation measures and monitoring and reporting requirements for the project that are identified in the IS/MND and MMRP certified and adopted by the Conservancy at its March 26, 2015 meeting, or in any permits, approvals or additional environmental documentation required for the project.”

Findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed project 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 projects.
3. The Conservancy has independently reviewed and considered the information contained in the IS/MND and public comments received on this document, pursuant to its responsibilities under the California Environmental Quality Act (“CEQA”). The IS/MND has been completed in compliance with CEQA under the direction and supervision of the Conservancy and reflects the Conservancy’s independent judgment and analysis.
4. The IS/MND identifies potentially significant effects from implementation of the Plan in the areas of biological resources, hazards/hazardous materials, hydrology/water quality, and noise. As modified by incorporation of the mitigation measures identified in the IS/MND, project implementation will avoid, reduce, or mitigate all of the possible significant environmental effects of the project to a level that is less than significant. Based on the record as a whole, there is no substantial evidence that the implementation of the White Slough Restoration Project, as mitigated, will have a significant effect on the environment.
5. The project is consistent with the Humboldt Bay National Wildlife Refuge Comprehensive Conservation Plan and the Water Quality Control Plan for the North Coast Region.”

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

10. HAMILTON CREEK FISH PASSAGE

Peter Jarausch of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Grant Werschull, Executive Director, Smith River Alliance

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred twenty-six thousand dollars (\$326,000) to the Smith River Alliance to remove a fish passage barrier located at the intersection of Picnic Road with Hamilton Creek in Del Norte County, and to purchase a modular bridge that can be installed as needed to maintain vehicular access to the area.

Prior to the disbursement of funds, the Smith River Alliance shall submit for review and approval by the Executive Officer of the Conservancy:

1. A work program, including a schedule and budget
2. The names and qualifications of all contractors.
3. Evidence that all permits and approvals 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 6 of Division 21 of the Public Resources Code, regarding Coastal Resource Enhancement Projects.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Smith River Alliance is a nonprofit organization existing under section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

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

CENTRAL COAST

13. PEDRO POINT HEADLANDS IMPLEMENTATION PLAN

Janet Diehl of the Coastal Conservancy presented the Staff Recommendation

Speaking in favor of the Staff Recommendation: Cecily Harris, San Mateo County Department of Parks

Resolution:

“The State Coastal Conservancy hereby: 1) approves the Pedro Point Headlands Implementation Plan, attached as Exhibit 2 to the accompanying staff recommendation, to

transfer fee title to three parcels at the Pedro Point Headlands in Pacifica (San Mateo County Assessor Parcel Numbers 023-730-020, 023-730-220 and 023-740-020, collectively “the property”) excepting as described in 2), below, to San Mateo County (“County”) for purposes of public access, natural resource protection and open space preservation; 2) authorizes the reservation of approximately 0.6 acres of the property from transfer to the County and sale at fair market value to an adjacent property owner to settle an encroachment dispute; and 3) authorizes its Executive Officer to take all necessary steps to implement this transfer and sale of the property.

A. The authorization of the transfer of the property to the County is subject to the following conditions:

1. The County shall hold, operate, use and manage the property for open space preservation, natural resource protection, and public access pursuant to the terms of the Transportation Enhancement Activities Program Agreement Declaring Restrictive Covenants Project Number STPLE-6078 (003), recorded against the property at the time of State acquisition in 1996 as San Mateo County Assessor’s Office Document No. 96-030751.
2. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign that has been reviewed and approved by the Conservancy’s Executive Officer.
3. Within one year of acquisition of the property, the County 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 County in consultation with the Conservancy.

B. The authorization to reserve and sell the 0.6-acre property (“sale property”) to an adjacent property owner (“Buyer”) is subject to the following conditions:

1. The California Department of Transportation shall agree to remove its use restrictions from the sale property prior to its transfer to Buyer.
2. With consent of Conservancy, Buyer shall obtain from the City of Pacifica at Buyer’s own cost a lot line adjustment and legal description of the sale property.
3. Buyer shall deposit into escrow for the benefit of Conservancy funds equal to the appraised fair market value of the sale property and shall bear all transactional costs associated with the transfer of fee title to the sale property to Buyer.”

Findings:

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

1. The proposed project is consistent with Chapter 3 of Division 21, Section 31107, regarding the transfer of land acquired by the Conservancy and 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. .]

2. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
3. The approximately 0.6-acre property does not possess sufficient conservation or public access values to preclude sale for a nonconservation or public access purpose.
4. The project serves greater than local needs.”

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

14. CLOSED SESSION

There was no closed session

15. CONSERVANCY MEMBER COMMENTS

There were no member comments

16. PUBLIC COMMENTS ON NON-AGENDA ITEMS

There were no member comments

17. ADJOURNMENT

The board meeting adjourned around 12:30 pm.

State Coastal Conservancy March 26, 2015 Legislative Report

[AB 300](#)

(Alejo D) Safe Water and Wildlife Protection Act of 2015.

Current Text: Amended: 3/5/2015 [pdf](#) [html](#)

Status: 3/23/2015-Do pass as amended and be re-referred to the Committee on Appropriations.

Location: 3/23/2015-A. APPR.

Summary: Existing law establishes the State Coastal Conservancy and prescribes the membership and functions and duties of the conservancy with respect to preservation of coastal resources in the state. This bill would enact the Safe Water and Wildlife Protection Act of 2015, which would require the conservancy to establish and coordinate the Algal Bloom Task Force, in consultation with the Secretary of the Natural Resources Agency, and would prescribe the composition and functions and duties of the task force. The bill would require the task force to review the risks and negative impacts of toxic algal blooms and microcystin pollution and to submit a summary of its findings and recommendations to the secretary by January 1, 2017. The act would authorize the conservancy, the Department of Fish and Wildlife, the Wildlife Conservation Board, and the State Water Resources Control Board to enter into contracts and provide grants from specified bond funds available under the Water Quality, Supply, and Infrastructure Improvement Act of 2014 for applied research, projects, and programs, recommended by the task force, aimed at preventing or sustainably mitigating toxic blooms of cyanotoxins and microcystin pollution in the waters of the state.

[AB 392](#)

(Atkins D) San Diego River Conservancy.

Current Text: Introduced: 2/18/2015 [pdf](#) [html](#)

Status: 3/5/2015-Referred to Com. on NAT. RES.

Location: 3/5/2015-A. NAT. RES.

Summary: The San Diego River Conservancy Act establishes the San Diego River Conservancy in the Natural Resources Agency, and prescribes the territory, membership, and functions and duties of the conservancy with regard to, among other things, the acquisition, protection, and management of public lands within the San Diego River area, as defined. Existing law provides that the act will remain in effect until January 1, 2020. This bill would delete the January 1, 2020, repeal date, thereby extending the operation of the act indefinitely.

[AB 435](#)

(Chang R) California Environmental Protection Agency: Natural Resources Agency: Web casts of public meetings and workshops.

Current Text: Amended: 3/18/2015 [pdf](#) [html](#)

Status: 3/19/2015-Re-referred to Com. on A. & A.R.

Location: 3/19/2015-A. A. & A.R.

Calendar: 3/25/2015 10 a.m. - State Capitol, Room 437 ASSEMBLY ACCOUNTABILITY AND ADMINISTRATIVE REVIEW, SALAS, Chair

Summary: Existing law establishes the California Environmental Protection Agency and the Natural Resources Agency as agencies in the state government. Existing law, the Bagley-Keene Open Meeting Act, generally requires that all meetings of a state body be open and public. This bill would require that each department, board, and commission of the Natural Resources Agency and each department, board, and office of the California Environmental Protection Agency Web cast all public meetings and workshops, in a manner that enables listeners and viewers to ask questions and provide public comment by telephone or electronic communication commensurate with those attending the meeting or workshop. The bill would require the agencies to archive the recording of a Web cast for subsequent reasonable viewing by interested members of the public.

[AB 694](#)

(Rendon D) California Coastal Commission: fees: low-cost accommodation.

Current Text: Introduced: 2/25/2015 [pdf](#) [html](#)

Status: 3/9/2015-Referred to Com. on NAT. RES.

Location: 3/9/2015-A. NAT. RES.

Summary: The California Coastal Act of 1976 requires the California Coastal Commission to implement and administer various coastal protection programs in the state, and requires any person undertaking development in the coastal zone to obtain a coastal development permit issued by the commission in accordance with prescribed procedures. Existing law requires a person receiving a coastal development permit or certificate of exemption for development on a vacant lot within an area designated pursuant to certain provisions to pay an "in-lieu" public access fee, for deposit into the Coastal Access Account. Existing law authorizes money in the account to be available, upon appropriation, to the State Coastal Conservancy for grants to public and nonprofit entities for development, maintenance, and operation of new or existing facilities that provide public access to the shoreline of the sea. This bill would authorize "in-lieu" public access fees in the account to be made available, upon appropriation, to the commission for purposes of retaining and developing low-cost accommodations, as defined, along the coast by providing low-interest loans and entering into cost-sharing agreements for the renovation of those facilities. This bill contains other related provisions.

ACR 18

(Gordon D) Parks Make Life Better! Month.

Current Text: Introduced: 2/4/2015 [pdf](#) [html](#)

Status: 3/19/2015-From committee: Be adopted. Ordered to Third Reading. (Ayes 11. Noes 0.) (March 19).

Location: 3/19/2015-A. THIRD READING

Calendar: 3/26/2015 #11 ASSEMBLY ASSEMBLY THIRD READING FILE

Summary: This measure would recognize the importance of access to local parks, trails, open space, and facilities for the health and development of all Californians and would declare the month of July 2015 as "Parks Make Life Better!" Month.

SB 17

(Monning D) California Sea Otter Fund.

Current Text: Introduced: 12/1/2014 [pdf](#) [html](#)

Status: 3/19/2015-Set for hearing April 8.

Location: 1/15/2015-S. G. & F.

Calendar: 4/8/2015 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, HERTZBERG, Chair

Summary: Existing law, until January 1, 2016, establishes the California Sea Otter Fund and allows taxpayers to designate on their income tax returns that a specified amount in excess of their tax liability be transferred to the fund. Existing law, on and after January 1, 2015, requires money in that fund, upon appropriation by the Legislature, to be allocated to the Department of Fish and Wildlife for the purposes of establishing a sea otter fund to be used for sea otter conservation, and to the State 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 would extend the operation of these provisions to January 1, 2021.

SB 317

(De León D) The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016.

Current Text: Introduced: 2/23/2015 [pdf](#) [html](#)

Status: 3/18/2015-Set for hearing April 14.

Location: 3/5/2015-S. N.R. & W.

Calendar: 4/14/2015 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, PAVLEY, Chair

Summary: Under existing law, various measures have been approved by the voters to provide funds for park, river, and coastal protections and programs. This bill would enact the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016, which, if adopted by the voters at the November 8, 2016, statewide general election, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance a safe neighborhood parks, rivers, and coastal protection program.

Total Measures: 7

Total Tracking Forms: 7