

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES
February 06, 2020*

**STATE COASTAL CONSERVANCY
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MEMBERS PRESENT:

Douglas Bosco (Public Member), Chair
Ann Notthoff (Public Member), Vice Chair
Bryan Cash (Designated, Natural Resources)
Gayle Miller (Designated, Department of Finance)
Steve Padilla (Designated, Coastal Commission)

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Amy Roach, Chief Counsel

LOCATION:

City of Oxnard's Advanced Water Purification Facility
5700 Perkins Road, Public Works Auditorium
Oxnard, CA 93033

MEETING START TIME: 09:08 A.M.

1. ROLL CALL

Douglas Bosco (Public Member), Chair
Ann Notthoff (Public Member), Vice Chair
Bryan Cash (Designated, Natural Resources)
Gayle Miller (Designated, Department of Finance)
Steve Padilla (Designated, Coastal Commission)

- 2. APPROVAL OF THE MINUTES** of the Conservancy's December 19, 2019 public meeting.
Moved and seconded. Approved unanimously.

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3. CONSENT ITEMS

Chair Bosco asked the board if any member requested any consent item be removed. Hearing no such request, the following consent items were moved for approval, seconded, and approved unanimously:

A. HOUDA POINT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed ninety thousand dollars (\$90,000) to the Trinidad Coastal Land Trust for construction of public access improvements at Houda Point in Humboldt County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. A recorded agreement pursuant to Public Resources Code 31116(d) sufficient to protect the public interest in the improvements.

In addition, to the extent appropriate, the Trinidad Coastal Land Trust shall incorporate the guidelines of the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and the requirements of all applicable federal and state laws governing barrier-free access for persons with disabilities into the Houda Point Access Improvements 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 9 of Division 21 of the Public Resources Code, regarding the creation of system of public accessways.

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2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Trinidad Coastal Land Trust is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.”

B. SANTA MARIA RIVER LEVEE TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed forty thousand dollars (\$40,000) to the County of Santa Barbara (“the grantee”) to prepare a design and feasibility study for the Santa Maria River Levee Trail in Santa Barbara County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and the requirements of all applicable federal and state laws governing barrier-free access for persons with disabilities into 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 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.”

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C. ROCKVILLE TRAILS PRESERVE

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to two hundred thousand dollars (\$200,000) to the Solano Land Trust (SLT) for construction of a staging area and other public amenities to allow access to a new 2.21-mile Bay Area Ridge Trail segment at Rockville Trails Preserve, subject to the following conditions:

1. Prior to commencing the project, the SLT shall submit for the review and approval of the Executive Officer of the Conservancy a work program, including project schedule and budget, the names of any contractors and/or subcontractors to be employed on the project, evidence that all permits and approvals necessary to implement the project have been obtained; and a signing plan for the project
2. Prior to commencing the project, the SLT shall enter into and record an agreement consistent with Section 31116(c) of the Public Resources Code to protect the public’s interest in the improvements.
3. The SLT shall provide evidence that all necessary 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 project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding public access improvements to and around San Francisco Bay.
3. The Conservancy has independently reviewed and considered the “Mitigated Negative Declaration of the Solano County Department of Resource Management – Rockville Trails Preserve” adopted by Solano County on June 20, 2017 and attached to the accompanying staff recommendation as Exhibit 4. The Conservancy finds that the project, with the mitigation measures incorporated into the project, avoids, reduces or mitigates potential 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.

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4. The SLT is a nonprofit organization existing under section 501(c)(3) of the U.S. Internal Revenue Code.”

D. RESTORE A TWO-MILE REACH OF THE NAPA RIVER

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million seven hundred thousand dollars (\$1,700,000) to the County of Napa (“the grantee”) to restore Group D of the Oakville to Oak Knoll Restoration Project along the Napa River, subject to the following condition:

1. Prior to commencement of the project, the grantee shall submit the following for review and written approval by the Executive Officer of the Conservancy (Executive Officer):
 - a. A detailed work program, schedule, and budget.
 - b. Names and qualifications of any contractors to be retained in carrying out the project.
 - c. A plan for acknowledgement of Conservancy funding and Proposition 1 as the source of that funding.
 - d. Evidence that all permits and approvals required to implement the project have been obtained.
 - e. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain 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 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.”

E. CORTE MADERA CREEK

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred thirty-nine thousand seven hundred and nineteen dollars (\$239,719)

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to the Friends of Corte Madera Creek Watershed (“the grantee”) to prepare design criteria, alternatives, and 35% design drawings, and prepare a Basis of Design Report for channel modifications to improve fish passage for adult steelhead and coho salmon in a 3,100-foot long channelized portion of the Corte Madera Creek in Marin County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding and Proposition 1 as the source of that funding.”

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, Sections 31160-31165, 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 Friends of Corte Madera Creek Watershed is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.”

F. REGIONAL FOREST AND FIRE CAPACITY PROGRAM

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed six hundred seventy thousand dollars (\$670,000) to augment the Conservancy’s October 17, 2019 authorization, for the following nonprofit organization and public agencies to carry out planning and implementation projects that will improve forest health and reduce fire threat and that may reduce greenhouse gas (GHG) emissions and increase carbon sequestration within the State Coastal Conservancy’s jurisdiction as follows:

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- San Mateo County Resource Conservation District (Santa Cruz Mountains Stewardship Network): One hundred thousand dollars (\$100,000) to improve vegetation mapping using LIDAR / GIS in Santa Clara and Santa Cruz counties.
- Contra Costa Resource Conservation District: Four hundred thousand dollars (\$400,000) to the Contra Costa County RCD, which will partner with the Alameda County RCD, to develop forest management plans and projects, secure permits, conduct stakeholder coordination, education and outreach, and implement demonstration projects in western Alameda and Contra Costa Counties.
- Amah Mutsun Land Trust: One Hundred Seventy thousand dollars (\$170,000) to the Amah Mutsun Land Trust to implement a prescribed burn program on public and private lands in San Mateo, Santa Cruz and Monterey Counties.

This authorization is subject to all of the conditions in the October 17, 2019 authorization, which is shown in Exhibit 2 to the accompanying staff recommendation.”

Findings:

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

1. The proposed authorization is consistent with Division 21 of the Public Resources Code Section 31113, regarding addressing climate change and potential climate change impacts.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Amah Mutsun Land Trust is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.”

G. WHITE SLOUGH RESTORATION PROJECT

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed eight hundred thirty two thousand, one hundred and thirteen dollars (\$838,113) received from the California Department of Fish and Wildlife (CDFW) to the Humboldt County Resource Conservation District (HCRCD) complete construction and implement post-

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construction monitoring of the White Slough Restoration Project in the Humboldt Bay National Wildlife Refuge on Humboldt Bay.

1. Prior to commencement of the project, the grantee shall submit the following for review and written approval by the Executive Officer of the Conservancy (Executive Officer):
 - a. A detailed work program, schedule, and budget.
 - b. Names and qualifications of any contractors to be retained in carrying out the project.
 - c. A plan for acknowledgment of Conservancy and California Department of Fish and Wildlife (CDFW) funding.
 - d. Evidence that all permits and approvals required to implement the project have been obtained.
2. HCRCDD shall provide the Conservancy with any information, documentation or other assistance needed by the Conservancy to comply with the requirements of the CDFW grant.”

Findings:

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

1. Disbursement of additional funds for the implementation of the project remains consistent with Public Resources Code sections 31220 and 31113 and with the resolution, findings and discussion accompanying the Conservancy authorization of May 26, 2016, attached as Exhibit 2 to the accompanying staff recommendation.
2. The proposed authorization remains consistent with the current Conservancy Project Selection Criteria and Guidelines.”

4. EXECUTIVE OFFICER REPORT

- A.** Amy Hutzler, Deputy Executive Officer, led the workshop on the Conservancy’s draft Justice, Equality, Diversity, and Inclusion Guidelines. During the workshop, at 9:31 AM, the Conservancy meeting was adjourned, and the Conservancy held break-out discussion groups that were open to the public. No more than one Conservancy board member participated in each discussion group. At 10:20 AM, the Conservancy meeting restarted, with all board members present. When the meeting resumed, the workshop continued with Conservancy discussion of the break-out session

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information, followed by taking public comments on the draft Justice, Equality, Diversity, and Inclusion Guidelines.

- B. Amy Hutzal, Deputy Executive Officer, presented the Conservancy 2020 Strategic Plan Annual Progress Report.
- C. Sam Schuchat, Executive Officer, presented the legislative report.

SOUTH COAST

5. CITY OF LONG BEACH TO CONSTRUCT A WATER TREATMENT

Emely Lopez of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Melissa You of the City of Long Beach.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of Long Beach (“the grantee”) to construct a water treatment facility and two acres of surrounding green space that include a one-acre wetland and trails that connect two nearby parks and provide an inland connection to the California Coastal Trail in the Willmore neighborhood of Long Beach.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. In implementing its project, the grantee shall comply with all mitigation measures and monitoring and reporting requirements for its project that are identified in Long Beach Municipal Urban Stormwater Treatment project Initial Study-Mitigated Negative Declaration (see Exhibit 3) and in any permits, approvals or additional environmental documentation required for the project.”

Findings:

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“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 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 Long Beach Municipal Urban Stormwater Treatment Project Initial Study-Mitigated Negative Declaration (ISMND) adopted by the City of Long Beach on July 31, 2017 pursuant to the California Environmental Quality Act (“CEQA”) and attached to the accompanying staff recommendation as Exhibit 3. The Conservancy finds that the proposed project as designed and mitigated avoids, reduces, or mitigates the potentially significant environmental effects to a less-than-significant level and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.”

Moved and seconded. Approved unanimously.

6. VENTURA HARBOR COMMERCIAL FISH PIER

Sam Jenniches of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Brian Pendleton of Ventura Port District.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred eighteen thousand and six hundred dollars (\$318,600) to the Ventura Port District (“the grantee”) to install a one-ton derrick crane at the Ventura Harbor Commercial Fish Pier and to enhance a commercial fishing gear storage and net repair facility in Ventura Harbor, County of Ventura.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.

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3. A plan for acknowledgement of Conservancy funding.
4. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain 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 7 of Division 21 of the Public Resources Code, regarding Urban Waterfront Restoration.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.

Moved and seconded. Approved unanimously.

7. NORTH BEACH OF THE CRYSTAL COVE

Rodrigo Garcia of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Kate Wheeler and Laura Davick of the Crystal Cove Conservancy.

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two million dollars (\$2,000,000) to the Crystal Cove Conservancy (“the grantee”) to restore 17 historic cottages on North Beach of the Crystal Cove Historic District for the purpose of increasing lower cost coastal accommodations in California.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Evidence that the grantee has entered into an agreement with the landowner sufficient to enable the grantee to implement, operate, and maintain the project.

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The grantee shall enter into and record an agreement pursuant to Public Resources Code 31116(c) sufficient to protect the public interest in the improvements.

The grantee shall ensure that the project follows the rental rates for the cottages established by the California Coastal Commission in the Coastal Development Permit No. 5-16-0552 as referenced in Exhibit 5.”

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 10 of Division 21 of the Public Resources Code, regarding Lower Cost Coastal Accommodations.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Crystal Cove Conservancy is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.
4. The Conservancy has independently reviewed the Crystal Cove Historic District Preservation and Public Use Plan Final Environmental Impact Report, adopted by the California Department of Parks and Recreation on February 25, 2003, attached to the accompanying Staff Recommendation as Exhibit 4, and finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.”

Moved and seconded. Approved unanimously.

CENTRAL COAST

8. WATSONVILLE SLOUGH FARM

Trish Chapman 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 Land Trust of Santa Cruz County (“the grantee”) to prepare plans, designs, environmental review documents, and permit applications for five miles of public trails and a trail staging area at the Watsonville Slough Farm, near Watsonville.

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Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development' and the requirements of all applicable federal and state laws governing barrier-free access for persons with disabilities into 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 9 of Division 21 of the Public Resources Code, regarding a system of public accessways.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Land Trust of Santa Cruz County is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code."

Moved and seconded. Approved unanimously.

SAN FRANCISCO BAY AREA

9. WATER FOR WILDLIFE, EAST BAY RANGELAND POND AND TROUGH ENHANCEMENT PROJECT

Avra Heller of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four hundred eighty five thousand nine hundred ninety three dollars (\$485,993) to the Alameda County Resource Conservation District ("the grantee") to implement the Water for Wildlife, East Bay Rangeland Pond and Trough Enhancement Project in Alameda and Contra Costa Counties.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

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1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding, and Proposition 1 as the source of that funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain 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 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 information contained in the following documents pursuant to the California Environmental Quality Act (“CEQA”) and attached to this staff recommendation as Exhibits 3 and 4, and finds that the proposed project as designed and mitigated avoids, reduces, or mitigates the potentially-significant environmental effects to a less-than-significant level, and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382:
 - a. Final Mitigated Negative Declaration for The Alameda County Voluntary Local Program and associated Mitigation Monitoring and Reporting Program, adopted by the Alameda County Resource Conservation District on August 20, 2012;
 - b. Final Mitigated Negative Declaration for The Contra Costa County Voluntary Local Program and associated Mitigation Monitoring and Reporting Program, adopted by the Contra Costa Resource Conservation District on February 9, 2015.”

Moved and seconded. Approved unanimously.

10. REDWOODS RISING-GREATER MILL CREEK WATERSHED RESTORATION

Shalini Kannan of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

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“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the Association of Bay Area Governments (“the grantee”) to prepare 60% project designs and permit applications for the Palo Alto Horizontal Levee Pilot Project, adjacent to the Palo Alto Regional Water Quality Control Plant, in the City of Palo Alto in Santa Clara County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgment of Conservancy funding and Proposition 1 as the source of that funding.”

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, Section 31111 regarding funding grants to public agencies to undertake planning, and with Chapter 4.5, regarding the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

Moved and seconded. Approved unanimously.

11. CLOSED SESSION

Meeting was closed to the public at 11:32 A.M. and re-opened at 11:36 A.M.

During the closed session, the Conservancy received litigation advice from counsel regarding:

Pappas, et al. v. State Coastal Conservancy, et al., Santa Barbara County Superior Court, Case No. 1417388; and

Hollister Ranch Owners’ Association v. Becerra, et al., U.S. District Court for the Central District of California, Case No. 2:20-cv-00453.

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12. CONSERVANCY MEMBER COMMENTS

There were no Conservancy member comments

13. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public Member Chris Goldblatt and Kathy Weldon spoke about their fish reef project.

Public Member Bruce Heyman spoke about Swift of Ipswich restoration.

14. ADJOURNMENT

Meeting adjourned at 11:43 A.M.