

STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES
April 06, 2023

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chair
Joy Sterling (Public Member),
Marce Gutiérrez-Graudiņš (Public Member)
Joseph Alioto Jr. (Public Member)
Bryan Cash (Designated, Department of Natural Resources)
Gayle Miller (Designated, Department of Finance)
Madeline Cavalieri (Designated, Coastal Commission)

OVERSIGHT MEMBERS PRESENT:

Assemblymember Christopher Ward
Kara Woodruff (Representative for Senator Laird, District 17)

OTHERS PRESENT:

Amy Hutzel, Executive Officer
Amy Roach, General Counsel

LOCATION:

Marin Civic Center
20 Avenue Of The Flags
San Rafael, CA 94903

MEETING START TIME: 10:06 A.M.

1. ROLL CALL

Douglas Bosco (Public Member), Chair
Joy Sterling (Public Member),
Marce Gutiérrez-Graudiņš (Public Member)
Bryan Cash (Designated, Department of Natural Resources)
Madeline Cavalieri (Designated, Coastal Commission)
Gayle Miller (Designated, Department of Finance)
Joseph Alioto Jr. (Public Member)

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2. **APPROVAL OF THE MINUTES** of the Conservancy's February 02, 2023 public meeting. Moved and seconded. Minutes were approved. Sterling abstained from the vote.

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 by Sterling, Cavalieri, Cash, Miller, Gutiérrez-Graudiņš, Alioto, Bosco (none opposed).

A. **North Fork Mattole River in Humboldt County**

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed forty-one thousand two hundred dollars (\$41,200) to the Mattole Restoration Council ("the grantee") to complete preacquisition activities for 52 acres of wetland, riparian, grassland, and forested habitat on the North Fork Mattole River 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.

Findings:

Based on the accompanying staff recommendation 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.
3. The Mattole Restoration Council is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

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B. SANTA ANA RIVER TRAIL RINCON TO PRADO SPILLWAY DESIGN PROJECT

Resolution:

The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three million dollars (\$3,000,000) to augment the Conservancy grant of one million two thousand dollars (\$1,200,000) previously authorized for Riverside County Regional Park and Open Space District (“the grantee”) to prepare plans, designs, and environmental documentation for the 3.4-mile segment of the Santa Ana River Trail known as the Rincon to Prado Spillway segment in the County of Riverside. This authorization remains subject to the same conditions contained in the Conservancy’s May 27, 2021 authorization.

Findings:

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

1. The proposed project remains consistent with the Conservancy’s findings under its May 27, 2021 authorization.

C. SANTA ANA RIVER RIVERSIDE RIVER DISTRICT FEASIBILITY STUDY

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed two hundred thousand dollars (\$200,000) to the City of Riverside (“the grantee”) to complete a feasibility study to assess the viability of establishing the Riverside River District along the Santa Ana River in the City of Riverside, Riverside 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.

Findings:

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

1. The proposed authorization is consistent with Chapter 4.6 of Division 21 of the Public Resources Code, regarding the Santa Ana River Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.

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D. TOPANGA LAGOON RESTORATION PLANNING PROJECT

This staff report described an error in the May 27, 2021 staff recommendation for the Topanga Lagoon Restoration Planning Project and provided a correction for the record.

E. BAY AREA RIDGE TRAIL: PATWINO WORRTLA KODOI DIHI OPEN SPACE CONSTRUCTION

Resolution:

The State Coastal Conservancy hereby authorizes augmentation of a grant to the Solano Land Trust (“the grantee”), previously authorized by the Conservancy on February 6, 2020, by an amount not to exceed four hundred thousand dollars (\$400,000) to construct a staging area and other public amenities at Patwino Worrtla Kodoi Dihi Open Space Park (formerly Rockville Trails Preserve), subject to the same conditions as the set forth in the Conservancy’s authorization of February 6, 2020.

Findings:

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

1. The proposed authorization remains 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.

F. Arena Cove Coastal Trail in Arena Cove

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed one hundred thousand dollars (\$100,000) to the Mendocino Land Trust, Inc. (“the grantee”) to develop designs, environmental review documents and permit applications for a segment of the Coastal Trail at Arena Cove in Point Arena, Mendocino 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. In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy’s ‘Coastal Access Project Standards.’

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Findings:

Based on the accompanying staff recommendation 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 provision of public accessways.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. Mendocino Land Trust, Inc. is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

4. EXECUTIVE OFFICER REPORT

A. Resolution in Honor of Ann Notthoff

Amy Hutzel, Executive Officer of the State Coastal Conservancy, presented the Resolution in Honor of Ann Notthoff detailing the many accomplishments of Ms. Notthoff and thanking her for her service to the Coastal Conservancy. The Conservancy recognized Ms. Notthoff and adopted the resolution, which includes the following:

Now, therefore, the State Coastal Conservancy hereby recognizes and thanks Ann Notthoff for her service to the Coastal Conservancy, to the California coast, and to the people of California.

Moved and seconded. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Gutiérrez-Graudiņš, Miller, Alioto, Bosco; voting against: none

B. Delegation of Additional Authority to Conservancy's Executive Officer

Amy Hutzel, Executive Officer of the State Coastal Conservancy, presented the Staff Recommendation. After discussion of the recommended resolution, Ms. Hutzel revised paragraph 2 to include the language shown in underline in the following Resolution.

Resolution:

On September 25, 2001, the Conservancy adopted a comprehensive list of authorities delegated to its Executive Officer ("Delegated Authority"). The Conservancy desires to modify and augment the Delegated Authority.

The State Coastal Conservancy hereby delegates the following authority to the Executive Officer:

1. The Executive Officer may place on the Conservancy's public meeting consent calendar items involving the expenditure of no more than \$500,000 (five hundred thousand dollars) about which no controversy is evident.

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2. Notwithstanding the limitation on expending funds received by the Conservancy as set forth in paragraph 4 of the Delegated Authority, upon receipt of grant or other funds from state or federal entities, the Executive Officer may expend such funds for the purposes for which they were paid to the Conservancy if such expenditures are for projects for which the Board has previously authorized funding, the expenditures were anticipated, in approximate amounts, in the staff recommendation for the project, and the expenditures do not require adoption of findings under the California Environmental Quality Act (CEQA). On an annual basis, the Executive Officer shall report to the Conservancy all projects funded pursuant to this authorization.

3. The Executive Officer may take all actions necessary for management or maintenance of Conservancy-owned real property, including easements, if such activities do not require adoption of findings under the California Environmental Quality Act (CEQA). Such actions include entering into grants, contracts for goods and services, and other agreements, and expending funds of any amount for land management and maintenance needs.

Moved and seconded. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Gutiérrez-Graudiņš, Alioto, Bosco; voting against: none.

SAN FRANCISCO BAY AREA

5. Walt Ranch Acquisition

Evyan Borgnis Sloane of the State Coastal Conservancy presented the Staff Recommendation.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed seven million dollars (\$7,000,000) to the Land Trust of Napa County (“the grantee”) to acquire 465 acres of the 2,300 acre “Walt Ranch” Property (Napa County’s Assessor’s Parcel Numbers 032-490-009, -010, -011, -012, -013, and -015), depicted in Exhibit 1 to the accompanying staff recommendation, for habitat preservation, biodiversity protection, climate resilience, improving wildlife corridors, and public access and tribal cultural uses compatible with natural resource protection in the Capell Valley of Napa County.

This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy (Executive Officer):

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- a. All relevant acquisition documents for the acquisition including, without limitation, the appraisal, purchase and sale agreement, deed, escrow instructions, environmental or hazardous materials assessment, and title report;
 - b. A baseline conditions report; and
 - c. Evidence that sufficient funds are available to complete the acquisition.
2. The grantee shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
 3. The property acquired under this authorization shall be managed and operated for habitat preservation, biodiversity protection, climate resilience, improving wildlife corridors, and public access and tribal cultural uses compatible with natural resource protection. The property shall be permanently dedicated to those purposes by an appropriate instrument approved by the Executive Officer.
 4. If requested by the Conservancy, the grantee shall permit designation of a segment of the Ridge Trail on the Walt Ranch Property and on all other property interests controlled by the grantee.
 5. Grantee shall prepare a management and public access plan for the Walt Ranch Property by May 1, 2026.
 6. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property or in a nearby publicly-viewable area, the design and location of which are to be approved by the Executive Officer.

Findings:

Based on the accompanying staff recommendation 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 addressing the impacts and potential impacts of climate change on resources within the Conservancy's jurisdiction.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. The Land Trust of Napa County is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

Moved and seconded. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Gutiérrez-Graudiņš, Alioto, Bosco; voting against: none.

6. Beneficial Reuse of Excavated Tunnel Material at Wetland Restoration Projects in South San Francisco Bay

Evyann Borgnis Sloane of the State Coastal Conservancy presented the Staff Recommendation.

Resolution:

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The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed one million five hundred thousand dollars (\$1,500,000) to the Santa Clara Valley Transportation Authority (“the grantee”) to complete environmental review under the California Environmental Quality Act and support the U.S. Fish and Wildlife Service’s environmental review under the National Environmental Policy Act, and prepare permit applications for beneficial reuse of excavated tunnel material from VTA’s BART Silicon Valley Phase II tunneling project in Santa Clara County at wetland restoration projects in the South San Francisco Bay.

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.

Findings:

Based on the accompanying staff recommendation 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 resources and recreational goals of San Francisco Bay Area.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.

Moved and seconded. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Miller, Gutiérrez-Graudiņš, Alioto, Bosco; voting against: none.

7. Berkeley Waterfront Improvements

Mark Kalnins of the State Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of Staff Recommendation: Nelson Lam

Commenting on the Staff Recommendation: Nelson Lam, Jim McGrath

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed three million forty-nine thousand dollars (\$3,049,000) to the City of Berkeley (“the grantee”) to design, obtain permits for, and construct Berkeley Waterfront improvements in Alameda County, consisting of 1) renovating the existing South Cove West parking lot, and 2) upgrading the existing Cesar Chavez Park perimeter trail.

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.

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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.

Findings:

Based on the accompanying staff recommendation 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 goals of the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. The Conservancy has independently reviewed and considered the “Berkeley Marina South Cove Parking Lot Renovation and New Restroom Project – Mitigated Negative Declaration/Initial Study – August 2015 (“IS/MND”), adopted by the City of Berkeley on December 15, 2015, pursuant to the California Environmental Quality Act (“CEQA”) and attached to the accompanying staff recommendation as Exhibit 7. The Conservancy finds that the proposed South Cove West Parking Lot renovation 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. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Miller, Gutiérrez-Graudiņš, Alioto, Bosco; voting against: none.

8. Crescent City Harbor Citizens’ Dock Planning and South Beach Access Improvement

Joel Gerwein of the State Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of Staff Recommendation:

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed one million three hundred seventy-seven thousand dollars (\$1,377,000) to the Crescent City Harbor District (“the grantee”) to prepare plans and designs, environmental review documents, and permit applications for the reconstruction of Citizens’ Dock and to construct a new restroom serving South Beach in the Crescent City Harbor in Del Norte 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:

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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.
4. Evidence that all permits and approvals required to implement the project have been obtained. In addition, to the extent appropriate, the Harbor District shall incorporate the guidelines of the Conservancy's 'Coastal Access Project Standards'.

Findings:

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

1. The proposed authorization is consistent with Section 31113 of Division 21 of the Public Resources Code, regarding addressing climate change and potential climate change impacts, and 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.

Moved and seconded. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Miller, Gutiérrez-Graudiņš, Alioto, Bosco; voting against: none.

NORTH COAST

9. Point Saint George Coastal Trail Design and Permitting

Joel Gerwein of the State Coastal Conservancy presented the Staff Recommendation.

Speaking against the Staff Recommendation: Nicholas Mavris

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed three hundred nine thousand six hundred and fifty dollars (\$309,650) to the Smith River Alliance ("the grantee") to prepare final designs, permit applications, and plans for interpretive elements for the Point Saint George Coastal Trail Project, which consists of construction of approximately 1.25 miles of coastal trail, resource protection, interpretive content, and improvements to the main trailhead parking area at Point Saint George in Del Norte County (Exhibits 1 and 2).

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. In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy's 'Coastal Access Project Standards'.

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Findings:

Based on the accompanying staff recommendation 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.
3. The Smith River Alliance is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.
4. The Conservancy has independently reviewed and considered the Point St. George Management Area Trail and Parking Lot Project Initial Study-Mitigated Negative Declaration adopted by the County of Del Norte on May 1, 2013 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. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Miller, Gutiérrez-Graudiņš, Alioto, Bosco; voting against: none.

10. Humboldt Bay Living Shoreline Planning

Fanny Yang of the State Coastal Conservancy presented the Staff Recommendation.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed seven hundred fifty thousand dollars (\$750,000) to the County of Humboldt (the grantee) for the Humboldt Bay Living Shoreline Planning project which consists of completing preliminary designs, conducting CEQA review, preparing 65% design plans, and preparing permit applications for phased salt marsh restoration along the Eureka-Arcata Highway 101 and Humboldt Bay Trail Corridor. 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.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the State Coastal

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Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 3 of Division 21 of the Public Resources Code, regarding the Climate Ready Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.

Moved and seconded. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Miller, Gutiérrez-Graudiņš, Alioto, Bosco; voting against: none.

11. Scaling California Soil Carbon Sequestration

Shalini Kannan of the State Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of Staff Recommendation: Anthony Myint.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed nine hundred ninety-five thousand five hundred dollars (\$995,500) to Zero Foodprint (“the grantee”) to implement 15-25 agricultural soil carbon sequestration projects (SCS project), and to sustainably increase soil carbon sequestration in California by developing ongoing regional funding mechanisms, and by helping establish and advance relevant local ordinances and policies. 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.

Prior to commencement of each SCS project, the grantee shall submit for the review and written approval of the Executive Officer the following:

1. Evidence that all permits and approvals required to implement the SCS project have been obtained.
2. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain the SCS project.
3. Evidence that the grantee has entered into landowner agreements sufficient to protect the public interest in the improvements.

Findings:

Based on the accompanying staff recommendation 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 the Conservancy’s authority to address the impacts and

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- potential impacts of climate change on resources within the Conservancy's jurisdiction.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
 3. Zero Foodprint is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

Moved and seconded. Motion was approved.

Voting in favor: Sterling, Cavalieri, Cash, Miller, Alioto, Bosco; voting against: none.

Abstained: Gutiérrez-Graudiņš.

12. CONSERVANCY MEMBER COMMENTS

13. PUBLIC COMMENTS ON NON-AGENDA ITEMS

14. CLOSED SESSION

Meeting closed at 12:42 P.M. for a closed session.

During the closed session, the Conservancy received information and advice from counsel, and provided direction to counsel, regarding Ballona Wetlands Land Trust v. California Department of Fish and Wildlife, et al. (Environmental Science Associates, Real Party in Interest), Los Angeles County Superior Court, Case No. 22STCP03307. Session was closed to the public pursuant to Government Code Section 11126(e)(2)(A).

Meeting re-opened to public at 1:06 P.M.

15. ADJOURNMENT

Meeting adjourned at 1:07 P.M.