

June 27, 2001  
Minutes  
Cape Mohican Council

Attending: Kolleen Bannon, Nick Franco, Mary Gibson Scott, John Tarpley, Ed Ueber, Kathy Verrue Slater, Dan Welsh, Brannon Ketchum (PRNS)

John chaired the meeting, and provided the agenda.

Ed mentioned that the Command Council might be interested in funding projects we can't fund, such as coastal seabird types of projects.

### **Old Business**

Still need the minutes from the last meeting to approve – action item for Tamara.

Also, were expecting to be able to look at the costs, labor vs. travel and hours billed for the council's budget, by agency. Request was from Ed.

### **Finances:**

Dan provided a financial update. The \$3,525,335 balance reflects initial amount plus allocations for restoration planning and interest earned. John to direct 180 day roll over extension for the \$2 million, and \$1.525 million for one year. John to also check FY01 allocations as reflected in total balance. Dan asked about the amount of set aside we would need for future restoration planning. We estimated it at \$20,000/year for two years.

### **Project Rankings:**

Dan provided an overview of the rankings submitted after the last council meeting. The maximum a project could receive was 55 points. It was confirmed that the scoring would be part of the administrative record. State parks will go back and review the revised Giacomini project, since the final version was not available to Nick prior to his extended travel following the last council meeting.

The council discussed the degree of flexibility it had regarding reallocating amounts among categories, referencing the amounts provided for in the MOU. It was confirmed that there was flexibility. Discussion resulted in projects being rated high, medium, or non-preferred, based on the scores averaged across the council. Factors included ranking scores, new information/revised proposals, council discussions, ranking criteria. Those projects ranked non-preferred were due to a lack of available funds at this time, with those ranked high and medium being the priority for use of the Cape Mohican funds.

Lost public use: funding for this category is \$1.03 million. Both projects – Angel Island State Park and Crissy Field – are considered highly preferred.

Beach: Need to split out the Ocean Beach project and put it in the birds category, since it is for bird protection/education.

- There was discussion as to why the Point Reyes National Seashore (PRNS) beach project went from 226K to 303 K; Brannon explained that the numbers were updated to reflect actual labor costs. Project ranked high.
- Regarding Duxbury Reef, concerns included the fact that it was more of a public education project rather than a restoration project (similar argument to Ocean Beach project); that it is relatively small (scale: 1.2 acres out of 516 acres); it is difficult to restore rocky intertidal habitat and it has recovered already. Group discussed the need to try and compensate for impacts and restore habitat where we can. All agreed that the project title should be revised to "Protection of Duxbury Reef through Education." The category should also be revised to "protection of sandy beach and rocky intertidal." What we are after in this category is for compensation, more than restoration, i.e. education. Project will be rewritten to emphasize the protection of \_\_\_ acres and education of \_\_\_ people; the results being to lessen the impacts of human use. Project ranked high.

#### Wetland:

- Hamilton raised several concerns that were not specifically addressed by project ranking criteria, including the amount of known toxic compounds in the soils and possibility of other unknown contaminants, especially with the use of dredge spoils. There were also concerns about liability issues delaying the project implementation; the length of time it will take to see benefits; the amount of money that the council would provide was small to the overall project cost. The project was ranked non-preferred.
- Pier 94 was considered a good project - the site was oiled by the spill- but project is costly for the benefits obtained. Concerns expressed included large cost for small area, with resulting small wildlife benefits (3 acres at Pier 94 vs. 500 acres at Giacomini); Giacomini and Pier 94 both impact the same species; potential for city to spend their funds on this project; question as to whether the port would not develop the site in the future. Perhaps council could pay for the cabling and permitting. The project was rated the lowest by all the council members. Project was ranked non-preferred.
- Spartina project generated discussion about the criticality of the location of the project. It would be in the Bay, and may require NPDES permit for application of Rodeo; after three years, exotics could creep back dependent upon location; is hybridization occurring between natives and exotics; is there a containment strategy. The project was ranked medium.
- Pier 98 is in an area that was directly impacted by the spill. The project is proactive, with community groups already involved in planting natives; the monitoring costs have been reduced in this revised project. Project was rated high.
- Giacomini costs have been revised, based on updated labor costs and extended period of the project from 4 to 7 years. Location and timing were concerns, though the overall value of the restoration is large. EIS is underway, and initial phase of project would bring results possibly in 2005. Discussed the possibility of targeting the portions of the project to be funded by the council, i.e. the construction/physical changes rather than the planning and compliance. The project ranked high under wetlands as well as birds.

### Birds:

- Ocean Beach ranked high as bird protection/education. Project needs to be revised to split it out from other PRNS beach project.
- Farallon mice eradication project costs escalated dramatically due to actuals based on Anacapa Island effort. Project was ranked non-preferred.
- Spartina project rated medium. It was considered medium under both the bird and wetland categories, with the funding proposed to be split between the categories.
- Giacomini also ranked high in the bird category, with funding split between bird and wetland since it benefits both categories.
- Red Rock project is being examined by Audubon for possible assistance in partial acquisition as part of their Bay Wetlands Campaign. If Audubon purchased it, there would need to be deed restrictions and/or an agreement as to transfer to an agency after a time certain. Project would support bird species most impacted by the spill, increasing cormorants in the bay. Discussion was guided by the MOU decision tree, i.e. is it feasible, cost to purchase may be prohibitive, it will support cormorants and pelicans (also gulls and herons) which were directly impacted, no other projects benefit these species. All agreed to rank it as medium pending more information on financial feasibility; need a time frame for acquisition and identification of other funding sources, before the RP/EA goes final. Priority expenditures would be for acquisition.
- Farallon projects addressed slab removal, weeds and birds. The bird component raised the question of the nexus, e.g. were auklets and storm-petrels impacted, would T/V Command council be better source of funds. The slab removal is easy to do, with high success, but mostly cosmetic changes would result; it was ranked non-preferred. The weed project would take longer, but benefits seabirds (gulls, auklets and other burrow nesters). Also should submit to T/V Command council for consideration. Project was ranked medium.
- Marin Island raised the issue of biological feasibility, nexus to spill injuries, and long time to see benefits. Will we lose productivity by doing the project? Egrets and herons will be supported at Giacomini. The project was ranked non-preferred.
- Least tern project ranked medium because it will function as a surrogate to support species that were substantially impacted, the gulls and terns. There is no other project that supports terns.

### Fish:

- The San Francisquito Creek project was ranked high.
- The herring project ranked high.

### **Administrative Record**

Attorneys need to review the files that Dan sent to Tammy. Tammy needs to distribute the file titles of the administrative record to the council, for comparison with their files for any gaps. This needs to be done so that Don Kane could have for including in next version of the document in appendix A, by July 13. Administrative record will be held at GGNRA headquarters for public review. NOAA will assess whether it can be placed on

their web site (depends on amount of documentation already electronically stored, vs. scanning hard copies).

## **RP/EA**

Don Kane joined the group.

- Cover - Corrections to the cover include revised NPS logo (to be provided by Brannon), removal of OSPR logo, design of collage using John's photos.
- Maps - John to assist don in developing maps of affected areas. Don to identify project locations, using an arrow and number which will cross-index to the project title. Need to add additional state parks in affected area – John to help Don.
- Projects considered early on and then rejected – Dan to take quick look at what he has in his files; if descriptions are readily available then we will include.
- Add the mission statement for California Parks and Recreation.
- There will be an index for categories and projects clearly laid out for user-friendly document.
- Lost use projects – need scaling text; Tammy, Chuck and Don to work on.
- NPS to provide revised Ocean beach project statement by 7/13.
- Farallon island projects to be cut and pasted.
- Rankings to be added to the chart.
- Biological resources description needs to be distinguished by resource, within the bay and along the coast.
- Have RP/EA available at main libraries in affected counties and include those that attended the scoping session.

## Schedule:

- July 9 Don to provide revised maps and cover layout to agencies
- July 13 All changes/text, including outline of final administrative record, needs to be to Don electronically, with cc: to Tamara.
- August 1 Revised documents received by agencies
- August 1 Tammy to mail out the public meeting mailing lists to the council for review and comment at next meeting
- August 10 Next council meeting in Cordelia. Will review document and discuss how to advertise, further discussion of public involvement, as well as numbers of documents to be produced. Finalize what the council vs. ESE does with regard to the public meeting (take notes?, summarize comments?); may just update the power point presentation done for the scoping meeting.
- Kathy to try and get revised notice out to agencies before meeting. Press release to be developed by Cal Fish and Game PIO Dana Michaels, and shared with NPS for release.

Sept. 26 P.M. public meeting date; to be held at GGNRA HQ, Building 201, Fort  
Mason, S.F. CA 94123

**NEPA/Compliance**

Discussed whether federal register notice is needed; it is optional but not mandatory. For  
CEQA, Kathy can use Final EA and FONSI and then submit to clearinghouse to CEQA.