

**MINUTES
LOS CERRITOS WETLANDS AUTHORITY (LCWA)
SPECIAL BOARD MEETING
January 7, 2021**

The meeting was held via Zoom.us. The meeting was called to order by Chair Sam Schuchat at approximately 12:34 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**

MEMBERS PRESENT:

Mr. Roberto Uranga
Mr. Sam Schuchat
Ms. Suzie Price
Mr. Joe Kalmick

MEMBERS ABSENT:

STAFF PRESENT:

Mark Stanley, Executive Officer
Dena Williams, Board Secretary
Salian Garcia, Fiscal Manager
Sally Gee, Project Manager
David Edsall, Jr., Deputy Attorney General

3. PUBLIC COMMENT

Ann Cantrell stated that the Wetlands do not need a Program EIR and pleaded with the Board to not waste any more money on the restoration of the Wetlands.

Alissa Bishop stated that she is representing the indigenous group of Tongva and asked that LCWA to listen to the indigenous voices regarding the ancestral remains being harmed due to the project and that large trucks and heavy machinery can damage the land and destroy remains. Ms. Bishop also stated that she is sickened by the LCWA's dependence of Synergy's money and the true goals can be met through much cheaper and respectful measures.

Ms. Corliss Lee stated that she is asking that the LCWA Board oppose the PEIR for the Restoration plan and at the very least, delay the approval pending the completion of the plan to include the financial feasibility studies proposed by Melinda Cotton and the measures proposed by the California Department of Fish & Wildlife.

Mr. Tom Hazelleaf stated that he supports the certification of the PEIR and he is glad that the Optimized Restoration Plan will be a second guide to determine whether a restoration project or activity should be considered.

Mary Parsell stated that the El Dorado Audubon has not been able to host any bird walks and looks forward to when they will be able to gather for the bird walks again and that she is listening to everything everyone has to say.

Anna Christensen stated that she opposes the PEIR for the Restoration Plan and doesn't support any development on any area that the tribal people pray on.

Elizabeth Lambe stated she wanted to acknowledge the tremendous amount of work that went into the responses to their comments and amendments to the PEIR and are pleased with the direction to complete an Optimized Restoration Plan as the next step with the LCWA's process.

Charles Richey stated that he has been a resident of the community for about 10 years and he has 3 facts: Marina Pacific of families have been victims of Synergy Oil, they have direct evidence from the Air Quality Management District confirming that they have been victims of Synergy's actions and since 2017 they have been victims of their relentless releasing of toxic gases and would like a no vote to the Restoration Plan.

Sally Gee read the comment cards for Roberto Dennis, Linda Matthews, Gary Adkins and Staci Johnson. They are as follows:

Roberto Dennis wrote, for the preservation of the indigenous wetlands, it only benefits the rich oil companies while neglecting the soul of the community.

Linda Matthews wrote, Marina Pacifica families have suffered from Synergy Oil's toxic discharges! I have had to take evasive actions from Synergy Oil's toxic gases many times. I have filed complaints to the AQMD. Synergy Oil continues to discharge their gas at the cost of many peoples health and well-being. They continue to disrupt our lives. I vehemently oppose Synergy Oil and their plans to further EXPLOIT the Los Cerritos Wetlands. Synergy Oil's past actions are horrendous. This is a matter of our health! Please VOTE NO.

Gary Adkins wrote, the residents at Marina Pacifica (over a thousand) and surrounding communities are suffering near daily toxic gases from the wetlands where Synergy Oil and Termo Oil have drills. We want it stopped! We have asked for filters. But the real demand is to give citizens like ourselves access to the wetlands, free of toxicity, and clean air. Please vote NO! Let's protect what's left of green patches in Long Beach.

Staci Johnson wrote, in regards to the gas smell we smell frequently, I am starting to document when we have the gas smell as I am now realizing it is not from any current gas leaks. We just moved here a year ago. I have been told that the smell that we have been dealing with is from Synergy Oil on the island right across from our home. When we smell it, my family and myself all feel headachy and sometimes nauseous to the point that we have to close all windows and doors or go to our other family house more inland for a few hours to get relief. This has got to stop. What kind of long term damage are we doing to our bodies by breathing in these toxic fumes? Please make it stop. Please, I implore you! Thank you for reading.

4. CHAIR'S REPORT

The Chair stated that he would be retiring in July/August after 20 years with the Coastal Conservancy and that the legislature has re-introduced resource bonds and climate resilience bonds which will be another funding pathway for the Conservancy and RMC.

5. APPROVAL OF MINUTES

One set of minutes for Board Meeting from September 24, 2020. There were no questions or objections.

Minutes were passed.

CONSENT CALENDAR

6. Consideration of resolution authorizing an extension to the Memorandum of Agreement for the Los Cerritos Wetlands Stewardship Program with the Los Cerritos Wetlands Land Trust.

7. Consideration of a resolution authorizing an extension to the Memorandum of Agreement for the Los Cerritos Wetlands Stewardship Program with the El Dorado Audubon.

8. Consideration of resolution authorizing an extension to the Memorandum of Agreement for Los Cerritos Wetlands Stewardship Program with the Aquarium of the Pacific.

9. Consideration of a resolution authorizing acceptance of a grant from the State Coastal Conservancy for the Los Cerritos Wetlands Southern Area Planning and Permitting Project.

10. Consideration of a resolution approving the application for grant funds from the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the California Drought Water, Parks, Climate, Coastal Protection, and Outdoor Access for all Act of 2018 (Proposition 68) for the Los Cerritos Wetlands Southern Area Restoration Planning and Permitting Project.

Board Member Uranga motioned to approve. Vice Chair Price seconded the motion. Board Voted: 3 Ayes, 0 Nays, 0 Abstentions. This item passed.

REGULAR CALENDAR

11. STATUS REPORT ON WORK PLAN IMPLEMENTATION

A. LAND MANAGEMENT UPDATE

Marcello Ceballos stated that on the OTD parcel the gate was damaged by a vehicle in September and the leasee staff has since replaced the gate He also stated that a

homeless encampment was observed along the southern fence line but has been remediated with no sign of inhabitants or no materials left behind.

Mr. Ceballos stated that on the Zedler Marsh and State Lands property, everything is good.

Mr. Ceballos stated that on the Hellman property the electronic entrance gate near 1st and PCH was damaged by a vehicle, it was removed and a temporary fence was put in place to secure the property. Mr. Ceballos also stated that vegetation is growing along a portion of the fence line of the stewardship program parking area and staff will monitor and schedule fence line maintenance once stewardship programs resume. Mr. Ceballos stated that on the Bryant Lease West property all of the locks and chains for the gates along the levee have been removed and all gates are open and it is recommended that LCWA staff meet with LA County to determine a new approach to securing this property and it is also recommended to adjust the fence line location to provide a thoroughfare along the levy path. Mr. Ceballos also mentioned that a large rubble pile consisting of asphalt, concrete, and metal have been dumped near the entrance gate to the LCWA's Bryant west property which is located on property currently owned by the Bryant's. Mr. Ceballos stated that staff will track the progress of the clean up effort and assess the site for impacts once the clean ups are complete.

Mr. Ceballos mentioned that a small fire occurred on the northwest portion of the property on September 23rd but the fire department quickly extinguished the fire with minimal vegetation damage and staff will work with the oil operators and LCWS to reduce fire loads in the area. Mr. Ceballos concluded with that a previously patched fence line has been breached and requires repairs and as of September 22nd the encampment area remains vacant.

B. LOS CERRITOS WETLANDS STEWARDSHIP PROGRAM COORDINATOR UPDATE

Jayde Bahrami stated that even though the Stewardship Program has not hosted any events or activities due to the pandemic, there have been some virtual field trips for some elementary students and created videos teaching them about the different animals that visit the wetlands and they were able to still fulfill the necessary tasks needed under the funding with the Land Trust.

C. HOMELESS RELOCATION PROGRAM UPDATE

Lenny Arkinstall stated that many calls came in about homeless and debris on the OTD parcel and Officers Depello & Armond and he made contact immediately. Lenny stated that they offered services, a snack and sanitation kit and let them know that they cannot stay at that location. Lenny mentioned that Kat, who has been a huge issue for the city and wetlands, said she wanted to go back home to Florida to her family, so arrangements were made the next day and a ticket was purchased and she was put on the bus.

Lenny stated that he and his crew did a large clean up removing abandoned shopping carts and debris with assistance from Officers Armond, Depello and Murphy and the five acres are free and clear of encampments.

Lenny stated that on the OTD parcel the vegetation is out of control and has become a magnet for the homeless and there is an on-going water leak coming off the property. Lenny mentioned that under the pipe bridge, where Jimmy used to live, needs to be filled in to prevent homeless from getting in there.

Vice Chair Price acknowledged the great work from Lenny, the Long Beach Police Department and Seal Beach Police Department have been doing in this area. Ms. Price mentioned that the county purchased a Motel 6 that they are using as a “home key” where they are taking in homeless individuals as clients and wanted to make sure that Lenny and his crew were aware of the program.

Board Member Kalmick joined the meeting at approximately 1:18pm during this item.

D. EXPENDITURES REPORT

Salian Garcia gave a brief synopsis of the FY 2019/2020 budget and summarized the Expenditures and Revenues as of October 23, 2020.

Salian stated that contracts and mitigation revenue are higher than budget projections primarily due to additional wetland restoration services conducted with Orange County Public Works and Tarplant Mitigation services, grant revenues are lower than budget projections as current health mandates deterred project management and operational tasks as well as the loss of an acquisition.

Salian stated that activity has been minimal with no recorded expenditures as of October 23, 2020 and revenue is also minimal as the Authority’s only receipt of revenue is from its OTD parcel tenants for the month of October 2020 and one annual JPA contribution.

12. CONSIDERATION OF A RESOLUTION CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE LOS CERRITOS WETLANDS RESTORATION PLAN AND ADOPTING FINDINGS AND FACTS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (STATE CLEARINGHOUSE NO. 2019039050).

Sally Gee stated that LCWA is proposing to implement a restoration program which identifies conceptual restoration designs for approximately 503 acres of land and water located on the border of Orange County and Los Angeles County in the cities of Seal Beach and Long Beach.

Ms. Gee also stated that due to the numerous conceptual restoration designs that involve implementation of projects over a long time period, a PEIR has been prepared to address the potential environmental impacts associated with implementing the proposed program. Ms. Gee further stated that the first major step in the design process for the restoration of the LCW Complex was the development of the Los Cerritos Wetlands Final Conceptual Restoration Plan (CRP) which is a restoration alternatives analyses report that provides the LCWA with a roadmap for habitat enhancement and improved public access for the LCW Complex.

Ms. Gee mentioned that in 2017, LCWA received funding to further the design of the alternatives identified in the CRP with the development of a program level restoration design, to prepare a PEIR and to prepare a Los Cerritos Wetlands Optimized Restoration Plan. Ms. Gee stated the proposed program along with alternatives to the proposed program were identified based on input from the LCWA Steering Committee, a Technical Advisory Committee and the public.

Ms. Gee stated that following certification of the PEIR, the LCW Optimized Restoration Plan will be finalized with input from public agencies, tribal representatives, stakeholders, landowners and the community and adopted by the LCWA Governing Board.

Eric Zahn stated that following certification of the PEIR by the Governing Board, the Los Cerritos Wetlands Optimized Restoration Plan will be finalized with input from public agencies, tribal representatives, stakeholders, landowners and the community. Mr. Zahn also stated that the restoration design presented in the Los Cerritos Wetlands Optimized Restoration Plan will be informed by this PEIR and public input while maintaining consistency with the framework provided by the CRP and that the purpose of the Optimized Restoration Plan is to provide a conceptual basis of design for the restoration of the Los Cerritos Wetlands Complex and to provide guidance for future phases of the restoration process.

Mr. Zahn stated that future phases of the restoration would involve individual projects, performing required analyses and field surveys, engaging stakeholders and developing more detailed project-level designs and as each individual restoration project is proposed, it will be evaluated for consistency with the Los Cerritos Wetlands Optimized Restoration Plan and the goals and objectives identified in this PEIR.

Mr. Zahn mentioned that as required by CEQA Guidelines, subsequent activities in furtherance of a program must be examined in the light of the Program EIR to determine whether additional environmental documentation must be prepared.

Mr. Zahn concluded with the fiscal portion for this item is the CEQA filing fee for an EIR is \$3,418.25.

Vice Chair Price motioned to approve. Board Member Uranga seconded the motion. Board Voted: 4 Ayes, 0 Nays, 0 Abstentions. This item passed.

13. **CONSIDERATION OF A RESOLUTION TO NEGOTIATE AND AWARD A CONTRACT TO MOFFAT & NICHOL FOR THE SOUTHERN LOS CERRITOS WETLANDS RESTORATION PROJECT – 65% DESIGN AND ENVIRONMENTAL COMPLIANCE.**

**Board Member Uranga motioned to approve. Board Member Kalmick seconded the motion.
Board Voted: 4 ayes, 0 Nays, 0 Abstentions.**

14. **CLOSED SESION: PURSUANT TO GOVERNMENT CODE SECTION 54956.8, LCWA MAY HOLD A CLOSED SESSION TO CONSIDER THE DRAFT APPRAISAL REPORT AND THE DRAFT LAND SWAP AGREEMENT BETWEEN LOS CERRITOS WETLANDS AUTHORITY AND LOS CERRITOS WETLANDS, LLC FOR THE APN 7237-019-809; 7237-017-010 THRU 014; 018; 019; LCWA NEGOTIATORS: MARKSTANLEY AND PROPERTY OWNER NEGOTIATOR: JOHN MCKEOWN AND MICHAEL DI SANO. UNDER CONSIDERATION: PRICE AND TERMS.**
15. **CLOSED SESSION: PURSUANT TO GOVERNMENT CODE SECTION 54956.8, LCWA MAY HOLD A CLOSED SESSION TO CONSIDER THE DRAFT APPRAISAL REPORT AND THE DRAFT PURCHASE AND SALE AGREEMENT BETWEEN LOS CERRITOS WETLANDS AUTHORITY AND BRYANT DAKIN LLC FOR THE APN 7237-020-053;054; LCWA NEGOTIATORS: MARK STANLEY AND PROPERTY OWNER NEGOTIATOR: STEVE BRYANT AND KEVIN BRAZIL. UNDER CONSIDERATION: PRICE AND TERMS.**
16. **CLOSED SESSION: PURSUANT TO GOVERNMENT CODE SECTION 54956.8(D)(1), LCWA MAY HOLD A CLOSED SESSION TO DISCUSS THE MATTER OF *PUVUNGA WETLANDS PROTECTORS V. CALIFORNIA COASTAL COMMISSION, ET AL.*, LOS ANGELES SUPERIOR COURT CASE NO. 19STCP00435.**

Closed Session began at approximately 2:06 pm and ended approximately at 2:27 pm. The Board received information and advice and provided direction.

17. ORAL COMMUNICATIONS

A. STATEMENTS, RESPONSES, QUESTIONS OR DIRECTIONS TO STAFF PURSUANT TO SECTION 54954.2(A) OF THE GOVERNMENT CODE.

Next meeting will be May 6, 2021.

B. FUTURE AGENDA ITEMS

18. ADJOURNMENT UPON COMPLETION OF BUSINESS

Chair Schuchat adjourned the meeting at approximately 2:31 p.m.

X

Sam Schuchat
Chair

X

Dena Williams
Board Secretary