

NOTICE OF PUBLIC MEETING
The public meeting of the
Los Cerritos Wetlands Authority (LCWA)
will be held on

Thursday, May 5, 2022
at
12:30pm

Per Government Code Section 54953, effective until January 1, 2024, LCWA board meetings will be temporarily conducted remotely via the below remote access information. Anybody needing assistance accessing the meeting should contact RMC Board Liaison, Aimee Nguyen, at anguyen@rmc.ca.gov, or at 626-815-1019.

At the following location:

TELECONFERENCE MEETING VIA ZOOM

ADDRESS:

<https://us02web.zoom.us/j/82890159204?pwd=dnhLZ0pLNTdETHFwUjJSV3lqdVJWQT09>

Or by phone at 1-669-900-9128
Meeting ID: 828 9015 9204
Passcode: 609597

AGENDA

1. Call to Order
2. Roll Call
3. Vote pursuant to Gov. Code section 54953
4. Public Comment

*Public participation is welcome. A maximum of one (1) hour has been set aside for all public comment and testimony, for items both on the agenda and not on the agenda. All such public comment will occur at the top of the meeting after the roll call is taken, and no further public comment will be taken after the public comment period has closed unless allowed at the discretion of the Chair. Individuals wishing to comment should address the Chair and are encouraged to fill out this [online comment card](#) for the official record on or before **May 4, 2022 by 4:00pm**. All members of the Board will receive all the comments submitted online before the meeting. However, individuals may elect to have their comments read by the Chair during the meeting or read by the commenter. Public comment can be requested and made during the meeting by virtual means or phone during the public comment period. Although not required, in order to facilitate an orderly remote meeting, it is helpful to let the RMC Board Liaison know in advance if you would like to make a public comment. Individuals representing themselves will be allowed two (2) minutes to speak, and representatives of organizations/agencies will be allowed three (3) minutes to speak. Speaker time may be reduced depending on the number of speakers. No questions shall be posed to any member of the body except through the Chair, members of the Board are under no obligation to respond to questions posed by speakers but may provide brief responses to any comment made or questions posed.*

Please reach out to RMC Board Liaison, Aimee Nguyen, at anguyen@rmc.ca.gov, or at 626-815-1019 if you need assistance.

5. Chair's Report
6. Approval of the Minutes, September 09, 2021
7. Approval of the Minutes, November 04, 2021.

Regular Calendar

8. Status Report on Work Plan Implementation
 - a. Land Management Update
 - b. Los Cerritos Wetlands Stewardship Program Coordinator Update
 - c. Homeless Relocation Program Update
 - d. El Dorado Audubon Update
 - e. Expenditures Report
9. Consideration of a resolution to write off Prior Year Accounts Receivable
10. Update on the Southern Los Cerritos Wetlands Restoration Planning Project
11. Consideration of a resolution entering into a contract with Coastal Quest for the Southern Los Cerritos Wetlands Restoration Planning Project
12. Consideration of a resolution to authorize the Executive Officer to negotiate and execute a Memorandum of Agreement with AES Redondo Beach, LLC to accept funds from the AES Voluntary Environmental Benefits Grants Program
13. Consideration of a resolution to authorize the Executive Officer to negotiate and execute an on-call contract for legal counsel services
14. Closed Session: Pursuant to Government Code section 54956.8, LCWA may hold a closed session to consider the Draft Appraisal Report and the Draft Land Transfer Agreement, and related items, 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: Mark Stanley and Property Owner Negotiator: John McKeown. Under Consideration: Price and Terms.
15. Oral Communications
 - a. Statements, responses, questions or directions to staff pursuant to Section 54954.2(a) of the Government Code.
 - b. Future agenda items.
16. Adjournment upon completion of business.

During the meeting the Governing Board may hold a closed session on any item pursuant to Government Code sections 54956.8 and 54956.9. Members of the public wishing to address the Governing Body on any item should address the President of the Authority in advance of the meeting. Questions about the agenda items should be addressed to Mark Stanley, Executive Officer at (626) 815-1019 ext 100.

Note: In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in the meeting, including auxiliary aids or services, please contact Aimee Nguyen, at anguyen@rmc.ca.gov, or at 626-815-1019 at least three (3) days prior to the meeting.

**MINUTES
LOS CERRITOS WETLANDS AUTHORITY (LCWA)
BOARD MEETING
September 9, 2021**

This meeting was held via Zoom.us. The meeting was called to order by Chair Suzie Price at approximately 12:38pm.

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

Mr. Joel Gerwein was sworn into office by Ms. St. John

MEMBERS PRESENT:

Ms. Suzie Price

Mr. Joe Kalmick

Mr. Roberto Uranga

Mr. Joel Gerwein

MEMBERS ABSENT:

STAFF PRESENT:

Mark Stanley, Executive Officer

Salian Garcia, Fiscal Manager

Sally Gee, Project Manager

Elizabeth St. John, Attorney General

3. PUBLIC COMMENT

No public comments.

4. CHAIR'S REPORT

Chair Price welcomed the new attorney, Ms. St. John. Ms. Price stated this was the first LCWA meeting that Ms. St. John was staffing, but she has had the chance to work with Ms. St. John and the Executive Director on LCWA related matters and has already had the pleasure of meeting her.

5. APPROVAL OF MINUTES

One set of minutes from the Board meeting from July 1, 2021 to approve

Chair Price motioned to approve. Mr. Gerwein seconded. Board voted- 4 Ayes; 0 Nays; 0 Abstentions. Minutes were passed.

REGULAR CALENDAR

6. Status Report on Work Plan Implementation

a. Land Management Update

Marcello Cabellos, Associate Restoration Ecologist at Tidal Influence referenced the June/ July 2021 Land Management Reports in the Board Meeting Packet. Cabellos stated stewardship trail maintenance has been conducted. Cabellos stated that repeated fence line breaches have occurred at the property, and repairs have been conducted. Cabellos explained there had been a break-in and theft at the property and at neighboring properties. Cabellos stated that additional measures and coordination with neighboring properties have occurred to prevent this from occurring in the future.

Cabellos stated biological studies were conducted on the southern area of the wetland complex. Cabellos explained it was a small mammal survey conducted by the CSULB Mammal Lab to understand the effects of urbanization on small animal communities. Results will be available in May 2022.

b. Los Cerritos Wetlands Stewardship Program Coordinator Update

Eric Zahn, Principal Restoration Ecologist at Tidal Influence stated members of the public are back on the LCWA property and are engaging in public programs. Zahn stated they have continued to have the gate that connects Zedler Marsh to the San Gabriel River Bike Trail open Friday and Saturday for five hours each day. Zahn stated they have seen people coming in and parking their bikes to enjoy the trails.

Zahn stated Tidal Influence has been hosting the monthly stewardship programs every first Saturday. Zahn stated there is a land tour and restoration event that Zahn has had great attendance for. Zahn highlighted their most notable restoration event which had 60 volunteers. Eric explained that the volunteers picked up nearly 200 pounds of trash, spread almost an entire pile of mulch across LCWA habitat areas, and preformed non-native weed control.

c. Homeless Relocation Program Update

Lenny Arkinstall, Los Cerritos Stewards, highlighted a case from the Byrant West Parcel. Arkinstall referenced a photo of a camp belonging to a man named Kenny. Kenny was relocated from the property. Arkinstall stated people are not relocated without being given the chance for services and help. Arkinstall explained how he helped Kenny get back home to Washington. Sally

Gee read a letter of thanks from Kenny, two years after he went back home. Arkinstall expressed his hope that Kenny's letter would show what kind of job LCWA is doing in the wetlands.

Chair Price stated Kenny's letter and story were amazing. Price highlighted the great work Arkinstall, officer Armon, and the seal beach Quality of Life Officers have been doing and stated she was grateful for it. Price stated she would share Kenny's letter to her city manager because she believes it is important to highlight the great work Arkinstall and Officer Armon are doing.

Chair Price also highlighted the encampments where it is more difficult to get people motivated to try a service or get a mental health assessment and they refuse to leave. Chair Price asked what LCWA was doing about those encampments and what is being done to mitigate danger as a result of the encampments. Arkinstall explained two problems from both sides of the property. Arkinstall stated the encampments are under the jurisdiction of LA County, which has been contacted several times by Seal Beach, Arkinstall, and Chair Price's office. Arkinstall stated both camps on both sides are causing problems in the community on the East side. Arkinstall stated the good thing is that people from these encampments know they cannot go on the Wetlands because they will come across him or Officer Armon. Arkinstall stated they are pushing to clean up the two lands which he believes will be a big help for the community. Arkinstall stated they would continue to try to contact LA County and asked for additional help from Chair Price's office to call LA County. Chair Price stated her office will work with Arkinstall on these issues.

Vice Chair Joe Kalmick asked if Arkinstall felt he was getting enough help from the Seal Beach police department. Arkinstall affirmed that he has and that the department is very ambitious and maintain constant contact to keep up on Seal Beach and Long Beach issues. Arkinstall clarified that Seal Beach and Long Beach are dealing with mostly the same people. Arkinstall commended the Seal Beach police department and stated they are very helpful. Chair Price added that she has worked with Seal Beach Police Chief Chuck and that he has been proactive in getting involved in early diversion programs being created. Chair Price stated Chuck is one of the police chiefs looking to get ahead of these issues and find alternatives, and he is open minded. Chair Price stated the Wetlands have provided a very rich experience for the Seal Beach and Long Beach police departments in terms of some of the challenges. Chair Price explained that she believes this has informed a lot of Chief Chuck's thinking and makes him different from other county police chiefs, as he has exposure to these issues already. Chair Price expressed her belief that this is beneficial to both agencies. (29:00). Joel Gerwein and Mark Stanley expressed their appreciation for Arkinstall's work.

d. El Dorado Audubon Update

Mary Parsell, El Dorado Audubon, highlighted a story about elegant tern chicks stranded on barges on the harbor. Parsell stated Arkinstall went to the barges almost every day and reported how many chicks were rescued in collaboration with scientists from El Dorado Audubon and others.

Parsell stated the wetlands area was foggy throughout July and August 2021, but they were still able to see things like hummingbirds, great blue herons, and snowy egrets. Parsell explained that there are many house wren families instead of marsh wrens because the area is very dry. Parsell highlighted the white-tailed kite seen in August, as they have not been seen on the Los Cerritos Wetlands for about five years. Parsell stated they had also seen swallows which was unusual, as they are normally there in May and June. Parsell stated there were several butterflies and native plants that were noted.

Chair Price stated she appreciated Parsell's report and stories.

e. Expenditures Report

Salian Garcia gave a brief synopsis of the FY 2020/2021 budget and summarized the Expenditures and Revenues as of August 30, 2021.

7. Consideration of a resolution adopting the FY 21/22 Budget.

Salian Garcia stated that the attached Consolidated Budget for Fiscal Year (FY) 21/22 (Exhibit A) includes three revenues and expenditure components which are Administration, Operational, and Capital Outlay.

Garcia also stated that the total budgeted revenue for FY 21/22 is \$455,111 and expenditures are balanced with revenues. The total revenues for FY 21/22 have decreased by roughly 5.5% primarily due to the expected decreases of acquisition activities and contracts expected to end by the end of 2021, offset with increased lease revenue.

Garcia concluded that subsequently there is an expected year-to-year decrease in expenses plus incremental budget changes in grant management services, consultant services, and administrative expenditures. Administration expenses are in the amount of \$14,407. Garcia stated these are general administration costs, including website maintenance and annual audit services with the city of Long Beach. Operational expenses consist of the Stewardship Program and project management expenditures. Garcia stated the total budget is in the amount of \$170,704. Garcia stated this is consistent with the annual revenue expenditures to, at a minimum, operate, manage, and maintain the properties. These budgets and expenditures include Zedler Marsh, mitigation projects, MOAs, and Measure A related expenses. The total Capital Outlay budget is in the amount of \$270,000. Garcia stated several contracts may be renewed and the updated numbers will be presented to the Board at the next meeting if applicable.

There were no questions from the Board.

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

8. Consideration of a resolution authorizing a lease agreement with Elis Equipment, Inc. as an occupant of the OTD parcel (LA County APN#7237-019-006).

This item was tabled.

9. Closed Session: Pursuant to Government Code section 54956.8, LCWA may hold a closed session to consider the Draft Appraisal Report and the Draft Land Transfer Agreement, and related items, 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: Mark Stanley and Property Owner Negotiator: John McKeown and Michael Di Sano. Under Consideration: Price and Terms.

10. Closed Session: Pursuant to Government Code section 54956.9(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 1:13 pm and ended at approximately 1:30 pm. The board received information and advice. No action was taken.

11. Oral Communications

a. Statements, responses, questions or directions to staff pursuant to Section 54954.2(a) of the Government Code.

Next meeting will be November 4, 2021.

b. Future agenda items.

12. Adjournment upon completion of business.

Chair Price adjourned the meeting at approximately 1:31pm.

**MINUTES
LOS CERRITOS WETLANDS AUTHORITY (LCWA)
BOARD MEETING
November 4, 2021**

This meeting was held via Zoom.us. The meeting was called to order by Chair Suzie Price at approximately 12:30pm.

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

MEMBERS PRESENT:

Ms. Suzie Price

Ms. Mary Small

Mr. Joe Kalmick

Mr. Roberto Uranga

MEMBERS ABSENT:

STAFF PRESENT:

Mark Stanley, Executive Officer

Salian Garcia, Fiscal Manager

Sally Gee, Project Manager

David Edsall Jr., Deputy Attorney General

3. PUBLIC COMMENT

Anne Cantrell explained the negative impact of oil drilling on birdlife and the wetlands. She requested on behalf of the Sierra Club Los Cerritos Wetlands Taskforce that the board prevents onshore oil drilling by reconsidering their collaboration with BOMP.

Anna Christensen referenced Seal Beach's plans to move forward with creating a new visitor center and requested on behalf of the Sierra Club Los Cerritos Wetlands Taskforce that the board reassess the plan's impact on tribal access and wetland preservation.

4. CHAIR'S REPORT

There was no report from the chair.

5. APPROVAL OF MINUTES

No minutes for the Board Meeting from September 9, 2021 to approve.

CONSENT CALENDAR

No Items

REGULAR CALENDAR

6. Status Report on Work Plan Implementation

a. Land Management Update

Marcello Ceballos, Associate Restoration Ecologist at Tidal Influence, stated that in the board packet there are the Land Management Reports for August 2021 through September 2021. Ceballos explained there have been several fence line breeches that have been since repaired. Ceballos stated bird surveys have been conducted this month. Ceballos highlighted a break in attempt which occurred at the OTD parcel and the leasee was consulted and all locks were replaced. Ceballos stated the OTD parcel will have a cleanup effort over the weekend. The CSULB Mammal Lab conducted Small Mammal Surveys the previous weekend.

b. Los Cerritos Wetlands Stewardship Program Coordinator Update

Jayde Bahrami, Restoration Programs Coordinator at Tidal Influence, stated that the Stewardship Program started back up July 2021 after COVID restrictions. Bahrami stated the program has since held a total of 6 events, including monthly restoration events and special events with university students and high school programs. Bahrami confirmed there are at least 2 more events planned by the end of the year.

Bahrami stated over 200 plants have been installed in the southern marsh area and over 200 pounds of trash and 350 pounds of non-native vegetation have been removed. Bahrami stated that Zedler Marsh has had open access every Friday and Saturday from 9-2pm off the San Gabriel River bike path and the program has been trying to include the public when available.

Chair Price stated that there was a lot of trash removed and asked where the trash is coming from.

Bahrami explained that the trash all comes from a small culvert off the San Gabriel River which connects down the watershed into the marsh. Bahrami stated the trash gets stuck in vegetation especially during high tide and the trash was removed to get it out of the way. Jayde stated it is a problem that affects the marsh and the ocean which the program hopes to improve.

Chair Price asked if opportunities for grant funding to implement trash capture devices in the area have been maximized.

Mark Stanley stated that the two conservancies' primary focus are on capital assets and not operations and maintenance. Stanley stated that the board can discuss leaning on cities to help with those types of resources in future meetings.

Chair Price stated that LCWA should talk to the City of Long Beach, possibly its sustainability department, to get involved in trash capture in various bodies of water in the cities. Chair Price expressed concern over the amount of trash captured.

c. Homeless Relocation Program Update

Lenny Arkinstall stated homeless and urban campers are free and clear from the property. Arkinstall stated the program does a good job of controlling the property by catching them just before they set up.

Arkinstall gave an update on the nesting platforms installed on the Wetlands to mitigate palm tree destruction.

d. El Dorado Audubon Update

Mary Parsell stated the El Dorado Audubon has been out on the wetlands twice a month from July 2021 until the present month of November 2021. Parsell stated that few people attended which was possibly because of COVID.

Parsell added she had seen great blue herons on what used to be phone poles and expressed the belief that they will have no issue nesting on the artificial structures Arkinstall had previously shared.

Parsell showed picture of the Los Cerritos Wetlands Hellman property. Parsell stated the highlight has been regularly seeing whitetail kites which had not been seen on the property for five years. Parsell expressed the importance of the Southern California Wetlands as they are different from other wetlands in country.

e. Expenditures Report

Salian Garcia gave a brief synopsis of the FY 2020/2021 budget and summarized the Expenditures and Revenues as of October 31, 2021.

Mark Stanley provided comments about possible grant opportunities and the 300 Studebaker Road project from page 4 of the workplan report. Stanley stated the project is being proposed by the Panattoni group.

Sally Gee stated the project was originally approved by the Long Beach City Council in January 2020 and the Coastal Commission approved the project on September 8, 2021 with special conditions. Gee stated special condition 8 states that prior to issuance of a permit, offers to dedicate a fee title to a public agency must be recorded in accordance with the terms of the CDP. Gee explained LCWA has been coordinating with Panattoni Development on this project and has received a draft that will be brought to the Board for consideration in a future meeting. Gee stated conversations about native habitat restoration and a tribal access plan are currently active. Gee stated they will share more information about the project at the next board meet. Gee stated the project is hosting its first public meeting December 7, 2021 and more information is available on the LCWA website.

Stanley added that the passage of the California State Budget there are opportunities for the California Natural Resources Agency through both conservancies. Stanley stated they will be looking out for those opportunities to be brought back to the board.

Anna Christensen stated that the Sierra Club Los Cerritos Wetlands Task Force and Anthony Morales oppose the project. Christensen asked that the LCWA disagree to take lands from Panattoni. Christensen stated that the plan makes tribal access impossible and is bad for wetlands wildlife.

Chair Price stated that the project went through the Coastal Commission and appeals based on all arguments previously made. Chair Price clarified that the project went before a different agency and not LCWA. Mark Stanley affirmed that the project did not get approved through the LCWA. Chair Price ended comment period.

Ann Cantrell clarified that the LCWA is involved in the project by receiving the land which allows Panattoni to build a truck stop. Cantrell stated that there will be no tribal access and that there is no parking on Studebaker or Loynes drive. Cantrell expressed the belief that the project will cause lights to be on 24/7 which will negatively affect the wetlands.

7. Consideration of a resolution authorizing the Executive Officer to execute documents necessary to satisfy conditions in the Notice of Intent to Issue Permit for Coastal Development Permit No. 9-18-0395.

Sally Gee stated that, on December 13, 2018, the California Coastal Commission approved Coastal Development Permit (CDP) No. 9-18-0395 for the Los Cerritos Wetlands Oil Consolidation and Restoration Project with 25 special conditions. Gee explained the LCWA is a co-applicant with Beach Oil Mineral Partners (BOMP) and LCWA review and approval is needed to satisfy some conditions on the Notice of Intent to Issue Permit (NOI) (Exhibit A). Gee stated the resolution would authorize the Executive Officer to execute documents reasonably necessary to satisfy the "prior to issuance" special conditions by the current

deadline of December 13, 2021. Gee stated BOMP has submitted a majority of the documents for CCC review, including a Notice of Intent, with some outstanding items remaining. An NOI extension may be needed.

Gee stated that any costs for legal and technical review service related to the completion of these special conditions will be allocated from the Option Agreement from September 2, 2016.

Ann Cantrell urged the LCWA to not approve the 25 conditions set and not accept the land swap so BOMP is unable to move forward with new drilling. Cantrell stated this is the LCWA's chance to protect the wetlands from future oil spills and restore the land's original condition. Cantrell asked that the board does not give BOMP 5 additional acres of land.

Board member Uranga motioned to approve. Board member Kalmick seconded the motion. Board voted: 4, Ayes, 0, Nays, 0, Abstentions. This item was passed.

8. Consideration of a resolution authorizing the Executive Officer to commit staff resources to negotiate an agreement and workplan with AES Corporation for their Voluntary Environmental Benefits Grants Program.

Sally Gee stated that AES is a global power company and operates several coastal OTC facilities in California, including the Alamitos, Huntington Beach, and Redondo Beach Generating Stations. Gee stated AES is committed to investing in additional voluntary environmental benefits for watershed improvements and community benefits for receiving an extension for Once Through Cooling (OTC) operations at the Redondo Generating Station. Gee clarified this program is not mitigation and is separate from the existing OTC Policy Mitigation mandates AES is obligated too. Gee stated AES proposes to grant \$1,000,000 to LCWA to support planning, engineering, restoration, and rehabilitation of the Los Cerritos Wetlands (LCW) (Exhibit A). An excerpt from the letter from AES to Water Board's is attached as Exhibit A.

Sally Gee stated that the goals for the funding are to support coastal access and educational opportunities. Gee stated staff time is needed to develop an agreement between AES and LCWA to commit the grant funds and establish a work plan. Gee explained the work plan may support elements to support stewardship programs, planning and monitoring for the Southern Los Cerritos Wetlands Restoration Project, and continued care of LCWA properties. The proposed agreement, workplan and financial analysis will be presented to the Board for approval at a later date.

Sally Gee explained that the reason this grant project was established and AES received an extension for operations is that California Public Utilities agency and other state agencies determined the California energy supply is insufficient for projected demands, especially with extreme heat waves and oncoming and rolling black outs. Gee stated operations by AES at the Redondo Beach Generating Station were extended 2 years until December 21, 2023.

Board member Small motioned to approve. Board member Kalmick seconded the motion. Board voted: 4, Ayes, 0, Nays, 0, Abstentions. This item was passed.

9. **Closed Session: Pursuant to Government Code section 54956.8, LCWA may hold a closed session to consider the Draft Appraisal Report and the Draft Land Transfer Agreement, and related items, 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: Mark Stanley and Property Owner Negotiator: John McKeown and Michael Di Sano. Under Consideration: Price and Terms.**

Closed section began at approximately 1:30 pm and ended at approximately 1:39 pm. The board received information and advice and provided direction. The Board discussed an informational item and no action was taken.

10. Oral Communications

- a. **Statements, responses, questions or directions to staff pursuant to Section 54954.2(a) of the Government Code.**

Next meeting will be February 2, 2022

- b. **Future agenda items.**

Mark Stanley stated the Board has been meeting virtually for a year and a half and should discuss whether an in-person option should be considered for future meetings

Chair Price stated that Long Beach continues to encourage virtual meetings as COVID cases continue to increase in the city

11. Adjournment upon completion of business.

Chair Price adjourned the meeting at approximately 1:41 pm.

Los Cerritos Wetlands Authority**Date: May 5, 2022****To: Governing Board Members****From: Mark Stanley, Executive Officer****Subject: Item 8: Status Report on Workplan Implementation including Los Cerritos Wetlands Stewardship Program and Los Cerritos Wetlands Conceptual Restoration Plan.**

BACKGROUND: At the September 19, 2006 meeting, the Board adopted the Workplan set forth below. An updated description of the status of each workplan item is detailed in the following table:

<u>May 2022 WORKPLAN STATUS UPDATE</u>		
LCWA Projects		
Task	Description	Status
Legislative Updates		

Potential Funding Sources		
<p>State Water Board Once-through Cooling Interim Mitigation</p> <p>Funding will depend on mitigation fees collected</p>	<p>The Once-Through Cooling (OTC) Policy requires owners or operators of existing power plants to implement measures to mitigate interim impingement and entrainment impacts resulting from their cooling water intake structures. The interim mitigation period commenced on October 1, 2015 and continues up to and until owners or operators achieve their final compliance deadlines as outlined in the OTC Policy.</p> <p>Under an Agreement between SWRCB and SCC, mitigation funds paid under this policy may be used by the Conservancy to fund wetland restoration projects, with priority given to projects recommended by the Wetlands Managers Group of the Southern California Wetlands Recovery Project from its current Work Plan.</p>	<p>Funding will depend on the mitigation fees collected by the State Coastal Conservancy</p> <p>Funding was received from the SCC for the Southern Los Cerritos Wetlands Restoration Project.</p>

Task	Description	Status
Capital Projects & Initiatives		
Los Cerritos Wetlands Planning and Restoration Project	Complete the Environmental Review of the Conceptual Restoration Plan through CEQA in a Program Environmental Impact Report	<p>Funding is provided to conduct CEQA analysis to engage an environmental consultant contract.</p> <p>Environmental Science Associates is under contract since March 2018. The NOP and Initial Study were filed with the appropriate agencies on March 8, 2019. All required mailings and postings were completed and notified the public of the NOP comment period (March 8-April 8, 2019). The AB52 tribal consultations have been completed. Critical stakeholders are being regularly updated. The DEIR was released for public comment on May 8, 2020. The public comment period was extended to 60 days and concluded on July 6, 2020. The LCWA held two webinars to provide the public information about the document and assist with answering questions. The FEIR was released for public review on October 22nd, 2020, along with a notice of public hearing. The FEIR was certified by the LCWA Board on January 7, 2021.</p> <p>The Los Cerritos Wetlands Habitat Restoration Plan was adopted by the LCWA Board on July 1, 2021.</p>
Los Cerritos Wetlands Acquisition of the Bryant Properties	Complete the acquisition of all property owned by the Bryant Family for an additional 18 acres along the frontage of 2 nd Street- Westminster Avenue added to the property preserved for perpetuity as public.	There is no current activity on this acquisition, and grant funds for this project have been returned to the grantors.

Los Cerritos Wetlands LLC Restoration and Oil Consolidation Project	The project would implement a comprehensive wetlands restoration project which will restore a privately-owned oil field in the City of Long Beach through creation of a wetlands mitigation bank. The project includes the relocation of oil operations currently located on the Synergy Site and City-owned property to two off-site properties (LCWA's OTD Parcel and Pumpkin Patch site).	<p>The project was approved by the LB Planning Commission on November 30, 2017. It was then approved by the LB City Council on January 16, 2018. The LCP amendment was approved at the California Coastal Commission hearing on August 8th, 2018 in Redondo Beach. The CDP application went before the California Coastal Commission on December 13th, 2018 and was passed. The LCWA and BOMP have worked collaboratively to meet the conditions set forth by the Coastal Commission staff report and the CDP was issued in December 2021.</p> <p>LCWA continues to track all other aspects of the project including the mitigation bank, land exchange agreement, and entitlement process.</p> <p>A settlement has been reached on <i>Puvunga Wetlands Protectors v. California Coastal Commission, et al.</i>, Los Angeles Superior Court Case No. 19STCP00435.</p>
Southern Los Cerritos Wetlands Restoration Project	This project will build off conceptual designs in the CRP (2015) and PEIR (2020) and complete 65% ecological restoration designs, environmental certification, and permitting applications for the 100-acre Southern Los Cerritos Wetlands site in Seal Beach, CA.	<p>Funding has been awarded from CDFW, SCC, and RMC to complete 65% designs. LCWA released an RFP and awarded the project to Moffat & Nichol on January 7, 2021. Permitting, geotechnical and design work, and tribal engagement is ongoing. Supporting project level biological surveys and reports have been completed.</p> <p>A virtual Public Meeting occurred on December 7. A meeting recording and the accompanying Public Access Survey can be found on the page linked below. The Survey is collecting public preferences regarding trails, amenities, and other pertinent items. The survey has been sent to the LCWA's distribution list and will be distributed to additional partners in the coming weeks.</p> <p>https://intoloscerritoswetlands.org/southern-los-cerritos-wetlands-restoration-project/</p>

Item 8: Workplan Update

Option Agreement to transfer properties between Los Cerritos Wetlands LLC(LCWLLC) and the LCWA	LCWLLC and the LCWA executed an option agreement that provides for the exchange of real property. Agreement was signed on 9/2/16 to transfer the LCWA APN 7237-019-809, approximately 5.11 acres for the LCWLLC property described as APNs 7237-017-010; 7237-017-011; 7237-017-012; 7237-0217-013; 7237-017-014; 7237-017-019; 7237-017-805; 7237-017-806; 7237-017-807; 7237-017-808;7237-017-809 approximately 154 acres.	<p>The LCWA received the option agreement funds which will be used to hire consultants to review technical studies.</p> <p>Negotiations of the land transfer agreement are ongoing.</p>
LCWA Mitigation Policy	Staff will require consultant services in order to assist in the development of the mitigation policy and currently the FY21/22 Budget does not have any unrestricted funds to support authorizing a consultant contract.	The LCWA would require additional funds from its joint partners in order to provide the financial support for authorizing a consultant contract for services and development of the mitigation policy. The cost to develop the mitigation policy would range from \$50,000 to \$100,000. These cost estimates were determined by researching various non-profits, regulatory agencies and other local and state agencies whom have completed similar and comparable mitigation policies.

Task	Description	Status
City of Long Beach Pending Environmental Documents		
City of Long Beach Southeast Area Specific Plan (SEASP)	The City of Long Beach continues to work on the Southeast Area Specific Plan which covers approximately 1,500-acres of southeast Long Beach. http://www.lbds.info/seadip_update/	The Coastal Commission approved SEASP on October 8, 2020 with sixteen (16) modifications https://documents.coastal.ca.gov/reports/2020/10/Th11a/th11a-10-2020-report.pdf

Item 8: Workplan Update

<p>300 Studebaker Road Industrial Park Project – Mitigated Negative Declaration</p>	<p>The project involves demolition of 400 sf of existing concrete, on-site pipeline structures, and asphalt paving, and the development of two concrete tilt-up industrial buildings, situated on 6.69 acres of land east of Studebaker Road. Approximately 1.81 acres of open space at the northwest and southwest corners of Studebaker and Loynes Drive is proposed to be donated to the LCWA as part of this project.</p>	<p>The project was approved by the Long Beach City Council on January 7, 2020. An appeal on this decision was made to the Coastal Commission (Appeal No. A-5-LOB-20-0006). The Coastal Commission approved this project with Special Conditions on September 8, 2021.</p> <p>Special Condition 8 states that prior to issuance an offer to dedicate fee title to a public agency must be recorded in accordance with the terms of the CDP. The LCWA has been coordinating with Panattoni Development Company, Inc on this project and received a draft OTD for consideration and will be brought to the board for consideration at a future Board Meeting.</p> <p>Conversations regarding the native habitat restoration on the open space parcel and tribal access plan are currently active. On Oct 27, 2021, the LCWA and Panattoni provided a site tour with LCWA's TAG members to discuss tribal access on the property.</p> <p>There are no new updates on the status of this land donation with Panattoni in the first quarter of 2022.</p>
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Task	Description	Status
Lease Agreements		
<p>OTD/Edison Parcel Los Angeles County APN 7237-019-809</p> <p>Ellis Equipment, Inc. Lease Agreement</p> <p>Lease Fee = \$2,222 per month</p>	<p>The OTD Parcel is located on the northeast corner of Studebaker road and 2nd Street in the City of Long Beach and commonly referred to as the 'Edison Parcel' or 'Offer to Dedicate (OTD) Parcel.'</p>	<p>Ellis lease agreement utilizes only a portion of the OTD Parcel for storage of construction material. Ellis lease agreement has an end date of September 30, 2022.</p>

Item 8: Workplan Update

<p>OTD/Edison Parcel Los Angeles County APN 7237-019-809</p> <p>D & S Washout Systems Lease Agreement</p> <p>Lease Fee = \$1,010 per month</p>	<p>The OTD Parcel is located on the northeast corner of Studebaker road and 2nd Street in the City of Long Beach and commonly referred to as the 'Edison Parcel' or 'Offer to Dedicate (OTD) Parcel.'</p>	<p>D & S Washout Systems Lease Agreement utilizes a portion of the OTD parcel for the storage of work trucks and construction materials. The lease agreement has an end date of September 30, 2022.</p>
<p>California State Lands Commission Lease Agreement PRC9005.9. Orange County APNs: 043- 160-47; 043-160-36; 043-160-45; and 043- 160-53</p> <p>August 14, 2012 through August 13, 2022</p>	<p>The State Lands Commission issued the LCWA a lease agreement for four parcels approximately totaling four acres adjacent to the Los Cerritos Wetlands Authority Hellman/Phase 2 in the City of Seal Beach.</p>	<p>Staff coordinates with SLC office for ongoing repairs of fence property and continues to stage the Los Cerritos Wetlands Stewardship Program from this site.</p> <p>Staff have recently met with SLC staff about renewing the lease agreement. An application to renew the lease is being prepared. A lease application fee of \$3,000 and a processing fee of \$25 will need to be submitted to SLC to review the application.</p>
<p>City of Long Beach Marketplace Marsh License Agreement for Los Angeles County APN 7237-020-21</p> <p>June 7, 2010 through June 30, 2025</p>	<p>The property is approximately 29.38-acres south of 2nd Street. The license agreement to allows LCWA access and tours of the wetlands at this site.</p>	<p>On August 18, 2020, Long Beach City council approved an extension of this license agreement. The license agreement is valid through June 30, 2025.</p>

Task	Description	Status
Grants – COMPLETED		
<p>A total of 15 grants have been completed by the LCWA and LCWLT as of November 2018</p>	<p>A total of \$7,477,900 grant funds has been acquired and applied towards acquisition, restoration studies, restoration projects, and education programs.</p>	
Grants – ACTIVE		

Item 8: Workplan Update

<p>California Department of Fish and Wildlife Proposition 1</p> <p>Southern Los Cerritos Wetlands Restoration Grant</p> <p><u>Active</u></p>	<p>Grant funds to complete 65% designs, environmental compliance, permitting, and outreach for the 105-acre Southern Los Cerritos Wetlands.</p> <p>Performance Period September 23, 2020 through July 31, 2023</p> <p>Total Funding \$405,828 Funding Remaining: \$253,825</p>	<p>The LCWA was successfully awarded the grant funds for the Southern Los Cerritos Wetlands Restoration Project. Implementation of the project has commenced.</p> <p>See Southern Los Cerritos Wetlands Restoration Project under Capital Projects & Initiatives for updates.</p>
<p>State Coastal Conservancy Once Through Cooling Mitigation Funds</p> <p>Los Cerritos Wetlands Southern Area Planning</p> <p><u>Active</u></p>	<p>Grant funds to complete 65% designs, environmental compliance, permitting, and outreach for the 105-acre Southern Los Cerritos Wetlands.</p> <p>Performance Period December 28, 2020 through December 31, 2024</p> <p>Total Funding \$250,000 Funding Remaining: \$189,918</p>	<p>The LCWA was successfully awarded the grant funds for the Southern Los Cerritos Wetlands Restoration Project. Implementation of the project has commenced.</p> <p>See Southern Los Cerritos Wetlands Restoration Project under Capital Projects & Initiatives for updates.</p>
<p>San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Grant State Coastal Conservancy Proposition 68</p> <p>LCW Southern Area Restoration Planning Project</p> <p><u>Active</u></p>	<p>Grant funds to complete 65% designs, environmental compliance, permitting, and outreach for the 105-acre Southern Los Cerritos Wetlands.</p> <p>Performance Period May 17, 2021 through June 30, 2023</p> <p>Total Funding \$250,000 Funding Remaining: \$249,464</p>	<p>The LCWA was successfully awarded the grant funds for the Southern Los Cerritos Wetlands Restoration Project. Implementation of the project has commenced.</p> <p>See Southern Los Cerritos Wetlands Restoration Project under Capital Projects & Initiatives for updates.</p>
<p>Regional Parks and Open Space District Measure A Maintenance and Servicing Funds</p> <p>Zedler Marsh Urban Trails System Maintenance and Servicing</p> <p><u>Active</u></p>	<p>Grant funds to maintain Proposition A funded development of new trails, landscaping, signage, and native plant nursery.</p> <p>Performance Period: November 1, 2021 – October 31, 2022</p> <p>Total Funding \$80,895 Funding Remaining \$49,091</p>	<p>The annual allocation for maintenance and servicing funds for maintenance of the Zedler Marsh Trail System was approved by the RPOSD. Implementation of the project has commenced. The budget will need to be renewed annually and may vary based on taxes collected each year.</p>

Task	Description	Status
Consultant Contracts - ACTIVE		
LCWA 19501 Los Cerritos Wetlands Stewards Homeless Liaison Contract Amended <u>Active</u>	The Los Cerritos Wetlands Stewards and the LCWA have a mutual interest in the implementation of the Stewardship Program which will promote and provide leadership in conservation for educating members as well as the community to further the appreciation of the wetlands' habitat conservation.	The contract addresses the safety and security of the LCWA properties and meets the LCWA goals and objectives. Currently the Los Cerritos Wetlands Stewards are coordinating any removal of homeless encampments at several locations within the LCWA properties. The contract with LCWS was renewed on May 2, 2019 (LCWA Resolution 2019 – 07) for three years until May 2, 2022, with the option of 2 one-year extensions.
LCWA 19502 Moffat & Nicole Mitigation Bank Technical Review <u>Active</u>	The LCWA is currently working with BOMP on the formation of the Upper Los Cerritos Wetlands Mitigation Bank. Additional technical services were needed to review the mitigation bank.	A contract was approved at the August 1, 2019 Board meeting (LCWA Resolution 2019 – 11) for an amount not to exceed \$10,000.
LCWA 19503 RWG Law Mitigation Bank Legal Services <u>Active</u>	The LCWA is currently working with BOMP on the formation of the Upper Los Cerritos Wetlands Mitigation Bank. Additional legal services were needed to review the mitigation and associated documents.	A contract was approved at the August 1, 2019 Board meeting (LCWA Resolution 2019 – 11) for services rendered based on a fee schedule.
LCWA 19504 RWG Law Puvunga Wetlands Protectors v. California Coastal Commission, et al Legal Services <u>Active</u>	The LCWA has been named as a real party in interest on the matter of Puvunga Wetlands Protectors v. California Coastal Commission, et al, Los Angeles Superior Court Case No. 19STCP00435. This lawsuit challenges a coastal development permit issued by the California Coastal Commission, which relates to the Land Swap Option Agreement (Option Agreement) entered into on September 2, 2016 with Los Cerritos Wetlands, LLC (the LLC). Thus, LCWA must retain outside counsel to represent it in this litigation.	A contract was ratified at the August 1, 2019 Board meeting (LCWA Resolution 2019 – 10) for services rendered based on a fee schedule.

<p>LCWA 20502 Tidal Influence Land Management Services</p> <p><u>Active</u></p>	<p>Due to limited staff availability, the LCWA has contracted for Land Management, Contract and Grant Management, and Coordination and Implementation of the Los Cerritos Wetlands Stewardship Program and Restoration Plans within the Los Cerritos Wetlands Complex.</p>	<p>A contract was approved at the September 24, 2020 Board meeting (LCWA Resolution 2020 – 03). The contract is through September 30, 2023, with two options for 1-year extensions of the contract</p> <p>Compensation for this scope of work are:</p> <ol style="list-style-type: none"> 1. Land management: \$1,000 per month 2. Stewardship Program implementation: \$1,000 per month 3. Contract and Grant Management: scope and costs will be billed according to various contract/grant agreements, and costs will not exceed the agreed upon budget. 4. Implementation of the Los Cerritos Wetlands Restoration Plan: costs to be billed according to the contractor's fee schedule, with an annual not to exceed total of \$44,400. 5. Additional as needed services will be negotiated and billed according to the contractor's fee schedule.
<p>LCWA 20503 Moffatt and Nichol Restoration Design Services</p> <p><u>Active</u></p>	<p>Consultant services were needed to work closely with the LCWA project team to complete necessary technical studies and produce the 65% design plans, environmental review documentation, and permit applications for the 105-acre Southern Los Cerritos Wetlands Restoration Project</p>	<p>A contract was approved at the January 7, 2021 Board Meeting (LCWA Resolution 2021-07) for a total not to exceed amount of \$740,000.</p>
<p>Memorandum of Understanding/Agreements</p>		
<p>LCWA08008 Signal Hill Petroleum, Inc. Coastal Development Permit for Vegetation Removal</p> <p>LCWA Phase 1 Properties</p> <p><u>Active</u></p>	<p>Signal Hill Petroleum, Inc. conducts the following activities (1) removing vegetation, debris and soil from the storm water collection and retention system, (2) controlling vegetation surrounding all oil pumps, electrical poles, and pipelines, and (3) removing vegetation surrounding all oil production facilities and buildings.</p> <p>Performance Period February 1, 2020 through January 31, 2022</p> <p>Total Funding: \$20,000 Remaining Funding: \$2917</p>	<p>Tidal Influence was contracted to manage the MOA.</p> <p>Signal Hill Petroleum, Inc. annually provides \$10,000 to offset their impacts from proposed work. The 2020-2021 spending plan was approved and is currently being implemented.</p>

<p>City of Seal Beach Waterline Relining Project</p> <p><u>Active</u></p>	<p>The City of Seal Beach (City) is proposing to reline a City waterline that runs parallel to First Street within the City's easement on LCWA property to temporarily address issues of recent waterline breakages. The City would need to access LCWA's property beyond the easement for biological and geotechnical surveys, and potentially during construction. The MOU establishes an agreement between the City and LCWA to coordinate on the relining effort and any overlaps with LCWA's wetlands restoration planning, as well as liabilities for activities on the property.</p>	<p>The City would also reimburse LCWA for costs associated with coordinating and monitoring the project, up to \$1,910 per week, through LCWA's land management contract with Tidal Influence.</p> <p>The waterline relining project completed its geotechnical analysis. LCWA staff are continuing to coordinate with Seal Beach Staff on this project.</p>
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LCW Stewardship Program		
Task	Description	Status
Potential Funding Sources		
City of Long Beach Measure A, Public Safety, Infrastructure Repair and Neighborhood Services Measure	The City of Long Beach established a one percent (1%) transactions and use (sales) tax for six years, generating approximately \$48 million annually, declining to one-half percent for four years and then ending, requiring a citizens' advisory committee and independent audits, with all funds remaining in Long Beach.	The City of Long Beach allocated an estimated \$500,000 for restoration work for the Los Cerritos Wetlands. The status of the funding is pending.
Los Angeles County: Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure Section 6(e); subsection 2(A) Supervisor Janice Hahn, Fourth District	To replace expiring local funding for safe, clean neighborhood/city/county parks; increase safe playgrounds, reduce gang activity; keep neighborhood recreation/senior centers, drinking water safe; protect beaches, rivers, water resources, remaining natural areas/open space; 1.5 cents will be levied annually per square foot of improved property in Los Angeles County, with bond authority, requiring citizen oversight, independent audits, and funds used locally.	Up to fifteen percent (15%) shall be set aside and designated as the maintenance and servicing amount, and shall be used only to maintain and service, including resource protection activities for the capital outlay projects funded by the District... ...The maintenance and servicing amount shall be allocated each year as follows: ...point five percent (0.5%) to the Los Cerritos Wetlands Authority...

Education Programs		
Public Access Improvement and Wetlands Restoration	Restoration and enhancement of existing wetlands function is one of the primary objectives of the LCWA. Public access for wildlife viewing and enjoyment may involve site improvements.	LCWA has successfully partnered with Los Cerritos Wetlands Land Trust (LCWLT), who have sponsored guided nature walks in Los Cerritos Wetlands as well as secured funding to support Los Cerritos Wetlands Stewardship Program events.

Task	Description	Status
Capital Projects & Initiatives		
Tarplant Mitigation Project - Ascon <u>Active</u>	<p>The LCWA entered into a Memorandum of Agreement with Ascon to accept mitigation funds for the Southern Tarplant Mitigation Plan for a five-year mitigation plan to grow and monitor Southern Tarplant at Zedler Marsh.</p> <p>Performance Period November 3, 2016 through November 1, 2022.</p> <p>Year 6 Funding: \$63,580 Year 6 Remaining Funding: \$36,110.71 as of March 31, 2022</p>	<p>Tidal Influence was contracted to manage and implement this project, seeding, and monitoring plan at Zedler Marsh. Staff continues to manage and monitor the progress on the project.</p> <p>Regular watering and invasive species control are currently conducted on site. The site has successfully reached its goal of sustaining more than 189,774 individuals plants for two consecutive years. Annual monitoring will be conducted in the upcoming months.</p> <p>An endowment and long term management agreement for this project is currently being discussed.</p>
Grants – COMPLETED		
A total of 12 grants completed by the LCWA and LCWLT	A total of \$6,352,360 grant funds was acquired and used towards acquisition, restoration studies, restoration projects, and education programs.	See link for details on all completed grants.

Task	Description	Status
Grants – ACTIVE		
<p>The Orange County Community Fund</p> <p>Warne Family Endowment Fund for Endangered Species Protection Grant</p> <p><u>Active</u></p>	<p>The LCWLT applied for the Warne Foundation Grant Program to fund Belding's Savannah Sparrow surveys at Los Cerritos Wetlands. This is a competitive grant that needs to be reapplied to annually.</p>	<p>Belding's Savannah Sparrow (BSS) surveys were conducted during breeding and nesting season to determine breeding territories for pairs of Belding's. Least Bell's Vireo (LBV) surveys began to determine potential nesting areas. Surveys were completed along with restoration of BSS and LBV habitat outside of nesting season.</p> <p>This grant was first awarded to the LCWLT on January 1, 2017, and then reapplied for and approved for a sixth year of monitoring and restoration efforts for 2022.</p>

Memorandum of Understanding/Agreements		
<p>Signal Hill Petroleum, Inc. (SHPI) Memorandum of Agreement</p> <p><u>Active</u></p>	<p>The LCWA entered into a Memorandum of Agreement with SHPI to use specific areas within the SHPI current exclusive easement for growth of Southern Tarplant under the Southern Tarplant Mitigation Plan.</p> <p>Performance Period February 3, 2017 through perpetuity.</p>	<p>The LCWA will have access to these specific areas within the SHPI exclusive easement into perpetuity.</p>
<p>LCWA13001 Aquarium of the Pacific Memorandum of Agreement</p> <p><u>Active</u></p>	<p>The LCWA entered into a Memorandum of Agreement in order to provide a citizen science sea turtle monitoring program for the general public.</p>	<p>For updates on the citizen science sea turtle monitoring program, please visit http://www.aquariumofpacific.org/give/membership/seaturtles</p> <p>A long term agreement was approved by the LCWA Board on July 1, 2021.</p>
<p>LCWA13000 Los Cerritos Wetlands Land Trust Memorandum of Agreement</p> <p><u>Active</u></p>	<p>The LCWA entered into a MOA with the Los Cerritos Wetlands Land Trust for stewardship services of the Los Cerritos Wetlands Stewardship Program</p>	<p>Please see the attached Los Cerritos Wetlands Stewardship Program Summary Report.</p> <p>A long term agreement was approved by the LCWA Board on July 1, 2021.</p>

Task	Description	Status
Memorandum of Understanding/Agreements		
Memorandum of Agreement with the El Dorado Audubon <u>Active</u>	El Dorado Audubon conducts regular bird walks throughout the LCLWA properties.	Please see the attached El Dorado Audubon Society report for a summary of the Los Cerritos Wetlands Nature/Bird Walks. For more information, please visit http://eldoradoaudubon.org/ A long term agreement was approved by the LCWA Board on July 1, 2021.
Sea and Sage Monthly Bird Counts	Darrell Wilson conducts regular bird counts using a research permit on the Hellman Properties.	Bird counts from monthly surveys are summarized in reports submitted to LCW's Ebird account.



Field Report Memorandum

To: Sally Gee, LCWA

From: Jesse Aragon, Tidal Influence, LLC

Cc: Eric Zahn, Marcelo Ceballos, Tidal Influence, Salian Garcia, Mark Stanley

Date: November 12th, 2021

Subject: Land Management Field Report

Sites Inspected: Zedler Marsh, Bryant Lease West, Hellman/Gum Grove, State Lands Parcel, & OTD Parcel

Inspection Date: October 27th, 2021

Note: The locations of critical observations and issues noted in this document are called out on the map on the final page. Photos of certain issues/observations are attached at the end of the report.

OTD Parcel

1. Gates – OK
2. Trails –
 - a. Vegetation has begun encroaching into the adjacent bike lane.
Los Cerritos Wetlands Stewards are coordinating a community clean up event to remediate site issues.
3. Fences – OK
4. Homeless –
 - a. Encampment has established along property perimeter.
Tidal influence staff has contacted the LCWA homeless contractor to remediate the encampment and will continue to monitor the site.

Zedler Marsh

5. Gates – OK
6. Trails – OK
7. Fences – OK
8. Homeless – OK

State Lands Parcel

9. Gates – OK
10. Trails – OK
11. Fences - OK
12. Homeless - OK

Hellman

13. Gates –

- a. No trespassing sign on the back trail access gate and along Heron Point trail fence line graffitied. Tidal Influence staff has begun removing graffiti along fence line.

Tidal Influence staff will continue working to remove the graffiti in the coming months.

14. Trails – OK

15. Fences –

- a. A fence line breach obstructed by palm fronds was discovered near the Gum Grove parking lot.

Tidal Influence staff will continue to monitor the fence lines condition and conduct repairs in the coming months.

16. Homeless – OK

17. Other –

- a. In order to better understand effects of urbanization on small mammal communities CSULB's Mammal Lab installed wildlife cameras and small mammal traps in 3 different locations along Los Cerritos Wetland's Hellman Trail system. Tidal Influence staff has met with the researchers to ensure no biological resources would be impacted. The camera installation and small mammal surveys took place on Oct 3rd, 8th-10th, and 29th-31st.

Bryant Lease West

18. Gates –

- a. Levee gates found open. (See Photo)

We recommend LCWA staff meet with LA County to determine a new approach to secure this property. We recommend adjusting the fence line location to provide a thoroughfare along the levee path.

19. Trails – OK

20. Fence

- a. Tidal Influence staff conducted fence repairs in two locations along the eastern fence line. Upon the next site visit the repaired portion of the fence line was again seen breached. (See Photos)

Tidal Influence staff will continue to monitor the condition of the fence line and conduct repairs in the coming months.

21. Homeless –

- a. Bedding located underneath cattle grates indicating possible establishment as an encampment.

Tidal Influence staff will continue to monitor the location and work with LCWA Homeless contractor to remediate the site.

Map

The photos of the issues and observations detailed above are labeled by number. The number on the map below indicates the location of these issues and observations.





Field Report Memorandum

To: Sally Gee, LCWA

From: Jesse Aragon, Tidal Influence, LLC

Cc: Eric Zahn, Marcelo Ceballos, Tidal Influence, Salian Garcia, Mark Stanley

Date: January 10th, 2021

Subject: Land Management Field Report

Sites Inspected: Zedler Marsh, Bryant Lease West, Hellman/Gum Grove, State Lands Parcel, & OTD Parcel

Inspection Date: November 29th and December 28th, 2021

Note: The locations of critical observations and issues noted in this document are called out on the map on the final page. Photos of certain issues/observations are attached at the end of the report.

OTD Parcel

1. Gates – OK
2. Trails –
 - a. Vegetation has begun encroaching into the adjacent bike lane. (See Photos)
Los Cerritos Wetlands Stewards coordinated a community clean up event to remediate site issues – the clean up took place on November 6th.
3. Fences – OK
4. Homeless –
 - a. Encampment has established along property perimeter.
Tidal Influence staff contacted the LCWA homeless contractor and the encampment was remediated.

Zedler Marsh

5. Gates – OK
6. Trails – OK
7. Fences – OK
8. Homeless – OK

State Lands Parcel

9. Gates – OK
10. Trails – OK
11. Fences – OK
12. Homeless – OK

Hellman

- 13. Gates – OK
- 14. Trails – OK
- 15. Fences –
 - a. A fence line breach obstructed by palm fronds was discovered near the Gum Grove parking lot. (See Photos)
Tidal Influence staff will continue to monitor the fence lines condition and conduct repairs in the coming months.
- 16. Homeless – OK
- 17. Other –
 - a. As part of the City of Seal Beach Waterline Relining project boring and soil sampling took place on November 30th. Subsequent soil sampling took place on December 15th and 16th. Excess soil was staged in barrels for eventual removal. All boring holes were re-filled with concrete. A staff biologist remained on site to monitor the work. No impacts to biological resources were observed. (See Photos)

Bryant Lease West

- 18. Gates –
 - a. Levee gates found open. (See Photo)
We recommend LCWA staff meet with LA County to determine a new approach to secure this property. We recommend adjusting the fence line location to provide a thoroughfare along the levee path.
- 19. Trails – OK
- 20. Fence
 - a. Tidal Influence staff conducted fence repairs in two locations along the eastern fence line. Upon the next site visit the repaired portion of the fence line was again seen breached. (See Photos)
Tidal Influence staff will continue to monitor the condition of the fence line and conduct repairs in the coming months.
- 21. Homeless – OK

Map

The photos of the issues and observations detailed above are labeled by number. The number on the map below indicates the location of these issues and observations.





Field Report Memorandum

To: Sally Gee, LCWA

From: Jesse Aragon, Tidal Influence, LLC

Cc: Eric Zahn, Marcelo Ceballos, Tidal Influence, Salian Garcia, Mark Stanley

Date: February 11th, 2021

Subject: Land Management Field Report

Sites Inspected: Zedler Marsh, Bryant Lease West, Hellman/Gum Grove, State Lands Parcel, & OTD Parcel

Inspection Date: February 7th, 2021

Note: The locations of critical observations and issues noted in this document are called out on the map on the final page. Photos of certain issues/observations are attached at the end of the report.

OTD Parcel

1. Gates – OK
2. Trails – OK
3. Fences –
 - a. Two fence line breaches were observed along southern fence line. The leasee made minor repairs and obstructed the breach with construction materials. (See Photos)
Tidal Influence staff will conduct fence line repairs in the coming months.
4. Homeless – OK

Zedler Marsh

5. Gates – OK
6. Trails – OK
7. Fences – OK
8. Homeless – OK

State Lands Parcel

9. Gates – OK
10. Trails – OK
11. Fences - OK
12. Homeless - OK

Hellman

13. Gates – OK
14. Trails – OK
15. Fences –
 - a. A fence line breach obstructed by palm fronds was discovered near the Gum Grove parking lot. (See Photos)
Tidal Influence staff has conducted repairs and will continue to monitor the condition of the fence line.

16. Homeless – OK

17. Other –

- a. As part of the City of Seal Beach Waterline Relining project boring and soil sampling took place on November 30th. Subsequent soil sampling took place on December 15th and 16th. Excess soil was staged in barrels for eventual removal. All boring holes were re-filled with concrete. A staff biologist remained on site to monitor the work. No impacts to biological resources were observed. As of January 17th the barrels have been removed (See Photos).

Bryant Lease West

18. Gates –

- a. Levee gates found open. (See Photo)

We recommend LCWA staff meet with LA County to determine a new approach to secure this property. We recommend adjusting the fence line location to provide a thoroughfare along the levee path.

19. Trails – OK

20. Fence –

- a. Two fence line breaches were observed in two locations along the eastern fence line. (See Photos)

Tidal Influence staff will continue to monitor the condition of the fence line and conduct repairs in the coming months.

21. Homeless –

- a. An encampment has established along the eastern fence line next to an existing fence line breach. (See Photos)

Tidal Influence staff has contacted the LCWA's homeless contractor to remediate the encampment.

Map

The photos of the issues and observations detailed above are labeled by number. The number on the map below indicates the location of these issues and observations.





Field Report Memorandum

To: Sally Gee, LCWA

From: Jesse Aragon, Tidal Influence, LLC

Cc: Eric Zahn, Marcelo Ceballos, Tidal Influence, Salian Garcia, Mark Stanley

Date: March 8th, 2022

Subject: Land Management Field Report

Sites Inspected: Zedler Marsh, Bryant Lease West, Hellman/Gum Grove, State Lands Parcel, & OTD Parcel

Inspection Date: February 28th, 2022

Note: The locations of critical observations and issues noted in this document are called out on the map on the final page. Photos of certain issues/observations are attached at the end of the report.

OTD Parcel

1. Gates – OK
2. Trails – OK
3. Fences –
 - a. Two fence line breaches were observed along southern fence line. The leasee has made minor repairs and obstructed the breach with construction materials. (See Photos)
Tidal Influence staff will conduct fence line repairs in the coming months.
4. Homeless – OK

Zedler Marsh

5. Gates – OK
6. Trails – OK
7. Fences –
 - a. A breach was observed along the Western fence line near the San Gabriel River bike trail access gate. Tidal Influence staff has conducted repairs and will continue to monitor fence line conditions. (See Photos)
8. Homeless – OK

State Lands Parcel

9. Gates – OK
10. Trails – OK
11. Fences - OK
12. Homeless - OK

Hellman

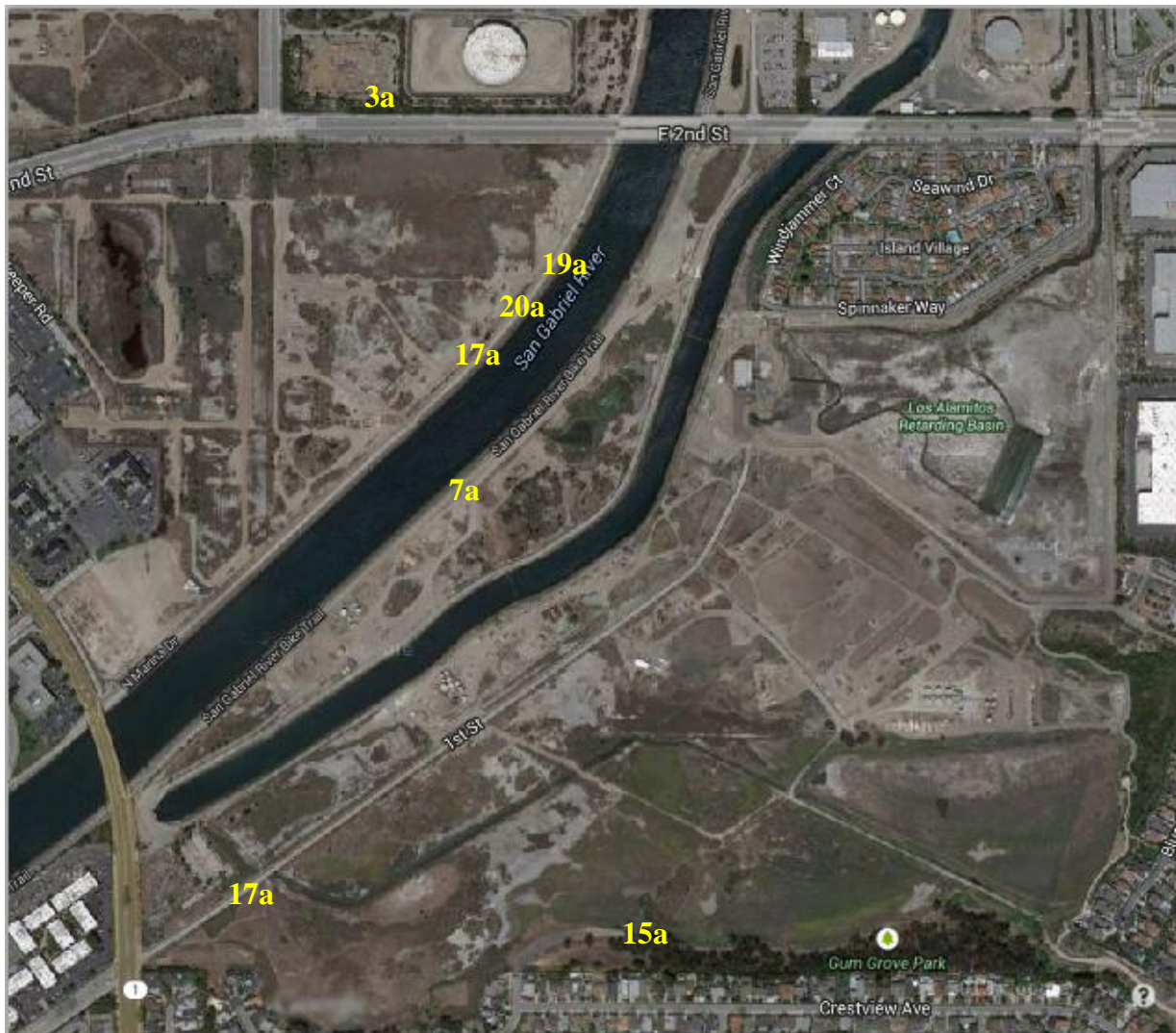
- 13. Gates – OK
- 14. Trails – OK
- 15. Fences – OK
- 16. Homeless – OK

Bryant Lease West

- 17. Gates –
 - a. Levee gates found open. (See Photo)
We recommend LCWA staff meet with LA County to determine a new approach to secure this property. We recommend adjusting the fence line location to provide a thoroughfare along the levee path.
- 18. Trails – OK
- 19. Fence –
 - a. Two fence line breaches were observed in two locations along the eastern fence line. (See Photos)
Tidal Influence staff will continue to monitor the condition of the fence line and conduct repairs in the coming months.
- 20. Homeless –
 - a. An encampment has established along the eastern fence line next to an existing fence line breach.
Tidal Influence staff has contacted the LCWA's homeless contractor and the encampment has since been remediated.

Map

The photos of the issues and observations detailed above are labeled by number. The number on the map below indicates the location of these issues and observations.



Field Report Memorandum

To: Sally Gee, LCWA

From: Jesse Aragon, Tidal Influence, LLC

Cc: Eric Zahn, Marcelo Ceballos, Tidal Influence, Salian Garcia, Mark Stanley

Date: April 7th, 2022

Subject: Land Management Field Report

Sites Inspected: Zedler Marsh, Bryant Lease West, Hellman/Gum Grove, State Lands Parcel, & OTD Parcel

Inspection Date: March 29th, 2022

Note: The locations of critical observations and issues noted in this document are called out on the map on the final page. Photos of certain issues/observations are attached at the end of the report.

OTD Parcel

1. Gates – OK
2. Trails – OK
3. Fences –
 - a. Two fence line breaches were observed along southern fence line. The lessee has made minor repairs and obstructed the breach with construction materials. Additional repairs were made by lessee within last month. (See Photos)
4. Homeless –
 - a. An encampment has established along fence line near the southeast corner of the property. (See Photos)
Tidal Influence staff has contacted the LCWA's homeless contractor to remediate the campground.
5. Other –
 - a. On March 29th LCWA staff received notice of a complaint from the California Department of Toxic Substances regarding onsite painting of k-rails. City of Long Beach's Hazardous Materials specialist conducted a site visit to determine the validity of the complaint. Inspectors offered recommendations to the property lessee such as setting up a Hazardous Materials Business Plan and obtain additional permits as necessary. Ultimately the onsite activity was determined to be non-hazardous. (See Photos)
Tidal Influence staff will follow up with the lessee as they continue to coordinate with DTSC and will notify LCWA of the completion status of the Hazardous Materials Specialists recommendations.

Zedler Marsh

6. Gates – OK
7. Trails – OK
8. Fences – OK
9. Homeless – OK
10. Other –
 - a. On March 30th Tidal Influence staff discovered that the chain securing their wheelbarrows and utility carts was damaged. A utility cart was found to be missing. Tidal influence staff conducted a security walkthrough and found no existing fence line breaches or lock issues.
Tidal Influence staff will continue working to maintain and improve site security to prevent further items from being taken from site.

State Lands Parcel

- 11. Gates – OK
- 12. Trails – OK
- 13. Fences - OK
- 14. Homeless - OK

Hellman

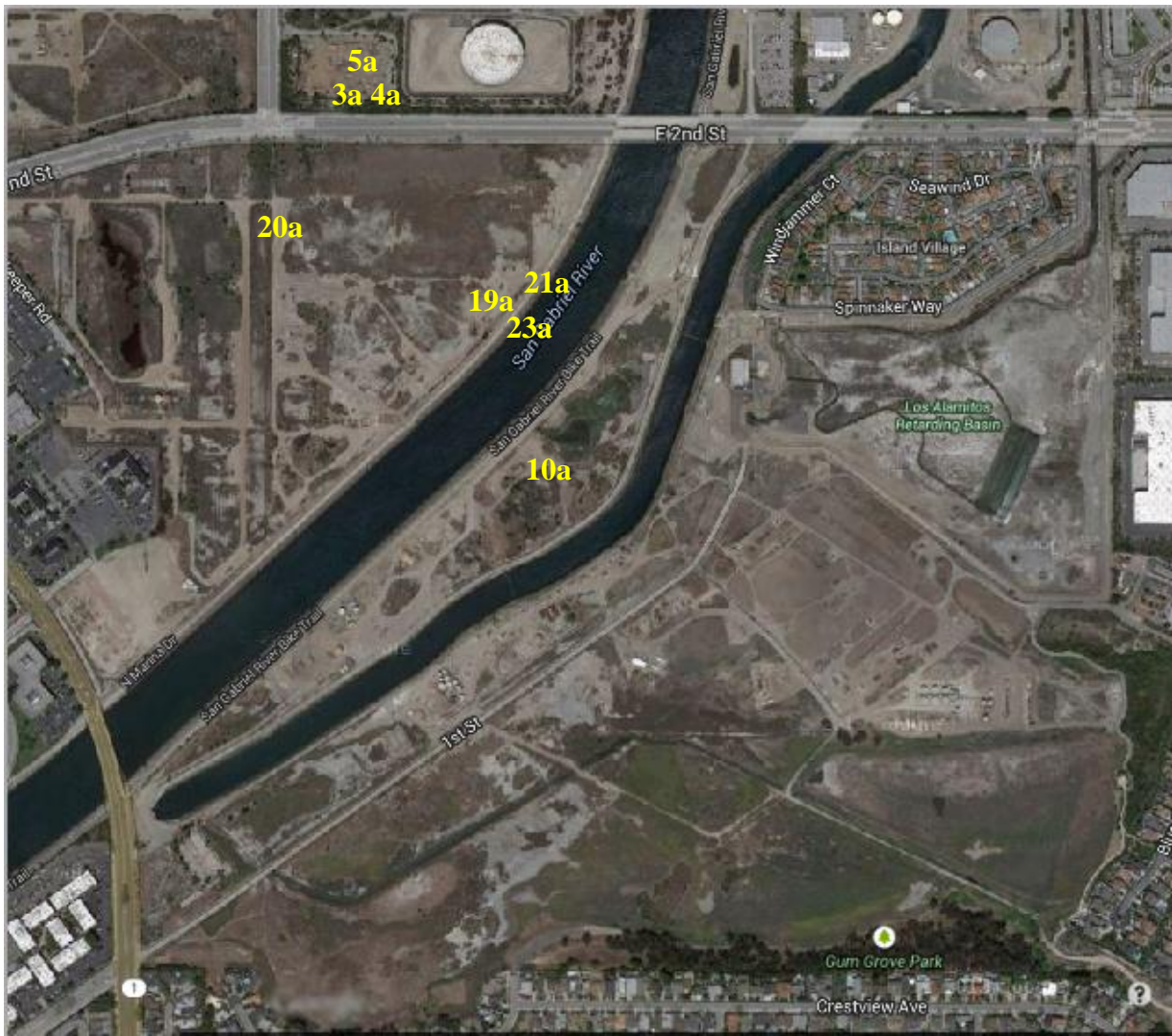
- 15. Gates – OK
- 16. Trails – OK
- 17. Fences – OK
- 18. Homeless – OK

Bryant Lease West

- 19. Gates –
 - a. Levee gates found open. (See Photo)
We recommend LCWA staff meet with LA County to determine a new approach to secure this property. We recommend adjusting the fence line location to provide a thoroughfare along the levee path.
- 20. Trails –
 - a. A speed limit sign has been damaged.
Tidal Influence staff will resecure the signage in the coming months.
- 21. Fence –
 - a. Two fence line breaches were observed in two locations along the eastern fence line. (See Photos)
Tidal Influence staff will continue to monitor the condition of the fence line and conduct repairs in the coming months.
- 22. Homeless – OK
- 23. Other –
 - a. A build up of trash has occurred in the facilities along river near levee gates. (See Photo)
Tidal Influence staff will conduct trash clean up efforts during subsequent walkthroughs.

Map

The photos of the issues and observations detailed above are labeled by number. The number on the map below indicates the location of these issues and observations.



OTD



Vegetative maintenance performed



Encampment remediated

OTD



Southern fence line breaches reenforced by lessee



K-rails stored on site



Encampment along southern fence line

Bryant Lease West



Eastern fence line breached



Levee gates open



Bedding under cattle grates

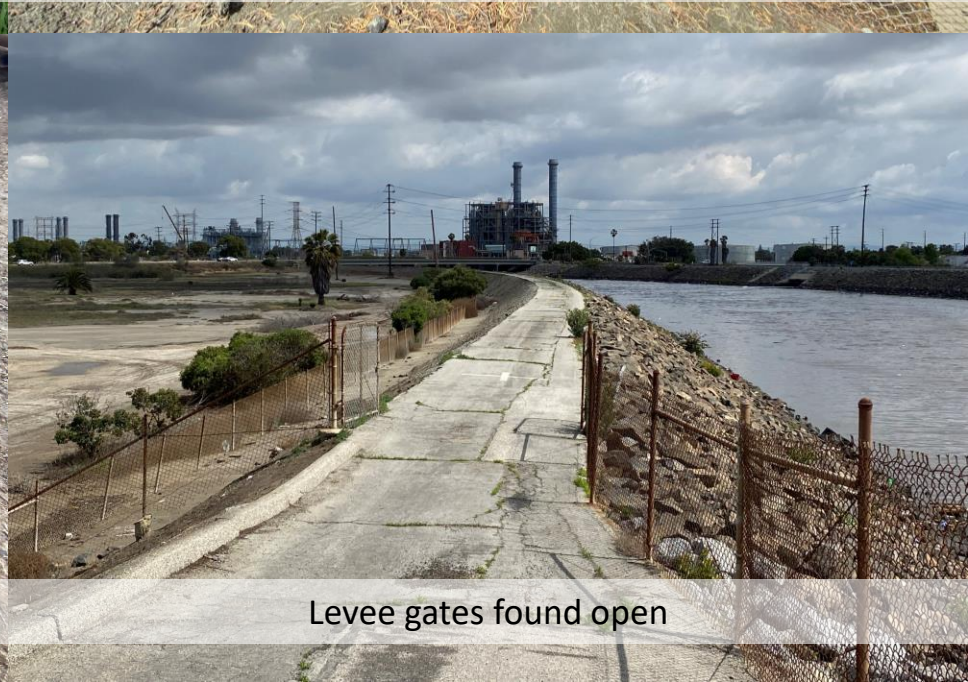
Bryant West Lease



Breaches along eastern fence line



Trash build up around cattle grate facilities



Levee gates found open

Hellman



Graffiti on No Trespassing Signage removed



Gum Grove fence line breach



Wildlife cameras set up along trail

Hellman



Borings conducted along road and refilled



Excess soil staged for removal



Gum Grove fence line breach

Hellman



Excess soil from borings removed



Gum Grove fence line breach repaired

Zedler Marsh



LOS CERRITOS WETLANDS STEWARDSHIP PROGRAM REPORT

AUGUST 2020 – MARCH 2022

Los Cerritos Wetlands Authority

Nature Walks

Raptor Ramble, Heron Hike, Turtle Trek

Each of these tours immerse visitors in the unique habitats of Los Cerritos Wetlands and allow them gain new perspectives on the purpose of these rare environments. Each walk begins at the northeast side of 1st Street and Pacific Coast Highway in Seal Beach at 8:00 A.M. on the first Saturday of every month. Members of the public are encouraged to attend all three different tours into the Wetlands. For more information and to RSVP for land tours/nature walks, please contact Elizabeth Lambe at elizabeth@lcwlandtrust.org

2020

Due to the COVID-19 pandemic, only 3 nature walks were hosted in the first three months of 2020. This still allowed many visitors to explore the Hellman Ranch parcel, Marketplace Marsh, Zedler Marsh and the San Gabriel River. As the pandemic continued, we wanted to find a way to bring these natural open spaces to the community in a safe away, so a few virtual tours were created. This allowed those interested to join us on a virtual tour and visit the Los Cerritos Wetlands from the safety of their home. The video recording of the virtual tour can be accessed on YouTube using the following link <https://youtu.be/6WGGZswBvpS8>.

2021

Nature walks finally resumed on July 3rd after a 15-month hiatus. All public events on the LCWA property implemented COVID-19 safety guidelines that followed county, state, and federal guidelines when hosting public gatherings outside. This included having a limit on the number of visitors at one time and requiring facial coverings on site. Each tour experienced a lot of interest and reached capacity for each nature walk. As restrictions for outdoor gatherings lifted, we quickly saw many eager individuals ready to join us outside as well as many volunteer groups. This eagerness resulted in each event hosting a minimum of 30 visitors for the rest of the year.

2022

This year the Los Cerritos Wetlands Land Trust has already hosted 4 land tours. These land tours included 2 Turtle Treks, 1 Raptor Ramble and 1 Heron Hike. This year COVID-19 restrictions have been lifted further and we are now seeing nature walks with with a minimum of 40 people in attendance. With many repeat volunteers as well as many new faces in attendance that want to get outside and learn about this local gem.

Habitat Restoration Events

Monthly Habitat Restoration events take place at Zedler Marsh, which is currently the only active restoration site throughout the Los Cerritos Wetlands. Here volunteers can help with a plethora of activities from native plant installation, non-native plant removal, mulching, watering, trash clean ups, propagating and more! Restoration events follow immediately after Land Tours on the first Saturday of every month starting right at 10:15 A.M., please contact iwanttohelp@tidalinfluence.com for more information.

2020

Due to the COVID-19 pandemic and the mandated stay-at-home order that was enacted in the middle of March 2020, we were able to host Habitat Restoration events in just the first 3 months of the year. From January to March we saw a total of 149 volunteers that helped with the installation of 387 plants and the removal of 128lbs of trash. This resulted in combined volunteer hours of 298 hours, producing an in-kind service value of \$7,578. Although Zedler Marsh did not see any volunteers after March our team removed over 1,000lbs of non-native plant material, installed over 1,500 plants, and propagated approximately 2,000 plants.

2021

Habitat restoration events resumed in July of 2021 after a 15-month hiatus due to COVID-19. All public events followed all county, state and federal health guidelines for outdoor public gatherings. When first implementing events again we required facial coverings and limited the number of volunteers that could participate at each event. From July to December, we saw many familiar faces as well as new ones that joined us in making a difference at Zedler Marsh. In those 6 months, a total of 319 volunteers helped to remove 490lbs of non-native plants, install 624 native plants, and remove 660lbs of trash. Combined volunteer hours totaled 638 hours, producing an in-kind service value of \$18,209. In addition, our team at Zedler Marsh helped to install approximately 1,000 plants, remove over 1,500lbs of weeds, and continued to propagate different marsh and upland species.

2022

This year the LCWA has hosted 4 Habitat Restoration events with a 5th event happening on May 7th, 2022. In the first 4 months of events, we have hosted a total of 155 volunteers, that have helped us to install 356 native plants, propagate 62 salt tolerant native grasses, and remove 350lbs of trash. Combined volunteer hours totaled 310 hours, producing an in-kind service value of \$8,847. We look forward to hosting even more events and volunteers this year at the Los Cerritos Wetlands.

Special Events

2020

Due to the pandemic all extra events, field trips, and nature walks were put on pause. In fall of 2020 schools were still eager to learn about wetlands and natural spaces, and we were eager to continue teaching others about the importance of the Los Cerritos Wetlands. We had several opportunities to host virtual field trips for elementary students and created a virtual curriculum through the use of videos, live videos in nature, and presentations to keep students engaged. We hosted several days of virtual field trips for students at Heroes Elementary. This ongoing partnership had started prior to the pandemic, so it was great to adapt and learn new skills in order to continue educating our youth. We also hosted a virtual field trip for middle schoolers from Kinetic Academy, which was our first partnership with them.

2022

For the third year in a row, we have seen the lasting impacts of the COVID-19 pandemic when it comes to extracurricular activities, fieldtrips and special events out at the Los Cerritos Wetlands. This year has seen a lifting of restrictions and a decrease in the spread of the virus. This has allowed us to confidently open up to hosting youth events and schools, and in turn it has allowed more schools to reach out to us to get their students involved outside. This year we have seen an influx of inquiries to get students of all ages and summer groups out to the Los Cerritos

Wetlands. We have hosted nature walks at Zedler Marsh exposing visitors to the marsh and coastal sage scrub habitats, including 9th graders from Oakwood School and AP Environmental Students from a Port of Long Beach High School class with which we have a long-standing partnership. In May we will be hosting college students from Marine Biology and Wildlife Biology classes from Long Beach City College who we also have a long-standing partnership with. This year we have already started field trips with our partners at Heroes Elementary where we will be hosting a total of 10 field trips for grades 2nd-4th. On these trips we have a fun and interactive curriculum we call “Explore the Coast” where they get to learn about the Los Cerritos Wetlands, Zedler Marsh, help with habitat restoration, make plant presses, and even a scavenger hunt for different insects and animals they may find on site. This Earth Day we partnered with our partner the Aquarium of the Pacific (AOP) for one of the largest events Zedler Marsh has ever seen. On Friday April 22nd, we hosted 170 of the AOP volunteers, who helped us install 125 plants, remove 1,000lbs of non-native vegetation, and mulch a large portion of our trails system.

Kayak Tours

This year the LCW Land Trust was able to bring back the loved kayak tours to Steam Shovel Slough for the first time since 2016! For these kayak tours we partnered with LA River Expedition Guides to provide liability and safety on the water and Tidal Influence and the AOP to provide naturalists to be a guide while navigating these natural features. From January until April, 7 kayak tours hosted 18 visitors each trip, totaling 126 people who joined us in learning about the history and wildlife found throughout Los Alamitos Bay, the San Gabriel River, Los Cerritos Wetlands, Jack Duster Biological Marine Preserve, Los Cerritos Channel, and Steam Shovel Slough. These tours have allowed others to experience and access parts of the Los Cerritos Wetlands they otherwise never would have known about. The goal is to continue kayak tours in the Fall when LA River Expedition Guides will be able to assist again.

Open Trails Day

In 2021 the LCWA was able allow the trails at Zedler Marsh to be accessible from the San Gabriel River Bike path twice a week with the supervision of a staff member on site during open hours. Since June 5th, 2021 the trails at Zedler have been open every Friday and Saturday from 9:00 a.m. to 2:00 p.m. In the past year there has not been too much advertisement as we have been upgrading the trails for more public usage, but so far, we have still seen over 200 individuals explore our trails system. The goal is to make these public trails more accessible, so this month we are planning to promote this opening even more so others can learn about the site and access it on their own with the supervision of a staff Trail Keeper.

El Dorado Audubon
LCWA Report – May 5, 2022

Summary

El Dorado Audubon first led walks on the Los Cerritos Wetlands once a year from 1979 for about 20 years. The chapter has been leading twice monthly bird/nature walks since the Los Cerritos Wetlands Authority was organized. The chapter has recorded over 120 species of birds over the years – hawks, herons, egrets, pelicans, songbirds and more!

November 2021 – April 2022

Los Cerritos Wetlands Hellman property, Orange, California, US
Nov 13, 2021 8:00 AM - 10:30 AM

Canada Goose 35
Rock Pigeon (Feral Pigeon) 25
Mourning Dove 15
Allen's Hummingbird 2
hummingbird sp. 3
Killdeer 3
Double-crested Cormorant 2
American White Pelican 1
Great Egret 2
Northern Harrier 1
Cooper's Hawk 1
Red-tailed Hawk 2
hawk sp. 2
American Kestrel 1
Black Phoebe 2
Say's Phoebe 2
Cassin's Kingbird 3
Bushtit 15
House Wren (Northern) 2
Northern Mockingbird 2
House Finch 10
Acanthis/Spinus sp. 25
White-crowned Sparrow 15
sparrow sp. 35

Los Cerritos Wetlands Zedler Marsh, Los Angeles, California, US
Nov 20, 2021 8:00 AM – 10 AM

Canada Goose 4
Mallard 12

Greater/Lesser Scaup 1
Bufflehead 8
gull sp. 5
Double-crested Cormorant 11
Great Blue Heron (Great Blue) 1
Great Egret 2
Snowy Egret 1
Turkey Vulture 2
Northern Harrier 1
Belted Kingfisher 1
American Kestrel 2
Say's Phoebe 1
American Crow 2
Bushtit 15
Blue-gray Gnatcatcher 1
House Finch 5
White-crowned Sparrow 25
Common Yellowthroat 1

Los Cerritos Wetlands Hellman property, Orange, California, US
Dec 11, 2021 8:00 AM - 10:00 AM

Canada Goose 125
Mallard 15
Rock Pigeon (Feral Pigeon) 18
Mourning Dove 22
White-throated Swift 4
Anna's Hummingbird 1
Allen's Hummingbird 5
American Coot 2
Killdeer 11
peep sp. 15
Greater Yellowlegs 3
Willet 3
Great Blue Heron 3
Turkey Vulture 1
Osprey 1
Northern Harrier 1
Red-tailed Hawk 2
Belted Kingfisher 1
American Kestrel 1
Say's Phoebe 3
Cassin's Kingbird 1
American Crow 3

swallow sp. 5
House Wren 2
Northern Mockingbird 5
House Finch 75
Lesser Goldfinch 5
Song Sparrow 3
Western Meadowlark 7
Common Yellowthroat 2
Yellow-rumped Warbler (Audubon's) 2

Los Cerritos Wetlands Zedler Marsh, Los Angeles, California, US

Dec 18, 2021 8:00 AM - 10:45 AM

Checklist Comments: El Dorado Audubon Christmas Bird Count (no access to Hellman)

Canada Goose 20
American Wigeon 4
Mallard 5
Bufflehead 5
Rock Pigeon (Feral Pigeon) 25
Mourning Dove 1
Greater Yellowlegs 1
gull sp. 2
Double-crested Cormorant 6
Brown Pelican 1
Great Blue Heron 1
Great Egret 1
Black Phoebe 1
Say's Phoebe 1
Cassin's Kingbird 1
American Crow 1
Blue-gray Gnatcatcher 4
House Finch 2
White-crowned Sparrow 38
Song Sparrow 1
Western Meadowlark 7
Common Yellowthroat 1
Yellow-rumped Warbler (Audubon's) 3

Los Cerritos Wetlands Hellman property, Orange, California, US

Jan 8, 2022 8:00 AM - 10:00 AM

Canada Goose 5
Rock Pigeon (Feral Pigeon) 25
Mourning Dove 4

Allen's Hummingbird 3
hummingbird sp. 2
gull sp. 15
tern sp. 2
Double-crested Cormorant 5
Great Egret 3
Snowy Egret 8
Red-tailed Hawk 1
Say's Phoebe 3
Bushtit 15
House Wren 5
Northern Mockingbird 2
House Finch 75
American Goldfinch 2
Chipping Sparrow 1
White-crowned Sparrow 80
Savannah Sparrow (Belding's) 1
Song Sparrow 3
Common Yellowthroat 2
Yellow-rumped Warbler (Audubon's) 5

Los Cerritos Wetlands Zedler Marsh, Los Angeles, California, US
Jan 22, 2022 8:00 AM - 10:00 AM

Canada Goose 80
American Wigeon 6
Bufflehead 8
Rock Pigeon (Feral Pigeon) 26
Mourning Dove 18
White-throated Swift 2
Anna's Hummingbird 1
Allen's Hummingbird 2
hummingbird sp. 5
Killdeer 2
California Gull 2
gull sp. 19
Forster's Tern 2
tern sp. 5
Double-crested Cormorant 15
Brown Pelican 1
Great Egret 3
Snowy Egret 2
Turkey Vulture 2
Osprey 1

Red-tailed Hawk 1
Blue-gray Gnatcatcher 2
House Finch 50
Lesser Goldfinch 6
White-crowned Sparrow 15
Song Sparrow 2
California Towhee 1
Common Yellowthroat 2
Yellow-rumped Warbler (Audubon's) 5

Los Cerritos Wetlands Hellman property, Orange, California, US
Feb 12, 2022 8:00 AM - 10:00 AM
Heatwave in February

Killdeer 3
shorebird sp. 2
gull sp. 15
Great Blue Heron (Great Blue) 1
Great Egret 2
Snowy Egret 1
Northern Harrier 1
Red-tailed Hawk 1
House Finch 25
White-crowned Sparrow 10
Savannah Sparrow (Belding's) 7
Western Meadowlark 5

Los Cerritos Wetlands Zedler Marsh, Los Angeles, California, US
Feb 26, 2022 8:00 AM - 10:00 AM
Observed approximately 10 young cottontail rabbits and one young ground squirrel

American Wigeon 6
Mallard 1
Bufflehead 7
Rock Pigeon (Feral Pigeon) 11
Killdeer 2
Long-billed Curlew 1
Dunlin 3
California Gull 1
gull sp. 3
Double-crested Cormorant 2
Great Blue Heron 1
Osprey 1
Northern Rough-winged Swallow 1

Bushtit 7
Blue-gray Gnatcatcher 1
Northern Mockingbird 2
House Finch 15
White-crowned Sparrow 5
Golden-crowned Sparrow 2
Song Sparrow 2
California Towhee 1
sparrow sp. 15
Yellow-rumped Warbler (Audubon's) 1

Los Cerritos Wetlands Hellman property, Orange, California, US
Mar 12, 2022 8:00 AM - 10:30 AM

Red-tailed Hawk 2
Belted Kingfisher 2
Say's Phoebe 2
Cassin's Kingbird 2
American Crow 1
Northern Rough-winged Swallow 2
Northern Mockingbird 2
House Finch 45
Acanthis/Spinus sp. 2
Savannah Sparrow (Belding's) 1
Song Sparrow (heermanni Group) 2
Common Yellowthroat 1

Los Cerritos Wetlands Zedler Marsh, Los Angeles, California, US
Mar 26, 2022 8:00 AM - 10:00 AM

Mallard 2
Bufflehead 4
Mourning Dove 12
Anna's Hummingbird 2
Allen's Hummingbird 6
American Coot 3
Killdeer 3
California Gull 3
gull sp. 15
Forster's Tern 2
tern sp. 2
Double-crested Cormorant 15
Osprey 1
Belted Kingfisher 1

Northern Flicker 2
Black Phoebe 2
Say's Phoebe 1
Cassin's Kingbird 3
yellow-bellied kingbird sp. 1
American Crow 5
Northern Rough-winged Swallow 3
Tree Swallow 1
swallow sp. 10
House Wren 3
European Starling 3
Northern Mockingbird 2
House Finch 50
new world goldfinch sp. 3
White-crowned Sparrow 3
Savannah Sparrow 1
Song Sparrow 5
Hooded Oriole 2
Common Yellowthroat 2

Los Cerritos Wetlands Hellman property, Orange, California, US
Apr 9, 2022 8:00 AM - 10:00 AM

Mourning Dove 15
Anna's Hummingbird 2
Allen's Hummingbird 2
hummingbird sp. 3
Killdeer 2
Least Sandpiper 9
Elegant Tern 2
Double-crested Cormorant 2
Great Blue Heron 2
American Kestrel 1
Cassin's Kingbird 1
American Crow 3
Barn Swallow 2
Northern Mockingbird 2
House Finch 50
Song Sparrow 2
Hooded Oriole 3

Los Cerritos Wetlands Zedler Marsh, Los Angeles, California, US
Apr 23, 2022 8:00 AM - 10:00 AM

Great Blue Heron 3
Great Egret 2
Red-tailed Hawk 1
Black Phoebe 2
Say's Phoebe 1
American Crow 15
Barn Swallow (American) 25
Bushtit 2
Blue-gray Gnatcatcher 3
House Finch 32
Lesser Goldfinch 2
American Goldfinch 3
Savannah Sparrow (Savannah) 2
Song Sparrow 3
Hooded Oriole 1
Common Yellowthroat 4

Photos of Los Cerritos Wetlands birds courtesy of El Dorado Audubon
PHOTO CREDIT: Jerry Millett



Great Egret and Snowy Egrets



Osprey



Say's Phoebe



Snowy Egret

Los Cerritos Wetlands Authority

Date: May 5, 2022
To: Governing Board Members
From: Salian Garcia, Fiscal Manager
Through: Mark Stanley, Executive Officer
Subject: Item 8e: Receive and File Expenditure Report

Attached as Exhibit A is the FY 2021/2022 Budget with balances as of March 31, 2022.

Key elements of the Expenditure Report for FY 2021/2022 (Exhibit A) are summarized below:

- Overall Grant and Special Projects Revenue are lower than budget projections as staff is awaiting reimbursements from grantors or processing reimbursement requests to the respective grantors.
- Mitigation Revenue is the exception to the above bullet as expenditures and revenues are on par with budget projections.
- Administration has no activity. However, several expenditures in this category, such as Audit Services and Insurance, generally do not occur until the second and third quarters of the current fiscal year.
- Operational Expense is meeting budget projections with most expenditures are related to Zedler Marsh maintenance and operations. Though expenditures in other line items in this subcategory are lower than budget projections, LCWA does not expect to exceed the overall Operations Expense budget.
- Capital Outlay Expense is lower than budget projections; however, expenditures against other line items (i.e. funding sources) are expected to increase as spending against these sources have recently begun.
- Staff is awaiting reimbursement from several grants and contracts. The revenue will be reflected when submitted costs expended under the grant has been approved for reimbursement and the reimbursement is received.

LOS CERRITOS WETLANDS AUTHORITY
REVENUES AND EXPENDITURES FISCAL YEAR 2021-2022

	FY 21/22 Budget	As of 03/31/22	Remaining Budget Balance	Remaining % Budget Balance	Actuals % FY22 Budget Spent
Revenues					
General Administrative & Operating Revenue					
JPA Contributions	40,000	20,000	20,000	50%	50%
Lease Revenue	72,723	21,311	51,412	71%	29%
Contracts	-	-	-		
Fees	2,500	1,021	1,479	59%	41%
Permits	10,000	10,000	-	0%	100%
Other - Local Revenue	-	-	-		
Subtotal-General Administrative & Operating	125,223	52,332	72,891	58%	42%
Grants and Special Projects Revenue					
Grant - State Coastal Conservancy	45,230	713	44,517	98%	2%
Grant - Rivers & Mountains Conservancy	45,212	-	45,212	100%	0%
Grant - Other Federal, State, County & Local Funds	174,550	-	174,550	100%	0%
Mitigation Revenue	50,000	20,425	29,575	59%	41%
Contracts - Other MOA	-	-	-		
Other - Donations	-	-	-		
Other - Miscellaneous	10,000	-	10,000	100%	0%
Subtotal-Grants and Special Projects	324,992	21,139	303,853	93%	7%
Total Revenue	450,215	73,471	376,744	84%	16%
Expenses					
Insurance - D & O Policy	3,307	-	3,307	100%	0%
Audit Services	10,100	-	10,100	100%	0%
Website	500	-	500	100%	0%
Miscellaneous Administrative Costs	500	-	500	100%	0%
Administration Expense Subtotal	14,407	-	14,407	100%	0%
Grant & Land Management - General	75,600	41,760	33,840	45%	55%
Grant Management - Contracted Services	-	-	-		
Insurance - General Liability/Umbrella	10,208	-	10,208	100%	0%
LCWA Measure A - M/O	46,000	38,379	7,621	17%	83%
Stewardship Program	12,000	-	12,000	100%	
Security	11,600	-	11,600	100%	0%
Signage	2,000	-	2,000	100%	0%
MOAs	10,000	5,532	4,468	45%	55%
Miscellaneous	2,000	-	2,000	100%	0%
Operational Expense Subtotal	169,408	85,672	83,736	49%	51%
Consultant Services	25,000	-	25,000	100%	0%
Grant - State Coastal Conservancy	40,000	35,064	4,936	12%	88%
Grant - Rivers & Mountains Conservancy	40,000	22,092	17,908	45%	55%
Grant - Other Federal, State, County & Local Projects	86,400	224	86,176	100%	0%
Other - Mitigation Projects	75,000	27,725	47,275	63%	37%
Other - Miscellaneous	-	-	-		
Capital Outlay Expense Subtotal	266,400	85,106	181,294	68%	32%
Total Expense	450,215	170,777	279,438	62%	38%
Ending Net Position	-	(97,306)	97,306		

Los Cerritos Wetlands Authority

Date: May 5, 2022

To: Governing Board Members

From: Salian Garcia, Fiscal Manager

Through: Mark Stanley, Executive Officer

Subject: Item 9: Consideration of a resolution to write off Prior Year Accounts Receivable

RECOMMENDATION: That the Los Cerritos Wetlands Authority (LCWA) write off prior year accounts receivable of \$11,978.75 from the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC).

PROJECT DESCRIPTION: At the recommendation of the LCWA's independent auditor, Fedak & Brown LLP, staff is recommending to write off the accounts receivable of \$11,978.75. The LCWA extends credit to entities in the normal course of operations. When staff deems the accounts uncollectible, LCWA uses the allowance method for the reservation and write off of those accounts. LCWA could maintain collection efforts on the accounts receivable; however, this is not recommended as it is not expected payment will be approved by RMC's authorizing bodies due to the age of the debt. With any public agency, old debts need to be written off and LCWA staff requests the Board to write off this account. Periodically writing off stale balances from accounts receivable follows prudent accounting practices. This is the first write off request that has ever brought to the Board. By agreeing to write off this debt, the LCWA is not forgiving the debt but acknowledging that we do not expect to receive payment.

BACKGROUND: In November 2015, LCWA entered into a contract in the amount of \$9,900.00 with the Law Office of Laurie Collins with the intention of LCWA acting as passthrough for legal services. The LCWA would incur the expenditures then be reimbursed by the RMC upon invoice. The contracted services were related to LCWA's due diligence process of the property transfer by and between LCWA and Synergy Oil and Gas, LLC; SCE OTD parcel; and other services as needed. By September 30, 2017, the actual expenses incurred were \$11,978.75 in total. During Fiscal Year 2016/2017, a receivable was recorded for the legal fees as it remains uncollected. After some research, an agreement between the two JPA partners was never initiated in order for LCWA to invoice RMC for reimbursement.

FISCAL: The proposed write off of \$11,978.75 would reduce the LCWA's Accounts Receivable balance for accounting purposes, and it will be reflected in LCWA's Fiscal Year 2021/2022 financial statements. It should be noted that the proposed write off amount represents only 2.7% of LCWA's total revenue budget for FY 2021/2022.

May 5, 2022 – Item 9

RESOLUTION 2022 - 02

RESOLUTION OF THE LOS CERRITOS WETLANDS AUTHORITY
TO WRITE OFF PRIOR YEAR ACCOUNTS RECEIVABLE

WHEREAS, the Los Cerritos Wetlands Authority (Authority) has been established between the Coastal Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the City of Seal Beach and the City of Long Beach to facilitate the acquisition, protection, conservation, restoration, maintenance and operation an environmental enhancement of the Los Cerritos Wetlands; and

WHEREAS, the LCWA has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects within the Los Cerritos Wetlands; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); NOW

Therefore be it resolved, that the LCWA hereby:

1. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
2. FINDS that this action is consistent with the purposes and objectives of the LCWA.
3. ADOPTS the staff report dated May 5, 2022.
4. APPROVES to write off prior year account receivable of \$11,978.75 from the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.

~ End of Resolution ~

Passed and Adopted by the Board of the LOS CERRITOS WETLANDS AUTHORITY
on May 5, 2022.

Suzie Price, Chair

ATTEST:

Elizabeth St. John
Deputy Attorney General

Los Cerritos Wetlands Authority

Date: May 5, 2022

To: Governing Board Members

From: Eric Zahn, Principal Restoration Ecologist, Tidal Influence
Sally Gee, Project Manager

Through: Mark Stanley, Executive Officer

Subject: Item 10: Update on the Southern Los Cerritos Wetlands Restoration Planning Project

STATUS REPORT AND UPDATE:

Following are the updates regarding the Southern Los Cerritos Wetlands Restoration Planning Project (Exhibit A).

1. Technical Studies:

- a. Biological Resources – The Biological Resources Report and Jurisdictional Wetlands Delineation Report were completed by Tidal Influence in August 2021.
- b. Cultural Resources – A complete draft of the Cultural Resources Report prepared by Cogstone is under final review by members of the Tribal Advisory group.
- c. Geotechnical Investigation – This technical investigation was scheduled to be initiated in Fall 2021 but has been majorly delayed by the pursuit of a Coastal Development Permit (CDP). The CDP application was approved by Coastal Commission on March 12, 2022 and a “Notice of Intent to Issue Permit” was sent to the LCWA. On April 8, 2022 the LCWA submitted the requested documentation to meet the conditions required for issuance. The LCWA was informed on April 28, 2022 that Coastal Commission staff are waiting for written comments from a local Tribal group before they proceed with considering issuance of the permit. This delay continues to impact progress on restoration designs.

2. Public Outreach:

- a. Tribal Advisory Group (TAG)– The LCWA has convened this advisory group to ensure that all interested tribal stakeholders are provided with regular updates on the planning effort and to integrate their recommendations into the design. This group has met three times including a site visit. Members of the TAG have reviewed several documents including the Cultural Resources Report. LCWA staff continues to regularly consult with all interested tribal groups on the Native American Heritage Commission list even outside of the TAG meetings.
- b. Technical Advisory Committee (TAC)– This advisory group composed of resource agency staff, technical experts, and other collaborators has been convened twice since this project initiated. The first meeting was in March 2021 and the meeting was focused on receiving feedback on the Draft Habitat Restoration Plan. The second meeting was in January 2022, and the meeting was focused on presenting technical data and receiving feedback on the permitting process
- c. General Public – A general public meeting was held in December 2021 and the meeting focused on sharing technical data that had been collected. A survey about

public access was distributed as part of this meeting and the LCWA continues to collect data on the public's opinion regarding trails and access.

3. 30% Design: This task was scheduled to be completed in December 2021 but its finalization has been delayed due to the lack of geotechnical data. A preliminary grading plan has been developed by the consulting team and reviewed by LCWA staff. Refinements to the grading plan are expected to be necessary once the geotechnical data has been collected and analyzed. However, the preliminary grading plan has been used for initial hydrodynamic modeling and for discussions with utilities and other stakeholders.
4. Permitting and Environmental Review: These tasks were scheduled to be completed by Summer 2022 but are delayed by at minimum 6 months as a result of the geotechnical data not being collected.
5. Funding Opportunities for Future Planning and Implementation: The LCWA continues to pursue funding opportunities to allow for this project to seamlessly transition to the final design phase and eventual implementation. A portion of the funding that the LCWA anticipates receiving through the AES Voluntary Environmental Benefits Grants Program (Item 12) has been identified to support this planning efforts final design phase. The LCWA has also been in discussion with several entities seeking potential mitigation credit for impacts to coastal resources. These entities include the Los Angeles Department of Water and Power (LADWP), South Coast Water District (SCWD), and Poseidon Water, LLC (Poseidon).

LADWP approached the LCWA in 2021 seeking more information about the LCWA's restoration plans in an attempt to understand how the project might support mitigation for their proposed Haynes Intake Channel Infill Project. Several meetings were held between the parties and LADWP was invited to be participants on the LCWA's TAC. Since that time LADWP has paused their pursuit of their Infill Project and therefore discussions are currently on hold.

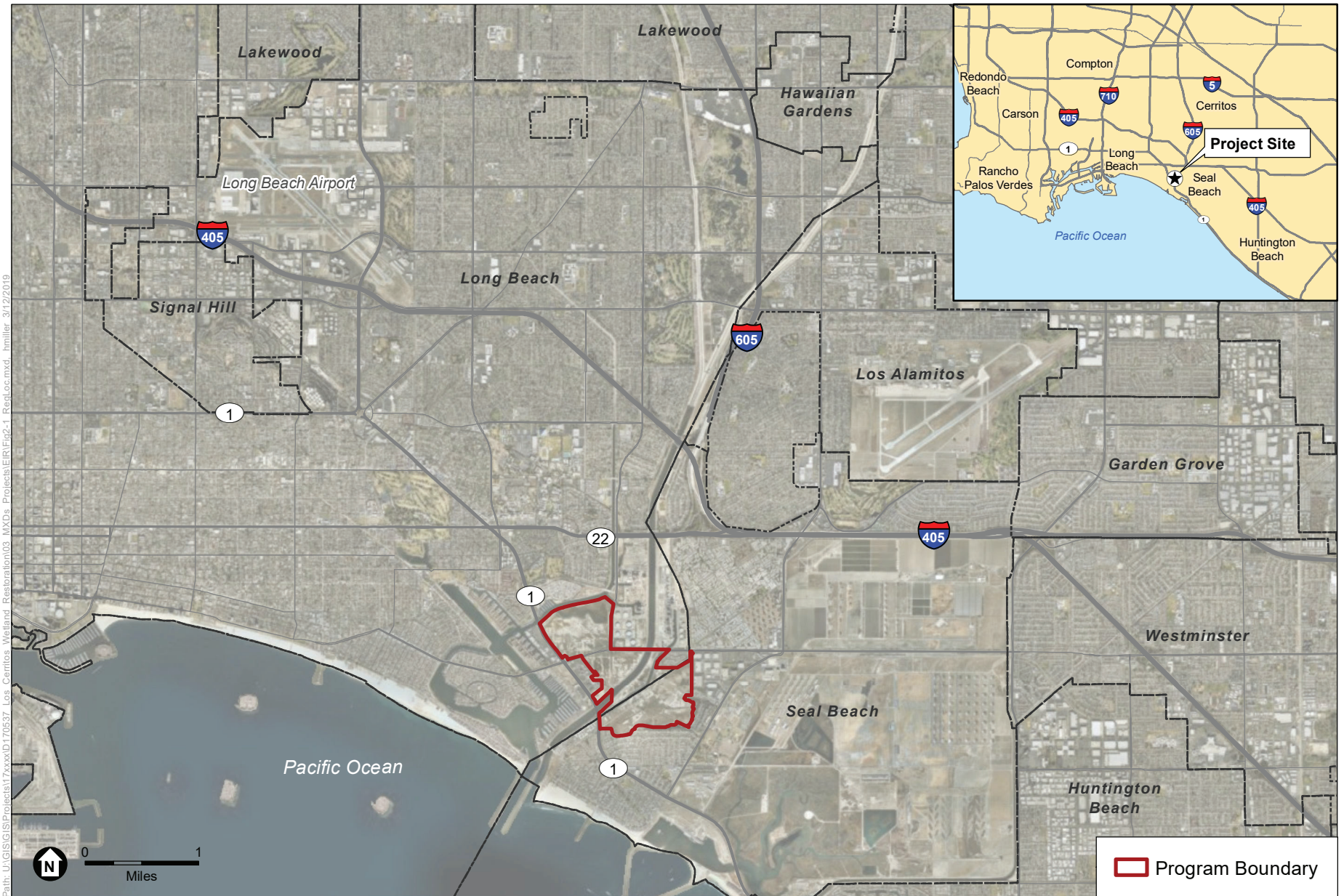
SCMD approached the LCWA in 2021 seeking collaboration with the LCWA to determine the potential for the project to support mitigation for their proposed Doheny Ocean Desalination Project in Dana Point. The LCWA accepted and acknowledged a Letter Of Intent (LOI) for use of a portion of the Southern LCW Restoration Project to mitigate for SCMD's impacts (Exhibit B). This LOI does not commit the LCWA to reaching a final agreement to undertake a mitigation project but expressed that the LCWA would cooperate and collaborate in developing a mitigation plan with SCMD should they receive their permits. In March 2022 SCMD received approval of the permit application to the San Diego Regional Water Quality Control Board. SCWD expects to have their Coastal Commission hearing sometime in Summer 2022.

Poseidon Water approached the LCWA in March 2022 seeking potential collaboration to support mitigation for their proposed Huntington Beach Desalinization Plant. An initial meeting was held between Poseidon and LCWA staff and representatives on March 30, 2022, during which both parties shared the details of their respective projects. No agreements have been made between the parties, however Poseidon has listed the Southern LCW Restoration Project in submittals to Coastal Commission as one of several mitigation projects they are proposing. Poseidon's CDP hearing is scheduled for May 12, 2022.

BACKGROUND: The LCWA adopted the Conceptual Restoration Plan (CRP) in August 2015, which identified opportunities for restoring tidal connections, creation of new wetland and associated upland habitats, consolidation of oil operations, improvement to passive recreation facilities, creation of a visitor's center, and accommodation of special status species at the Los Cerritos Wetlands. In January 2021 the LCWA certified a Program Environmental Impact Report (PEIR) utilizing the CRP designs to create a program description for a 503-acre program area. The potential impacts of this proposed program were analyzed, and mitigation measures were determined for potentially impacted resources. In May 2021 the LCWA adopted the Los Cerritos Wetlands Habitat Restoration Plan that refined the designs from the PEIR and made recommendations for which projects should be prioritized to tier off from the PEIR.

One of the near-term projects identified to tier off from the PEIR is located in the Southern Los Cerritos Wetlands on 103.5 acres identified as the South LCWA site (aka Hellman Ranch Lowlands) and the State Lands Commission site (together comprising the Project Area) (Exhibit A), both managed by LCWA. This Project Area was historically salt marsh but has been altered through anthropogenic activities. The site currently contains former sumps, landfills, foundations, and contaminated areas from prior oil operations and land uses.

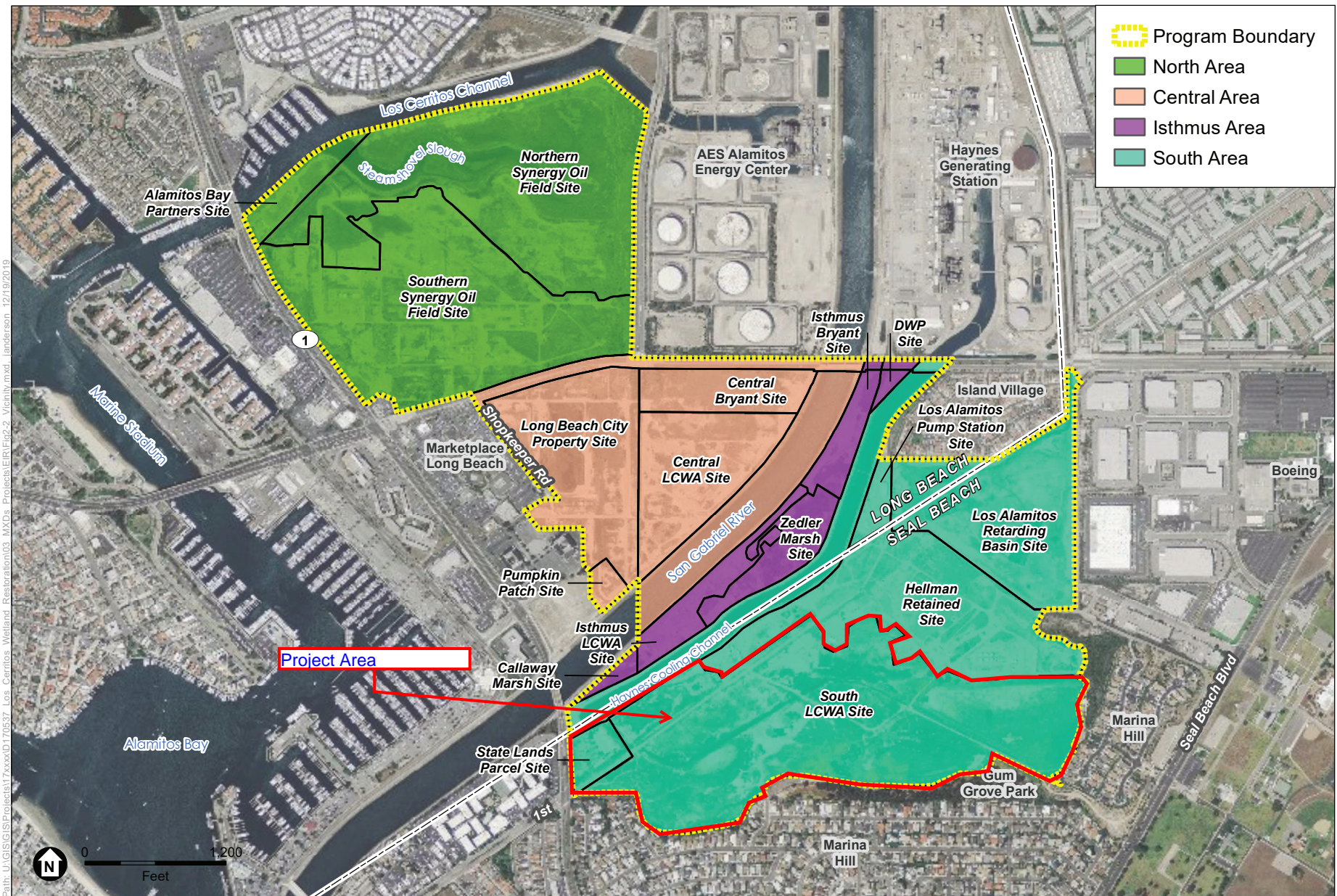
The Los Cerritos Wetlands Authority (LCWA) authorized the Executive Officer to award a contract to Moffatt and Nichol for the Southern Los Cerritos Wetlands Restoration Project to perform a scope of services that includes conducting technical studies, preparation of 30% and 65% designs, completion of environmental compliance, preparation of permit applications, and associated stakeholder outreach. This contract has been funded by CDFW Proposition 1 Grant Program, RMC Proposition 68 Grant Program, State Coastal Conservancy Once-Through-Cooling funding, and from the Orange County Community Foundation (OCCF) Warne Fund.



SOURCE: ESRI

Los Cerritos Wetlands Restoration Plan Program EIR

Regional Location



SOURCE: Mapbox, LCWA

Los Cerritos Wetlands Restoration Plan Program EIR

Figure 2
Project Site and Local Vicinity



SOURCE: Mapbox, LCWA

Los Cerritos Wetlands Restoration Plan Program EIR

Figure 2-4
South Area



Board of Directors March 2, 2022

Rick Erkeneff
President

Doug Erdman
Vice President

Bill Green
Director

Scott Goldman
Director

Wayne Rayfield
Director

Mark Stanley
Executive Officer
Los Cerritos Wetlands Authority
100 N Old San Gabriel Canyon Rd.
Azusa, CA 91702

Re: Letter of Intent between South Coast Water District and the Los Cerritos Wetlands Authority for use of a portion of the Southern Los Cerritos Wetlands Restoration Project to mitigate for the Doheny Ocean Desalination Project

Dear Mr. Stanley:

This letter of intent (LOI) confirms South Coast Water District's (SCWD) intent to pursue opportunities through the Southern Los Cerritos Wetlands Restoration Project to mitigate for the potential impacts of the Doheny Ocean Desalination Project (Doheny Desalination Project or DDP). This document sets forth the initial understanding between SCWD and the Los Cerritos Wetlands Authority (LCWA) to work in good faith to design and fund a successful restoration program in the Los Cerritos Wetlands.

Background

SCWD has proposed and approved the development of the Doheny Desalination Project to provide a reliable, drought-proof water supply, create a seawater intrusion barrier, and provide system redundancy in the event of a major seismic event. The DDP will produce up to 5 million gallons per day (MGD) of reliable, sustainable, and locally controlled water supply.

The California Ocean Plan (COP) requires that for each new industrial installation using seawater for cooling, heating, or industrial processing, the best available site, design, technology, and mitigation measures feasible shall be used to minimize the intake and mortality of all forms of marine life.

The project includes technology preferred by environmental groups and regulators to minimize environmental impacts, i.e., by (1) utilizing subsurface slant wells to completely eliminate mortality due to seawater intake and (2) comingling brine discharge with an existing, municipal discharge stream with a high-efficiency multiport discharge structure to minimize salinity and shearing impacts. Both of these design features are considered best available technology (BAT) and are the preferred intake and discharge methodologies for desalination facilities designated by the COP. In addition, since the Doheny Desalination Project will utilize existing infrastructure and the slant wells will be drilled from land, no construction-related impacts to the ocean will result.

Initial modeling of the addition of the brine discharge to the existing municipal discharge was conducted to evaluate impacts to marine communities based on changes in the

mixing characteristics to the discharge as a result of the addition of the brine. This initial modeling has estimated potential impacts to 7.45 acres of marine habitat in the discharge area. SCWD is fully committed to supporting mitigation to offset environmental impacts associated with the DDP.

As part of this process, the San Diego Regional Water Quality Control Board (SDRWQCB) and State Water Resources Control Board (SWRCB) have required SCWD to identify and participate in a restoration program that directly results in physical improvements to habitat which enhances a regional marine community. Consideration for participation in an existing coastal wetland restoration project was encouraged. Additional requirements were that the project accommodate the initial mitigation area estimates and allow for additional restoration if refinement of the evaluation area impacted increases, that the production area from the enhancement project overlap with the source water body for the DDP, and that the restoration initiation and DDP operations were on comparable timelines. After an initial consultation with LCWA representatives, and based on these criteria, the Southern Los Cerritos Wetlands Restoration Project was determined to best satisfy these requirements. Staff from the SDRWQCB and SWRCB approved of the collaboration between SCWD and the LCWA and requested that this understanding between the groups be developed.

Proposed DDP Mitigation Project

Initial calculations have determined that SCWD would be responsible for the direct restoration of 7.45 acres of wetland marine habitat (subtidal habitat including fully submerged and tidal channels, and tidal marsh including intertidal flats, cordgrass and saltmarsh). Preliminary assignment of direct habitat is 2.2 acres of subtidal habitat and 5.25 acres of intertidal habitat. Actual restoration amounts will be based on results of future site-specific studies in the vicinity of the DDP discharge and final determination of mitigation requirements by the SDRWQCB and SWRCB. Based on initial calculations and project conditions, the LCWA's project appears that it will provide the requisite habitat restoration activities to mitigate for SCWD's impacts.

The LCWA is currently in the preliminary design phase for their coastal wetland restoration project which covers an area of 103.5 acres in Seal Beach, California. The LCWA is pursuing all the necessary permits, CEQA compliance, and complete construction drawings, while maintaining an open dialogue with numerous stakeholder groups. The LCWA will proceed with their restoration designs based on well-established goals and objectives developed through extensive expert and stakeholder review. The LCWA will work in partnership with SCWD as restoration designs progress but makes no representation that the Southern Los Cerritos Wetlands Restoration Project will meet any or all required mitigation needs of the DDP. This determination will be made by the SDRWQCB.

If it is determined that mitigation needs of the DDP may be satisfied through the LCWA's project, SCWD will adopt the LCWA restoration plans and goals in a mitigation-specific restoration plan for the DDP Mitigation Project. Any additional mitigation responsibilities or conditions placed on SCWD by the SDRWQCB for the DDP Mitigation Project will be consistent with the LCWA's construction designs and permit conditions and will be required and accomplished by SCWD in close coordination with the LCWA.

SCWD recognizes that they would be responsible for providing the necessary funding not only for the construction of the DDP Mitigation Project as part of the Southern Los Cerritos Wetlands Restoration Project, but that they will also be responsible for compensating the LCWA should some portion of the public funds that have been associated with the project need to be reimbursed in proportion to the mitigation area within the Phase I project to the State of California or other governmental agency. This includes but is not limited to the costs for the land acquisition, environmental planning, restoration design, permitting and hydrological improvements. In addition, SCWD will fund ongoing maintenance, monitoring, and adaptive management activities for the DDP mitigation area within the larger project to be managed by the LCWA. Contribution to these costs is expected to be proportionally similar to the percent of DDP mitigation area within the Phase I project area. SCWD will provide these funds for the duration of the project until the success criteria established by the SDRWQCB at the initiation of the project are met. Following the successful completion of the DDP Mitigation Project, SCWD will place additional funds in trust in proportion to the mitigation area within the Phase I project to support continued maintenance and monitoring of the mitigation site for a period consistent with the operational period of the DDP (anticipated to be 30 years or longer).

As the landowner and lead agency responsible for meeting all CEQA mitigation measures, the LCWA will maintain control over all contractors and consultants that will be involved with this project. The LCWA will work in partnership with SCWD to ensure that their mitigation project receives the highest level of professional services to ensure its successful compliance with all project conditions required by the SDRWQCB and all other regulatory and permitting agencies.

Next Steps

The LCWA's acknowledgement and acceptance of SCWD's LOI commits both parties to cooperate and collaborate in the development of the DDP Mitigation Project. Following submittal of this LOI to the SDRWQCB representatives, SCWD and the LCWA will develop a timeline and process for establishing this plan, establishing interim milestones, and creating a framework for participation and cooperation between SCWD and the LCWA. This LOI does not commit the parties to reaching a final agreement to undertake the DDP Mitigation Project.


Sincerely,



Rick Shintaku
General Manager

ACCEPTED AND ACKNOWLEDGED:

Los Cerritos Wetlands Authority

DocuSigned by:

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By: Mark Stanley
Title: Executive Officer

March 7, 2022

From: Anna Christensen <annachristensen259@gmail.com>

Sent: Wednesday, May 4, 2022 10:50 AM

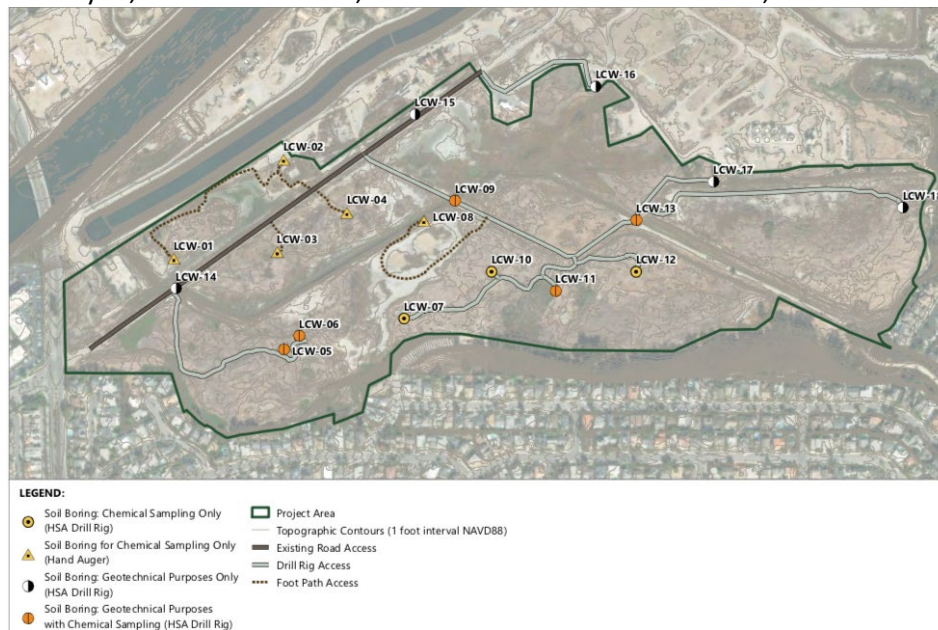
To: Aimee Nguyen <anguyen@rmc.ca.gov>

Subject: LCWA Board Mtg 4/5/22 Comment on Agenda Item # 10

Dear Ms. Nguyen,

Please provide LCWA Board Members with the following information prior to tomorrow's meeting. The LCWTF opposes any digging in the Southern Los Cerritos Wetlands, which we consider to be anticipatory destruction of a wetlands wildlife sanctuary and tribal sacred site. Attached please find the documents that we submitted to the California Coastal Commission which verify that the LCWA does not intend to restrict mechanized drilling to existing roadways, but will extend new roadways and paths into sensitive habitat areas, destroying areas essential to wildlife and roosting and nesting birds. Drilling boreholes has the potential to damage/destroy evidence of tribal occupation, including human remains. The full impacts of the Southern Los Cerritos Wetlands Project have not yet been stated or reviewed as no EIR has been completed nor has a CDP been requested. To argue that the boreholes must be drilled before proceeding with a full environmental review makes it clear that the LCWA is not fully committed to environmental or tribal cultural preservation. Additionally, the reports submitted by Cogstone regarding the significance of tribal cultural evidence are inadequate and fail to meet the basic standard for archaeological surveying and analysis. See you at the meeting.

Thank you, Anna Chrstentsen, Los Cerritos Wetlands Task Force, Sierra Club







The Southern Los Cerritos Wetlands are within the Sacred Site of Puvungna and on the village site of Motuucheyngna. Many ancestral remains and multiple cultural artifacts have been unearthed here. Chief Anthony Morales cautioned that the site is not being given the sensitivity it deserves. “As to this village and the sacredness, there are still human remains out there, nothing’s changed for me or for the tribal community. We know and we’re telling you, so when you find something, don’t act like you didn’t know.”



The LCWA falsely states that, “*The access routes for the drill rig, are all along existing roads onsite. Due to past land use operations on the property, several maintenance dirt roads bisect the site and will be used by the drill rig to access the boring locations. Where vehicle access would present a threat to existing vegetation, access by foot and the use of a hand auger is proposed.*” AND the LCWA also claims that there will be “*no impacts to raptor foraging habitat due to the geotechnical borings.*”

HOWEVER, MAPS SHOW THAT MOST BOREHOLES ARE TO BE IN WETLANDS, INCLUDING RAPTOR HABITAT AREAS, THAT CANNOT BE ACCESSED ON EXISTING ROADS OR BY EXISTING FOOT PATHS



Map showing location of 18 boreholes.

Drill rig will be used at borehole locations 5,6,7,10, 11, and 12, none of these sites are on existing roads.

Hand auger will be used at borehole locations 1, 2, 3, 4, 8, none of these sites are on existing foot paths.



Figure 8 Map of includes Drill Rig Access to boreholes 5,6,7,10,11,12 and foot path access routes to 1,2,3,4,8. These routes do not now exist and would be made by removing existing vegetation.



Google map of project area terrain shows wetlands, uplands, salt pans, and paved and unpaved roads. Most boreholes will be drilled in vegetated area, not on or accessible by existing roadways.



Google Map close up of project area terrain shows that no existing roadways lead to where boreholes 10,11,12 will be drilled using drill rig, and no existing foot paths lead to where 3,4, 8 will be drilled using hand auger.



Google Map close up shows overgrown path through raptor habitat area leading to boreholes 5,6,7 which will be drilled using drill rig. Not an existing roadway.

The LCWA cites financial considerations as the sole reason for drilling during nesting season. Even as conditioned, drilling operations will harm ground nesting birds, including the Endangered Belding's Savannah Sparrow. Multiple intrusions into wetlands nesting and foraging areas by the biologist and other project participants, and by the borehole rig itself, will result in nest abandonment and the physical destruction of eggs and juveniles.





11

Flooding seasonal brackish wetlands and uplands to create a salt marsh monoculture is NOT restoration, but replacement. The Southern Los Cerritos Wetlands were never a full tidal salt marsh. Acres of rare salt flats and most of the current nesting raptor foraging habitat will be lost Many residents will not survive.



This drilling project is anticipatory destruction in preparation for a destructive development. No geological or chemical boring is needed to protect and restore the Southern Los Cerritos Wetlands as a seasonal brackish wetlands wildlife sanctuary and Tribal Sacred Site.





To: California Coastal Commission

From: Chief Anthony Morales, Chair, Gabrieleno/Tongva San Gabriel Band of Mission Indians
Rebecca Robles, Acjachemen Culture Keeper, Los Cerritos Wetlands Task Force, Sierra Club
Anna Christensen, Puvunga Wetlands Protectors

RE: Coastal Commission Meeting March 11, 2022, Agenda Item F16a Application No. 5-21-0549

Dear Coastal Commissioners and Staff,

As none of the concerns expressed in our comments dated February 4, 2022 (when this item was on the Commission's February Meeting Agenda) have been resolved we have resubmitted these comments on Application No. 5-21-0549. **Please refer to this document for a full analysis of the project's failings.** In addition we are providing the following response to the revised Coastal Commission Staff Report and the Los Cerritos Wetlands Authority's Correspondence dated February 4, 2022.

The LCWA asked that Coastal Commission staff strike the term *Construction* from the revised Staff Report and their request has been granted. We would simply note that EIRs have only two phases, Construction or Management. Under the Coastal Act this drilling project is considered Development and since this Development is not Management, it is part of the Construction phase of the Southern Los Cerritos Wetlands Restoration Project. This Project has no CDP, no EIR, no Negative or Mitigated Negative Declaration, not even a Notice of Preparation because this huge multi-phased and potentially decades long Development Project is being intentionally piecemealed by the LCWA to avoid accountability for its "temporary" and cumulative impacts on the existing wetlands

The LCWA has consistently refused to take responsibility for the actual and potential negative consequences of its past, present, and proposed "restoration" activities, and this CDP request is no exception. Why should they agree to limit a three day drilling project to non-nesting season? Why not make new access roads for heavy drilling rigs and new footpaths for hand drilling in areas where birds and wildlife are now foraging, nesting, and breeding? Why bother to revegetate areas disturbed by drilling activities with plants native to the LC Wetlands? Clearly, if their plans succeed, these are all only "temporary" mitigations for life that will cease to exist once their restoration project is in full swing. Because, for many years to come, the LCWA will be grading, dredging, flooding and/or building 10ft high earthen flood control features on the Southern Los Cerritos Wetlands. This is their single minded vision for restoration and they will not consider *alternatives that would substantially lessen any significant adverse impacts of the development on the environment.*

Staff's conclusion that, *There is no other least environmentally damaging alternative to the geotechnical borings in the lowlands, if that area is to be successfully restored and open for public access and recreation in the future* simply reveals that they are in lockstep with the LCWA. Restoration of this area does not require geotechnical borings, nor demand increased salt water intrusion, public access, ¹⁴

recreation. None of these proposals are actually restorative as they fail to improve the quality of life on this historic and rare seasonal brackish wetlands and wildlife preserve.

BOREHOLE LOCATIONS CANNOT BE ACCESSED ON EXISTING ROADS OR FOOT PATHS

The LCWA falsely claims that access routes for drill rig are all on existing roads. The LCWA states that, “Section C. Figure 8 in the Sampling Analysis Plan (SAP) in Exhibit C provides the access routes for the drill rig, which are all along existing roads onsite. Due to past land use operations on the property, several maintenance dirt roads bisect the site and will be used by the drill rig to access the boring locations. Where vehicle access would present a threat to existing vegetation, access by foot and the use of a hand auger is proposed (Figure 8).”

The LCWA falsely states that there will be “no impacts to raptor foraging habitat due to the geotechnical borings” - geotechnical boring sites 5, 6, and 11 will impact raptor foraging habitat. The LCWA neglects to mention that eight chemical boring sites are located off road and that most of these sites are in designated raptor foraging habitat.

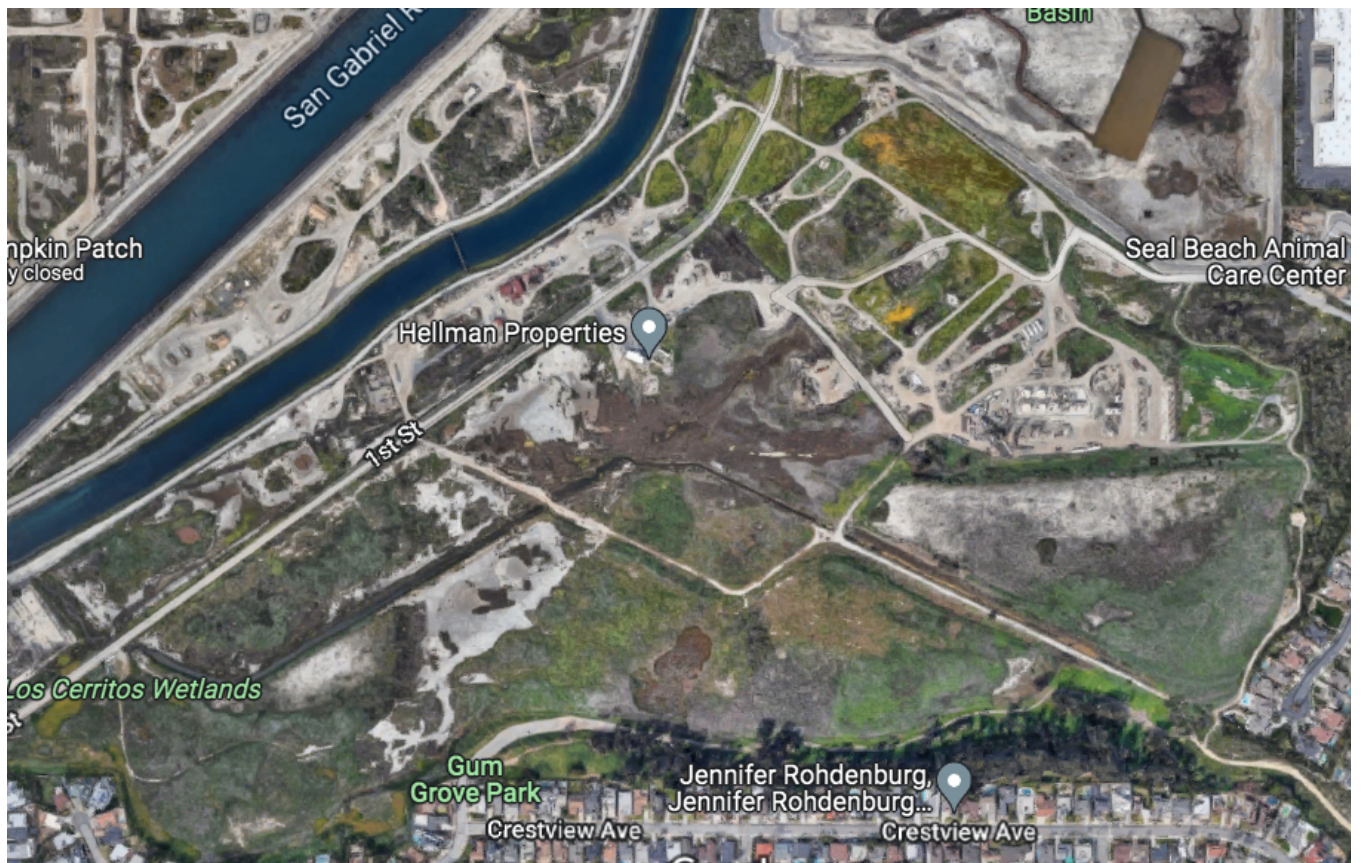
We support Coastal Commission staff’s request for the relocation of three proposed drilling sites (7, 10, 11) in the raptor foraging area where there is no existing road access, and where the LCWA proposes to use the mechanized drill rig. We would note that the drill rig is also to be used at sites 12, 5, 6, and 7 where there is no existing road access. Sites 1, 2, 3, 4 and 8 will use hand augers, however none of these sites are on existing trails. The LCWA’s mapped “drill rig access routes” and “foot paths” do not exist at the present time and establishing these new corridors will damage/destroy wetlands’ soils and plants and disturb wildlife. **We oppose drilling at all of these sites.**

Project and Google maps below show that both hand and mechanical drilling will be done in raptor foraging habitat areas and both hand and mechanical drilling will be done in areas where there is no existing road access nor existing foot paths and where vegetation supports wetlands wildlife and provides foraging and nesting for birds.

Map showing location of 18 boreholes. Boreholes not on existing roadways that will use drill rig are 5,6,7,10,11,12. Boreholes not on existing foot paths that will use hand auger are 1,2,3,4,8



Figure 8 map of proposed Drill Rig Access and Foot Path Access (which do not currently exist).



Google Map showing Project Area terrain, vegetation, and existing roadways



Google Map, close up of area showing no existing roads or foot paths where boreholes 10,11,12 will be drilled using drill rig, and boreholes 3,4, 8 will be drilled using hand auger



Google Map - close up of overgrown path where drilling rig will drill boreholes 5,6,7 - not on roadway.

THE PROJECT DOES NOT AVOID NESTING SEASON IMPACTS TO THE EXTENT FEASIBLE

The LCWA's permit from the Orange County Health Care Agency which expires on 7/31/22 reveals that the LCWA has no commitment to the avoidance of nesting season impacts, in spite of the following Mitigation Measures in their own Los Cerritos Wetlands Restoration Program EIR:

Mitigation Measure BIO-4: Nesting Bird and Raptor Avoidance. Construction and maintenance activities shall be limited to the non-breeding season (September 1 through December 31) to the extent feasible.

Mitigation Measure BIO-3: Belding's Savannah Sparrow Breeding Habitat. Project activities shall be limited to July 16 through February 14 within suitable coastal marsh habitat to avoid impacts to breeding Belding's savannah sparrow.

The LCWA and its partners Tidal Influence and El Dorado Audubon currently provide walking tours across the Southern Wetlands raptor foraging area and other nesting and foraging habitats, during nesting season. While this does allow public access it also poses a threat to breeding animals and birds.

Staff gives no explanation as to why it has not conditioned that this three day project be done during non-nesting season - a feasible and less impactful alternative.

STAFF HAS NOT CONDITIONED THE PROJECT TO AVOID IMPACTING TRIBAL CULTURE AND SACRED SITE

The revised staff report states that:

*"One of the main concerns discussed in consultations following postponement of the item is, given the high potential for tribal cultural resources to exist at the project site and the uncertainty surrounding the future restoration effort, the Sacred Lands in which the site sits would be disturbed without good reason. In addition, these interested parties, including Chief Morales, do not support the restoration alternative that would involve significant grading in this sensitive resource area, which is part of the impetus for the proposed sediment sampling... **Therefore, staff is recommending that the proposed project be conditioned to preserve, protect, and minimize potential impacts to wetlands, water quality, biological resources, and archaeological and tribal cultural resources.**"*

All those involved in these consultations, including Chief Anthony Morales, Adrian Morales, Cheyenne Phoenix, Acjachemen Culture Keeper Rebecca Robles, and other members of the Los Cerritos Wetlands Task Force and the California Cultural Resources Preservation Alliance, made it clear that we are not only opposed to *the restoration alternative that would involve significant grading in this sensitive resource area* but are also opposed to the drilling of 18 boreholes as both anticipatory destruction and piecemealing of same *restoration alternative*. Given that neither the LCWA or Coastal Commission staff indicated that they were willing to withdraw the CDP or even postpone the public hearing, we did request that the project not be done during nesting season, that all drilling sites be on existing roadways, and that the information obtained from the drilling not be used to advance the LCWA's *restoration alternative* for grading, dredging, flooding, and burying the wetlands under flood control structures.

***Special Condition 2 Tribal Cultural Resources Treatment and Monitoring Plan* requires that:**

- *All tribal entities that accept the invitation shall be allowed to monitor project activities.*
- *The Permittee shall retain archaeological and Native American monitors to assure that all project grading and any other subsurface activity that has any potential to uncover or otherwise disturb cultural deposits is monitored at all times;*
- *At least one Native American monitor from each affected or interested tribal group be invited to be present at the site during all excavation activities to monitor the work.*

Native American monitors must be able to monitor ALL project activities, not just grading and subsurface activities. The development of new drill rig access corridors and foot paths will also impact surface and subsurface material. Furthermore, tribal cultural resources are not limited to buried human remains and manmade objects, but also include plant and animal life. The cumulative impacts of this project on tribal cultural resources and this Sacred Site can only be adequately observed and documented by tribal monitors if they are present throughout the entire project and are also able to observe and comment on subsequent impacts over time.

All those who are monitoring project activities must be paid to do so for the entire length of the project. The current practice of rotating tribal monitors from multiple groups does not meet the legal requirement that multiple tribal groups be able to monitor a project. Instead, it ensures that no tribal monitor will be able to observe all daily operations, form a coherent and consistent understanding of the project's impacts, and respond in a timely fashion. Nor does it allow multiple monitors to confer with one another in real time. On the Northern Los Cerritos Wetlands where the LCWA has partnered with Beach Oil Minerals, this rotational arrangement resulted in preventable damage to tribal cultural resources because some tribal monitors, who were not on site at the time, only learned of the matter after the fact.

The LCWA's claim that they cannot afford to pay multiple tribal monitors for three days of work reveals how little they value the expertise of tribal peoples and how dismissive they are of the tribal mandate to preserve both culture and homelands.

Staff states that, *The additional consultations have substantially improved the staff recommendation, and subsequent revisions to the staff report illustrate a greater understanding of tribal history and values, in the context of this project and beyond.* It is difficult to see how this is so as staff did not make changes to the project in response to these consultations where it was requested that the project be denied as anticipatory destruction and piecemealing, that the hearing be delayed, that nesting season be avoided, and that additional and cumulative impacts to tribal cultural resources, including impacts to plant and animal life, be acknowledged and avoided..

Staff further states that, *Commission staff has discussed the recommendations with Chief Morales, Rebecca Robles, and the Los Cerritos Wetlands Task Force on February 24, 2022, and all parties have come to an understanding that portions of the subject project may be necessary to carry out the investigative phase of a larger restoration effort at this site.* As no understanding of any kind was reached, we must state that this is simply untrue.

Finally we must also disagree with staff's assertion that, *The Commission acknowledges Tribal sovereignty.* A sovereign entity has the power to consent or to decline to do so. The Commission does not yet recognize the right of California's indigenous peoples to prevent the removal of tribal burials, to block the erasure of tribal cultural landscapes, or to access Sacred Sites, including those on public lands. **Saying a thing, unfortunately, does not make it so.**

Los Cerritos Wetlands Authority

Date: May 5, 2022

To: Governing Board Members

From: Sally Gee, Project Manager

Through: Mark Stanley, Executive Officer

Subject: Item 11: Consideration of a resolution entering into a contract with Coastal Quest for the Southern Los Cerritos Wetlands Restoration Planning Project

RECOMMENDATION: That the Los Cerritos Wetlands Authority (LCWA) enter into a contract with Coastal Quest to receive funds in the amount of \$10,980 to support tribal engagement and assessment of cultural resources for the Southern Los Cerritos Wetlands Restoration Planning Project.

PROJECT DESCRIPTION: In October 2021, Coastal Quest, in collaboration with the LCWA, submitted an application to the Orange County Community Foundation (OCCF) to support ongoing tribal engagement with the LCWA's Tribal Advisory Group (TAG) and additional cultural resources investigations to complete a Tribal Cultural Landscape study for the Southern Los Cerritos Wetlands Restoration Planning Project (Project). A grant of \$30,000 was successfully awarded from OCCF through the Henry & Ellen Warne Family Fund (grant), and Coastal Quest will serve as the fiscal sponsor to receive the grant funds. To complete the scope of work in the grant, a portion of the funds will be expended directly from Coastal Quest to tribal representatives for their time and participation in the Tribal Advisory Group for the Project, and for Coastal Quest administrative costs. The remainder is intended to be reimbursed to the LCWA for expenditures on the professional services contracts with Moffatt and Nichol (LCWA 21501) and Tidal Influence (LCWA 20502) for the Project to participate in TAG meetings and to complete the Tribal Cultural Landscape Study. This board action would authorize the LCWA to enter into a contract with Coastal Quest to complete the above scope of work (Exhibit A). If approved, the term of the contract would be from May 5, 2022 – December 31, 2022.

Ongoing collaboration with tribes on restoration and public access designs is crucial to the success of this restoration project, as it will incorporate traditional knowledge and uses of the site. This funding will be beneficial to analyzing all potential tribal cultural resources impacts of the Project for CEQA and effectively engage tribes early and often in consultations. Compensation for tribal consultation is difficult to fund through state grants, therefore this work would not be possible without the assistance of Coastal Quest and funding from OCCF.

BACKGROUND: The Henry W & Ellen R Warne Family Endowment Fund was founded at OCCF to protect and promote the protection of endangered species in Orange County. The goals of the fund are to improve the health and resilience of critical coastal endangered species ecosystems, such as estuarine wetlands, and to sustain or increase coastal endangered species populations through building stronger multi-sectorial partnerships. Coastal Quest is a 501(c) 3 non-profit working collaboratively with partners to build resilient coastal communities that support diverse and rich habitats. Their mission is to create lasting solutions to protect, sustain, reduce threats to, and enhance the natural and cultural heritage of coastal environments for present and future generations.

The Los Cerritos Wetlands Southern Area Planning and Permitting Project is the next phase in the restoration of the Los Cerritos Wetlands (LCW) (Exhibit B). It will build off conceptual designs for the 100-acre LCWA owned Hellman site and 5-acre State Lands Commission Parcel developed as part of the LCW Restoration Plan Program EIR. This Project will complete 65% restoration designs, compliance with CEQA, and preparation of permit applications.

The Los Cerritos Wetlands is part of an important Traditional Cultural Landscape for Gabrielino (Gabrieleño; Tongva; Kizh) and Acjachemen (Juaneño) tribes, as it is located between two large villages, Puvungna and Motuucheyngna. The Gabrielino (Gabrieleño; Tongva; Kizh) and Acjachemen (Juaneño) tribes see the LCW and surroundings as sacred lands encompassing a larger area of connected tribal sites. Therefore, the LCWA formed a Tribal Advisory Group to advise on the restoration design of estuarine habitat in the Project that will support numerous endangered species while accommodating access for traditional cultural uses of the land and perpetually protecting all existing cultural resources. Additionally, completion of a Traditional Cultural Landscape Study will document the landscape and the features that contribute to its significance, and discusses how those features can be protected, enhanced, and restored.

The LCWA is consulting with seven tribal groups on the project through the TAG. The LCWA has met three times with the TAG between May 2021 – February 2022, including a site visit. LCWA has also met individually with tribal representatives who could not attend the group meetings. Tribal representatives expressed the need for care, respect, and tribal monitoring given the potential for tribal artifacts and possibly human remains to occur in the LCW Complex overall, as well as a desire to remain informed and involved. The 2022 scope of work for the Tribal Advisory Group will include reviewing the 30% and 65% restoration design and one or two more consultation meetings.

FISCAL: An initial request for \$75,000 was submitted to the Orange County Community Foundation through Coastal Quest to support the Tribal Advisory Group meetings, develop a tribal access plan, complete the Traditional Cultural Landscape Study, and host tribal stewardship events. A partial grant of \$30,000 was awarded from OCCF to Coastal Quest to support tribal engagement in the TAG and to complete the Traditional Cultural Landscape Study for the Southern Los Cerritos Wetlands Restoration Planning Project. More than half of the funding received will be provided to tribal members through Coastal Quest for their participation in the Tribal Advisory Group and for providing their expert review of the Study and restoration plans. Additionally, Coastal Quest will provide \$10,980 to the LCWA to host TAG meetings, consult with tribal representatives, and complete the Study. LCWA will complete the above scope through the professional services contracts with Moffatt and Nichol (LCWA 21501) and Tidal Influence (LCWA 20502) for the Southern Los Cerritos Wetlands Restoration Planning Project. The FY 21/22 budget revisions will reflect the \$10,980 in revenue from this contract.

SCOPE OF WORK & CONTRACT AGREEMENT

This **Scope of Work and Contract Agreement** ("Agreement") is made and effective May 5, 2022.

BETWEEN: **Coastal Quest**, ("CQ"), organized and existing under the laws of the State of California, with its office located at:
2625 Alcatraz Ave. #609
Berkeley, CA 94705

AND: **Los Cerritos Wetland Authority**, ("Contractor"), organized and existing under the laws of the State of California, with its office located at:
100 Old San Gabriel Canyon Road
Azusa, CA 91702

Background

CQ and Contractor agree to the following Agreement.

Term of Agreement

The expected term of this agreement shall be from May 5, 2022 – December 31, 2022. During this period, CQ anticipates using the Contractor to perform restoration planning services for CQ.

Scope of Work

Contractor shall provide services to CQ as outlined in Appendix A: Scope of Work.

Compensation and Additional Services

Consultant shall be compensated for expenses as outlined in Appendix A and will not exceed \$10,980. Requests by contractor for changes in line items or changes to scope of work will be communicated over email and approved by CQ's Executive Director over email.

Payment Terms and Conditions

Contractor shall submit invoices documenting expenses, include receipts, for each payment. CQ shall make payment to Contractor no later than 30 calendar days after presentation of invoice from Contractor.

Either party may terminate the services provided at any time, with 30 days' written notice.

Independent Contractor

The parties to this Contract intend that an independent contractor-client relationship shall be created by this Contract. The conduct and control of the work to be done under this Contract shall lie solely within the purview of Contractor. Contractor is not to be considered an agent or employee of CQ for any purpose, and no joint venture or principal-agent relationship exists. Neither Contractor nor any employee(s) of Contractor shall be entitled to any of the benefits that CQ provides for its employees. Neither CQ nor Contractor shall have any right, power, or authority to create any obligation, expressed or implied, on behalf of the other. During the term of this Contract and for a period of one year after termination or expiration, neither party will, except with prior written approval of the other party, solicit the employment of any of the other party's employees with whom such party has had contact in connection with the performance of this Contract.

Assignment/Subcontract

Contractor will subcontract for the work to be performed and does not need prior written consent of CQ.

Report

Contractor should expect at least three in person or conference call meeting with Coastal Quest and/or Orange County Community Foundation (OCCF) to discuss progress and ensure projects and reporting are on track. One final Report is required for this funding. The final Report is due to Coastal Quest by **September 23, 2022** for Coastal Quest to review and provide comments prior to submission to the donor, OCCF. OCCF provides a reporting template. Please use the grant reporting guidelines specific to your grant program which you will find online at www.oc-cf.org. You may request an electronic copy of these guidelines at any time. All ecological monitoring data produced from this grant is required to be submitted to the California Natural Diversity Database (CNDDDB). CNDDDB is an inventory database that includes the status and GIS-mapped locations of rare species in California. To submit data, use the online field survey form here: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. Any questions can be sent to CNDDDB@wildlife.ca.gov.

Announcing Project

Coastal Quest and the Contractor agree that any initial or future public disclosure or press release regarding this project and OCCF grant shall be mutually agreed upon in advance thereof. To the extent any approval is given, it may be conditioned upon express approval of the text of any written public disclosure. In recognition of Coastal Quest's donor and grant for this project, the Contractor agrees to acknowledge the contribution as follows: Henry W. and Ellen R. Warne Family Endowment Fund. The Contractor will allow Coastal Quest and OCCF to include information about this grant in their periodic public reports, newsletter, news releases, social media postings, and on their website. This includes the amount and purpose of the grant, any photographs the grantee has provided, the grantee's logo or trademark, and other information and materials about this project, LCWA and its activities.

Intellectual Property/Work Products

Contractor agrees to grant Coastal Quest and its affiliates a nonexclusive, royalty free, perpetual, irrevocable, worldwide license to use and copy any such intellectual property that is incorporated into grant project to the extent necessary for their use by Coastal Quest or its affiliates. If patentable discoveries or inventions should result from the work performed under this contract, all rights accruing from such discoveries or inventions shall be shared with Coastal Quest, subject to the rights of Coastal Quest's donor. Contractor agrees that if work under this Contract involves development of copyrightable products (including computer software programs) then Contractor's work is considered to be a work-for-hire under U.S. Copyright Law so that all right, title, and interest to such products (as well as the applicable copyrights) is solely owned by Coastal Quest, subject to the rights of Coastal Quest's donor. Subject to the rights of Coastal Quest's donor (if any), all data and documents, including drawings and specifications prepared by Contractor pursuant to this Contract, are instruments of its service in respect to this contract and are and shall become the shared property of Coastal Quest. Contractor agrees that the Contractor shall use the materials developed with grant funds under this Contract only for the purpose for which the grant funds were requested and no other use of the materials shall be permitted except by written permission. Contractor shall include acknowledgement of grant funding in all materials produced with grant funds.

Indemnification

Contractor agrees to hold the Coastal Quest harmless. The Contractor shall agree to indemnify and hold harmless Coastal Quest and any employee or agent thereof harmless from any liability, loss or damage that may be suffered as a result of claims, demands, costs or judgments against them arising out of the activities to be carried out pursuant to the obligations of this Contract, including, but not limited to, the use by Contractor of results obtained from the activities performed under this Contract; provided, however, that any such liability, loss or damage resulting from this Contract was not caused by the negligence or malfeasance of Coastal Quest, its employees or agents.

Limitation of Liability

In no event shall Coastal Quest's total liability under this Contract, including damages, losses, and causes of action (whether in contract, tort (including negligence) or otherwise) exceed the total amount paid to Contractor by Coastal Quest for work performed under this Contract. The provisions of this paragraph shall survive expiration or termination of this Contract.

Insurance

Throughout the term of this Contract, for the life of any asset funded by the monies awarded pursuant to this Contract, or for any period of project implementation after the termination date of this Contract, the Contractor shall maintain self-insurance, as specified in this section, against claims for injuries to persons or damage to property that may arise from or in connection with any activities by the Contractor or its agents, representatives, employees, volunteers, or contractors associated with the project undertaken pursuant to this Contract. If the Contractor provides funds to any contractor to accomplish any of the work of this Contract or provides funds to any subgrantee to carry out a project under this Contract, the Contractor shall first enter into a Contract with each subgrantee or contractor requiring it to provide and maintain liability and property-damage insurance, as specified in this section, against claims for injuries to persons or damage to property that may arise from or in connection with any activities by the subgrantee or contractor, or its agents, representatives, employees, or volunteers, associated with the project undertaken pursuant to this Contract. As an alternative, with the written approval of Coastal Quest, the Contractor may satisfy the coverage required by this section in whole or in part through: (a) its participation in a "risk management" plan, self-insurance program or insurance pooling arrangement, or any combination of these, if consistent with the coverage required by this section. Required insurance shall be maintained from the commencement date through the completion date of the work undertaken by the Contractor under the approved Appendix A.

1. Minimum Scope of Insurance. Coverage shall be at least as broad as:
 - a. Insurance Services Office ("ISO") Commercial General Liability coverage (occurrence Form CG 0001) or ISO Comprehensive General Liability form (1973) or comparable with Broad Form Comprehensive General Liability endorsement.
 - b. Automobile Liability coverage - ISO Form Number CA 0001, Code 1 (any auto).
 - c. Workers' Compensation insurance as required by the Labor Code of the State of California.
2. Minimum Limits of Insurance. Contractor shall maintain coverage limits no less than:
 - a. General Liability: (Including operations, products and completed operations, as applicable)
 - b. Automobile Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the activities under this Contract or the general aggregate limit shall be twice the required occurrence limit. \$1,000,000 per accident for bodily injury and property damage.

3. Use of Watercraft. If the Contractor is to engage in project work involving the use of watercraft, it shall provide and maintain insurance covering injury to person or property in connection with the use of watercraft, which may include, as appropriate, an endorsement to a Commercial General Liability policy covering non-owned watercraft liability or Protection and Indemnity Insurance or Jones Act coverage. Coverage shall be in a reasonable amount in light of the nature of the activity and shall be documented and approved by Coastal Quest.
4. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by Coastal Quest.
5. Required Provisions. Each insurance policy required by this section shall be endorsed to state that coverage shall not be canceled by either party, except after thirty days' prior written notice by certified mail, return receipt requested, has been given to Coastal Quest. The general liability and automobile liability policies are to contain, or to be endorsed to contain, the following provisions:
 - a. Coastal Quest, its officers, agents and employees are to be covered as insured with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Contractor; and with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts or equipment furnished in connection with such work or operations.
 - b. For any claims related to this Contract, the Contractor's insurance coverage shall be primary insurance with respect to the State of California, its officers, agents and employees.
 - c. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the Civil Code.
6. Acceptability of Insurers. Insurance shall be placed with insurers admitted to transact business in the State of California and having a current Best's rating of "B+:VII" or better or, in the alternative, acceptable to Coastal Quest approved in writing.
7. Verification of Coverage. The Contractor shall furnish Coastal Quest with original certificates and amendatory endorsements effecting coverage required by this clause. All certificates and endorsements are to be received and approved by Coastal Quest before work commences. Coastal Quest reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage, at any time.
8. Premiums and Assessments. Coastal Quest is not responsible for premiums and assessments on any insurance policy.

Nondiscrimination

1. The Contractor shall not discriminate against any person on the basis of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave in the use of any property or facility acquired or developed pursuant to this Contract.
2. The Contractor shall not discriminate against any person on the basis of residence except to the extent that reasonable difference in admission or other fees may be maintained on the basis of residence and pursuant to law.
3. The completed products shall be available to members of the public generally.

Contractors and vendors associated with the project must adhere to the State's [non-discrimination program](#) requirements, at GC 12990 (a-f) and CCR, Title 2, Section 8103.

Taxes

Contractor agrees to be responsible for any and all filing and payment of taxes and for compliance with any and all provisions and requirements arising under any applicable federal, state, or local tax laws, including (but not limited to) those for any jurisdiction(s) in which Contractor is organized or authorized to do business. No federal, state, or local income tax, nor any payroll tax of any kind, shall be withheld or paid by CQ on behalf of Contractor, or employees of Contractor. If appropriate, CQ shall report all fees paid to Contractor to the IRS on Form 1099.

Waiver

The failure by either party to enforce any provision of this Agreement will not constitute a waiver of future enforcement of that or any other provision.

Dispute Resolution

The parties agree to submit any controversy or claim arising out of or relating to this Agreement, or any breach thereof, to binding arbitration in Alameda County, California in accordance with the rules of the American Arbitration Association. The arbitration will be conducted by a single arbitrator appointed by mutual agreement of the parties, or failing such agreement, by the American Arbitration Association. Judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The fees of the arbitrator will be shared equally by the parties and each party will bear its own costs and attorneys' fees, if any.

Complete Understanding; Modification

This Agreement constitutes the complete and exclusive understanding and agreement of the Parties regarding its subject matter and supersedes all prior understandings and agreements, whether written or oral, with respect to the subject matter hereof. Any waiver, modification or amendment of any provision of this Agreement will be effective only if in writing and signed by duly authorized representatives of the Parties.

Governing Law/Severability

This validity and construction of this Agreement shall be governed by the laws of the State of California excluding that body of law pertaining to conflict of laws. If any provision of this Agreement is for any reason found to be unenforceable, the remainder of this Agreement will continue in full force and effect.

Mutual Drafting

This Agreement shall be deemed to have been drafted by both parties in collaboration. Any ambiguities contained therein shall be the responsibility of both parties jointly, and neither may construe this Agreement against the other on the basis of drafting.

Complete Understanding; Modification

This Agreement constitutes the complete and exclusive understanding and agreement of the Parties regarding its subject matter and supersedes all prior understandings and agreements, whether written or oral, with respect to the subject matter hereof. Any waiver, modification or amendment of any provision of this Agreement will be effective only if in writing and signed by duly authorized representatives of the Parties.

Authorization

We can proceed upon your written authorization, which you can provide by signing and returning a copy of this Agreement electronically.

This Agreement is entered into by and between **Coastal Quest** and **Los Cerritos Wetland Authority** and shall remain in full force and effect unless otherwise terminated as provided above.

Coastal Quest:

Coastal Quest

By: _____
Tegan Hoffmann, Executive Director

Date:

Los Cerritos Wetland Authority:

Los Cerritos Wetland Authority

Mark Stanley, Executive Officer

Date:

Appendix A: Scope of Work

Los Cerritos Wetland Authority will provide services for the following tasks as outlined in the Orange County Community Foundation Proposal Coastal Quest submitted as the fiscal sponsor to this work. Funding will support consultant time to conduct research, writing, facilitate and provide refreshments at public and Tribal Advisory Group meetings.

Task 1. Public Outreach and Tribal Advisory Meetings, \$2280

Task 2. Tribal Cultural Landscape Study, \$8700

Total Funding will not exceed \$10,980

Draft



SOURCE: Mapbox, LCWA

Los Cerritos Wetlands Restoration Plan Program EIR

Figure 2-4
South Area

May 5, 2022 – Item 11

RESOLUTION 2022-03

RESOLUTION OF THE LOS CERRITOS WETLANDS AUTHORITY
ENTERING INTO A CONTRACT WITH COASTAL QUEST
FOR THE SOUTHERN LOS CERRITOS WETLANDS
RESTORATION PLANNING PROJECT

WHEREAS, the Los Cerritos Wetlands Authority has been established between the Coastal Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the City of Seal Beach and the City of Long Beach to facilitate the acquisition, protection, conservation, restoration, maintenance and operation an environmental enhancement of the Los Cerritos Wetlands; and

WHEREAS, the LCWA has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects within the Los Cerritos Wetlands; and

WHEREAS, the LCWA has partnered with Coastal Quest, a 501© 3 non-profit working collaboratively with partners to build resilient coastal communities that support diverse and rich habitats, to apply for grant funding from the Orange County Community Foundation for the Southern Los Cerritos Wetlands Restoration Planning Project; and

WHEREAS, Coastal Quest was awarded \$30,000 in grant funds from the Orange County Community Foundation to support tribal engagement and assessment of cultural resources for the Southern Los Cerritos Wetlands Restoration Planning Project; and

WHEREAS, LCWA and Coastal Quest desire to enter into a contract to complete the scope of work of the grant funds; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); NOW

Therefore be it resolved that the LCWA hereby:

1. FINDS that this action is consistent with the purposes and objectives of the LCWA.
2. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
3. ADOPTS staff report dated May 5, 2022.
4. AUTHORIZES entering into a contract with Coastal Quest to receive funds in the amount of \$10,980 to support tribal engagement and assessment of cultural resources for the Southern Los Cerritos Wetlands Restoration Planning Project.

5. APPOINTS the Executive Officer, or designee, to conduct all negotiations, execute, and submit all documents including, but not limited to agreements, payment requests and so on, which may be necessary for the completion of the contract.

~ End of Resolution ~

Passed and Adopted by the Board of the LOS CERRITOS WETLANDS AUTHORITY
On May 5, 2022

Suzie Price
LCWA Board Chair

ATTEST:

Elizabeth St. John.
Deputy Attorney General

May 5, 2022 – Item 12

RESOLUTION 2022-04

RESOLUTION OF THE LOS CERRITOS WETLANDS AUTHORITY
AUTHORIZING THE EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE
A MEMORANDUM OF AGREEMENT WITH AES REDONDO BEACH, LLC
TO ACCEPT FUNDS FROM THEIR VOLUNTARY
ENVIRONMENTAL BENEFITS GRANT PROGRAM

WHEREAS, the Los Cerritos Wetlands Authority has been established between the Coastal Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the City of Seal Beach and the City of Long Beach to facilitate the acquisition, protection, conservation, restoration, maintenance and operation an environmental enhancement of the Los Cerritos Wetlands; and

WHEREAS, the LCWA has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects within the Los Cerritos Wetlands; and

WHEREAS, AES Corporation committed to investing in additional voluntary environmental benefits for watershed improvements and community benefits for receiving an extension for Once Through Cooling (OTC) operations at the Redondo Beach Generating Station (RBGS); and

WHEREAS, AES Redondo Beach, LLC (AES) is a subsidiary of AES Corporation; and

WHEREAS, AES proposes to grant \$1,000,000 to the LCWA to support planning, engineering, restoration, and rehabilitation of the Los Cerritos Wetlands; and

WHEREAS, this LCWA desires to enter in to an agreement with AES to commit the grant funds and establish a workplan to support rehabilitation of the Los Cerritos Wetlands; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); NOW

Therefore be it resolved that the LCWA hereby:

1. FINDS that this action is consistent with the purposes and objectives of the LCWA.
2. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
3. ADOPTS staff report dated May 5, 2022.
4. AUTHORIZES the Executive Officer to negotiate and execute a Memorandum of Agreement with AES Redondo Beach, LLC to accept funds from their Voluntary Environmental Benefits Grant Program.

~ End of Resolution ~

Passed and Adopted by the Board of the LOS CERRITOS WETLANDS AUTHORITY
On May 5, 2022

Suzie Price
LCWA Board Chair

ATTEST:

Elizabeth St. John.
Deputy Attorney General

Los Cerritos Wetlands Authority

Date: May 5, 2022

To: Governing Board Members

From: Sally Gee, Project Manager

Through: Mark Stanley, Executive Officer

Subject: Item 13: Consideration of a resolution to authorize the Executive Officer to negotiate and execute an on-call contract for legal counsel services

RECOMMENDATION: That the Los Cerritos Wetlands Authority (LCWA) authorize the Executive Officer to negotiate and execute an on-call contract for legal counsel services

PROJECT DESCRIPTION: While needs for legal representation are present from time to time, the most acute need is to adequately consider real property transaction opportunities that arise. Additional legal services capacity will greatly benefit LCWA and its member agencies against liabilities.

Contract(s) terms and amount(s) will be determined after negotiations are finalized with the selected individual(s) firm(s) for legal counsel services. The scope of preferred specialties will include, but not be limited to:

- Acquisition and land transfer agreements
- Conservation easements
- Agreements for mitigation funds and endowments
- CEQA regulations

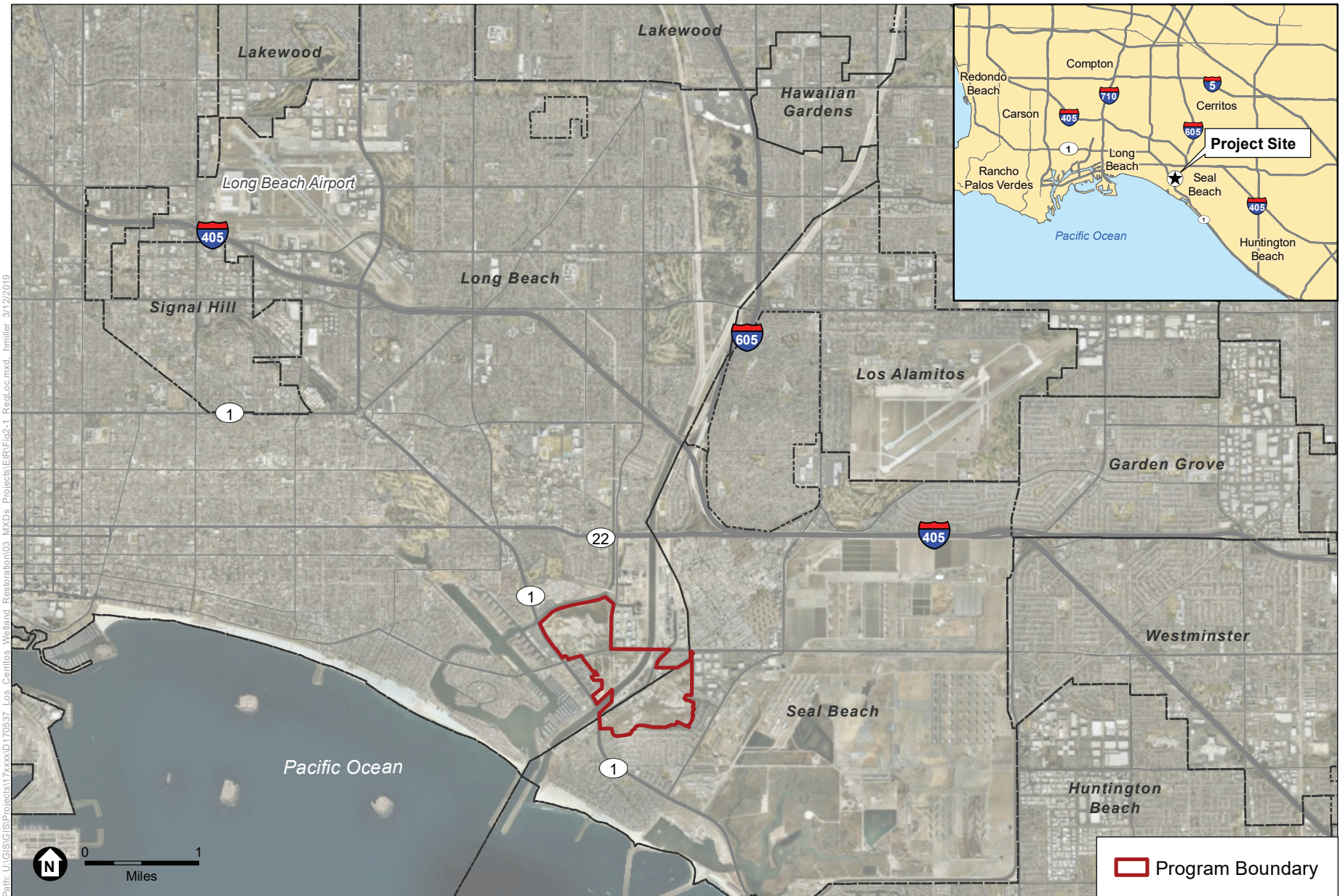
Current legal service needs include negotiations for the Synergy Land Exchange Agreement, Upper Los Cerritos Wetlands Mitigation Bank, conservation easement and endowment for the ASCON Tarplant Mitigation Project that is nearing satisfaction of the performance standards, and the Studebaker Business Park land donation. Upcoming needs include mitigation funding agreements as planning progresses for the Southern Los Cerritos Wetlands Restoration Project.

BACKGROUND: The LCWA was established with a mission to conserve the Los Cerritos Wetlands, which the LCWA has identified as approximately 500 acres on both sides of the San Gabriel River in the cities of Long Beach and Seal Beach (Exhibit A - Map). Acquisitions, conservation easements, land transfers, and mitigation fees are various opportunities the LCWA have available to advance that mission. These opportunities have been increasing due to the completion and adoption of the Los Cerritos Wetlands Conceptual Restoration Plan (2015), the Los Cerritos Wetlands Restoration Plan Program Environmental Impact Report (2021), and the Los Cerritos Wetlands Habitat Restoration Plan (2021), as well as the restoration success achieved through the Stewardship Program.

Currently legal counsel is provided to LCWA in-kind by Joint Power Authority partner the San Gabriel and Lower Los Angeles Rivers and Mountains through assistance with legal concerns through the California Department of Justice, Office of the Attorney General, Public Rights Division, Land Use and Conservation Section.

In the past LCWA has also received legal support from the State Coastal Conservancy legal counsel depending on staff availability. Outside counsel has been hired periodically for matters of specific concern. A combined team of legal support has been successful in LCWA securing the acquisition of roughly 170 acres of Los Cerritos wetlands area.

FISCAL: In the FY 21/22 budget, \$25,000 was approved for legal services. Services may also be billed to specific project budgets as they are made available.



SOURCE: ESRI

Los Cerritos Wetlands Restoration Plan Program EIR

Regional Location

May 5, 2022 – Item 13

RESOLUTION 2022 - 05

RESOLUTION OF THE LOS CERRITOS WETLANDS AUTHORITY
AUTHORIZING THE EXECUTIVE OFFICER
TO NEGOTIATE AND EXECUTE AN
ON-CALL CONTRACT FOR LEGAL COUNSEL SERVICES

WHEREAS, the Los Cerritos Wetlands Authority (Authority) has been established between the Coastal Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the City of Seal Beach and the City of Long Beach to facilitate the acquisition, protection, conservation, restoration, maintenance and operation an environmental enhancement of the Los Cerritos Wetlands; and

WHEREAS, the LCWA has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects within the Los Cerritos Wetlands; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); NOW

Therefore be it resolved, that the LCWA hereby:

1. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
2. FINDS that this action is consistent with the purposes and objectives of the LCWA.
3. ADOPTS the staff report dated May 5, 2022.
4. AUTHORIZES the Executive Officer to negotiate and execute an on-call contract for legal counsel services.

~ End of Resolution ~

Passed and Adopted by the Board of the LOS CERRITOS WETLANDS AUTHORITY
on May 5, 2022.

Suzie Price, Chair

ATTEST:

Elizabeth St. John
Deputy Attorney General