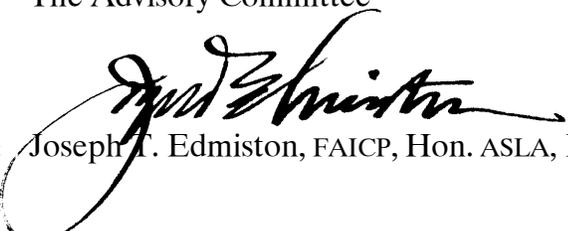


Memorandum

To : The Conservancy
The Advisory Committee

Date: March 26, 2007

From :  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 15: Consideration of resolution authorizing approval for Wildlife Conservation Board Proposition 50 funding pursuant to Chapter 10, Section 79572(a)(2), to the City of Malibu for its portion of the Solstice Creek Watershed fish passage restoration project.**

Staff Recommendation: That the Conservancy authorize approval for the Wildlife Conservation Board's funding of a Proposition 50 grant for the City of Malibu's participation in the Solstice Creek Watershed fish passage restoration project, pursuant to provisions in Proposition 50.

Legislative Authority: Section 79572 (a) (2) of the Water Code, which states in part:

79572. (a) Notwithstanding Section 13340 of the Government Code, the sum of seven hundred fifty million dollars (\$750,000,000) is hereby continuously appropriated to the Wildlife Conservation Board . . . Eligible projects shall be limited to the following: . . .

(2) Acquisition, protection, and restoration of coastal watershed and adjacent lands located in Los Angeles, Ventura, and Santa Barbara Counties. Any project financed pursuant to this paragraph within the Santa Monica Mountains Zone, as defined in Section 33105 of the Public Resources Code, shall be by grant from the Wildlife Conservation Board to the Santa Monica Mountains Conservancy. . . .

And Section 33204(c) of the Public Resources Code which provides that the Conservancy may make grants to other government agencies.

Background: Please see the attached letter from the City of Malibu, dated March 7, 2007 . Solstice Creek is one of a number of Southern California coastal streams with suitable spawning habitat for the anadromous Southern Steelhead trout, an endangered fish species which has engendered considerable habitat recovery efforts throughout the region. Solstice Creek is especially promising because of its dense riparian canopy, cool year-round flow, and numerous upstream deep pools. However, over many past decades, man-made barriers to fish migration upstream from the ocean have eliminated former spawning areas.

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In Solstice Canyon Park, formerly the Conservancy's headquarters park that was transferred to the National Park Service (NPS) in the mid-1990's, the Park Service has been working with other agencies to restore fish passage opportunity by removing barriers such as weirs, dams, concrete aprons, and spanning the creek with a new bridge.

The City has been planning to improve the Corral Canyon Road bridge over Solstice Creek, near the NPS park gate, and remove the existing concrete box culvert. The City had previously been awarded a grant from the California Department of Fish and Game to do so, but apparently there has been a project costs shortfall such that the City has requested additional Proposition 50 funding from the State Coastal Conservancy and the Wildlife Conservation Board (WCB). Another phase of the fish passage project will entail CalTrans work beneath Pacific Coast Highway at the culvert between the beach and the Corral Canyon Road culvert/new bridge.

Because the provisions of Proposition 50 regarding WCB funding for projects in the Santa Monica Mountains Zone, the Conservancy must approve a grant application to WCB. If the Conservancy authorizes the recommended approval, staff will work with the staff of the Wildlife Conservation Board and the City to ensure appropriate procedures and grant language for decision by that board.