

LONG BEACH ROWING ASSOCIATION

MINUTES OF THE BOARD OF DIRECTORS

February 4, 2009

Officers Attending:	President, Jim Litzinger Vice President, John Nunn Treasurer, Sabrina Aris-Guentz Secretary, Don Bogart by phone
Boat Captain:	A.C. duPont, (Dir. So. CA Row. Fdn.)
Directors Attending:	Todd Mehl (Rowbics) John Van Blom, (Dir. So. CA Row. Fdn.) Larry Hambleton, Katrin Gleie
Projects Chairperson:	Not present
Members:	John Callos
City Liaison Officer:	Not present
Visitors:	Keith Johnson, President of Long Beach Junior Crew Janet Arcos, Long Beach Junior Crew

The Board Meeting was called to order at 7:30 PM.
The Board Minutes from January 7th, 2009 were approved.

President's Report

- Jim Litzinger has contacted the Surfrider Foundation and Kelly Garrison with the Grunion Gazette about the City's proposed Marine Stadium changes. Jim also said he was going to contact local newspapers including the Press Telegram and the LA Times.
- Regarding the Spring Regatta, Jim said the medals had been ordered and that Ken Plumb was working on T-shirts. He said we are going to use the 2000 meter course until 10:00 AM.

Boat Captain's Report

- AC duPont helped the CSULB Foundation earn \$2000 by having the CSULB Crew row for a print advertisement.
- He said the wind came up and blew a wherry off the rack resulting in damage to two boats.
- LBRA earned \$500 from Concept II by AC helping to teach erg rowers to row in boats.
- AC said the large outside bay doors needed to be repaired after banging in the wind.
- AC has also taken our Tax Exempt status closer to fruition.

Proposed Marina Design

- Keith Johnson has formed a Long Beach Junior Crew committee about the City's proposed Marina changes. Keith introduced Janet Arcos who is heading that committee.
- A short discussion ensued and John Nunn stated that the reason we don't run more 2000 meter races is because of all the obstructions the city has placed in Marine Stadium's rowing lanes. He went on to say LBRA has been passively trying to be a good neighbor by not insisting the City remove those obstructions but is now being burned by the City with its conclusion that since we don't use those lanes that much the City should be able to build docks which would permanently alter Marine Stadium's usefulness.
- Jim Litzinger stated LBRA's position that it isn't against rebuilding the Marina, we're just against the extensions of the docks. During subsequent conversations Jim said there have been trimarans and large sailing vessels parked in lane one.
- Janet Arcos briefed us on conversations she initiated with various Long Beach City departments concerning the integrity of Marine Stadium's Historical Landmark status. Janet's entire written record of those contacts and her research is included after the Action Items at the end of these minutes.
- John Nunn said the Olympic history of Marine Stadium includes that it was used for the 1968 Olympic Trials.
- Jim Litzinger said that each of six lanes is 44 feet wide making a requirement for total width for the race course of 264 feet, not counting space required for returning boats and for lining up for a race.
- John Nunn said Marine Stadium has been surveyed for six lanes of 44 feet each with consideration being given for the bridge piers. In other words, Marine Stadium including the bridge piers provides for six 44 foot lanes.
- A discussion ensued with John Callos regarding adding docks in the channel east of the Yacht Club. John Nunn said docks in that area is a safety issue because it would force too many different kinds of boats into a

narrower channel. There was some discussion about the majority of Yacht Club members not really caring if additional docks are added or not.

Action Items

	Date	Action	Actionee	Status	Due Date
1	10/6/08	Answer Ken Mattfeld question from the General Meeting about the statuses of LBRA's debt, income tax returns, and property tax.	Jim Litzinger	Open	11/5/08
3	10/6/08	Send information about "I contact" software that could assist us with the Members Only website to Sabrina	Todd Mehl	Open 11/05/08, Todd will present website proposal at January meeting. Closed 01/7/09, Todd presented a proposal from SOF, Inc.	01/7/09
5	10/6/08	Determine a fair price for a used Peinert and buy one available for sale from a member. 12/03/08, AC said the Peinert ended up being donated to the club. Liza to send Thank You letter to the benefactor.	AC DuPont Liza Luna	Open Closed 01/07/09. Letter Sent	01/07/09
7	11/05/08	Present new Membership list. On 12/03/08, Liza reported that there are currently 240 LBRA members.	Liza Luna	Closed 1/07/09. Lisa reported on membership	01/07/09

	Date	Action	Actionee	Status	Due Date
8	11/05/08	Suggest payment amounts for debt owed on building loans based on John Van Blom's statement that we should use the Masters Nationals Profits for the purpose of paying down the building loans.	Sabrina Aris-Guentz	Closed 1/07/09. Board decided on loan payment amount.	11/03/08
8	11/05/08	Give checks for 10N and Boathouse maintenance to John Nunn.	Sabrina Aris-Guentz	Open	11/19/08
9	11/05/08	Furnish Sabrina a list of the additional boats that should be included in the payment liabilities list of the Treasurer's Report. 1/07/09 Also, give invoice to Sabrina and furnish serial number of boat for insurer to Sabrina.	AC DuPont	Open	12/03/08
11	12/03/08	Put together information for an on-line boat safety course for launch operators.	Larry Hambleton	Closed 1/07/09	01/07/09
12	12/03/08	Send request for payment which hasn't been received by CSULB for ergs.	Brian Counter	Open	01/07/09
13	12/03/08	Contact Phil Hester with the City's Parks and Recreation Department to discuss adding a commercial name to Marine Stadium as a source of revenue.	Don Bogart	Closed 01/07/09. Mark Sandoval called back indicating no revenue for Marine Stadium name could be directed to LBRA.	01/07/09
14	01/07/09	Bill CSULB for an annual \$1,000 erg maintenance fee in lieu of the college purchasing their own ergs for 2009	Sabrina Aris-Guentz	Open	2/04/09

	Date	Action	Actionee	Status	Due Date
15	01/07/09	Determine dates of Southern California Rowing Foundation grants to LBRA. Info to be used for tax exempt status.	AC DuPont, John Nunn		2/04/09
16	01/07/09	Try SOF website proposal software. Come with questions to next meeting.			
17	01/07/09	Add agenda item to discuss credit card billing.	Jim Litzinger		2/04/09
18	1/07/09	Report on opinions about enclosures on south side of boathouse	AC DuPont Jim Litzinger		2/04/09

Meeting adjourned at 8:55 PM.

Respectfully,
Don Bogart, Secretary

INFORMATION GATHERED RE: Planned REBUILD OF ALAMITOS BAY MARINA

BACKGROUND:

FROM the CALIFORNIA HISTORIC AL LANDMARKS REGISTRY: NO. 1014 LONG BEACH MARINE STADIUM – “Created in 1932 for the rowing events of the Xth Olympiad, the Stadium was the first manmade rowing course in the United States. Its width allowed four teams to race abreast, eliminating additional heats and allowing oarsmen to enter the finals at the peak of their form. Later it served as the venue for the 1968 and 1976 United States men’s Olympic rowing trials and the 1984 United States women’s Olympic rowing trials. The site remains an important training and competitive center for rowers, including our National and Olympic teams.

Location: Pete Archer Rowing Center, End of Boathouse Lane, Nieto Ave & Appian Way, Long Beach”

Marine Stadium, with its 2000M race course originally went into the Colorado Lagoon area. When the waterway was closed to allow for Marina Vista Park and housing developments, the 2000M racecourse was relocated southeast, under the 2nd street bridge to the area near the Long Beach Yacht Club.

**Chronicle of Information Gleaned about the Rebuild of Alamitos Bay Marina
11am Tuesday 2/3/09. Called the City of Long Beach and spoke with Jeff, who said that two of the City of Long Beach’s planners have been trained to work on Historic Projects. When I described the project of interest to me, he said Linette (sp?) had worked on the Planned Rebuild of the Alamitos Bay Marina and that Linette was one of the two planners for historic projects. Linette returned my call at about 1:45pm Tuesday 2/3/09. Linette confirmed that she was the planner who worked on this project. Linette provided a brief description of the project – from redoing many of the bathrooms, to removing silt in seven basins to the 1950’s depth, to fixing the Colorado Lagoon water quality, to adding “removable” boat slips; all of this would occur in phases over a six or so year period.**

According to Linette:

1) The Rebuild of Alamitos Bay Marina Project was assigned Case 0801-08; the planning fees were paid in February 2008.

a) WHO paid the fees -- Dept of Parks, Recreation and Marine? Marine Advisory Commission? Clarifying who paid the fees ensures we know if there is/isn’t a conflict of interest.

2) A “negative declaration” was filed; it was assigned number 01-08. Linette described a negative declaration as a less rigorous or less thorough means of satisfying an environmental review. It is a checklist of sorts that the project sponsors submit with the plan, affirming the project will not have a negative impact. The possibility of a consulting firm having aided in the completion of the negative declaration was raised; she could not say whether or not this was so.

a) Who participated in completing the negative declaration?

b) What questions are asked and answered in this checklist?

c) Does CEQA recognize a negative declaration as an acceptable means of meeting its requirements?

- d) When asked who in the City of Long Beach is responsible for accepting the negative declaration, she replied Jill Griffiths, Environmental Planning Officer; direct line (562) 570-6191. A message was left for Ms. Griffiths.
- 3) When asked who in the City reviews and approves of historic projects, Linette replied Jan Ostashay; direct line (562) 570-6890. Ms. Ostashay's office issues a certificate before any work can begin on a Historic Project. A message was left for Ms. Ostashay.
 - a) When asked if Ms. Ostashay had reviewed this project, Linette replied that there was nothing in the records to indicate that Ms. Ostashay was involved in the project. Meaning, she may or may not be involved in the review of this project.
 - b) When asked if she were wearing her Historic Planner "hat" while reviewing this project; she said no, she had acted in a regular planner capacity.
 - c) I mentioned that Long Beach Marine Stadium was a California State Historic Landmark. Linette was aware of this. I asked what steps had been taken to ensure that the integrity of the historic landmark was being upheld with this project. Linette replied that the boat slips were removable. And that the negative declaration stated there was no impact to the historic landmark.
 - i) Need to know whether or not this project is designated as having historic components and therefore subject to historic review. And if not, what was the basis on which this decision was reached.
- 4) When asked what the current status of the project is, Linette said it was "in review". When asked to clarify this, she replied that someone else had called the city and that it was possible that the project was being reviewed to determine if the negative declaration would suffice or if a full EIR was needed.
- 5) When asked who would pay to remove the "removable" boat slips whenever the need occurred, Linette said it was not made clear in the project proposal who would foot the bill for this cost. When asked if these costs and responsibility for them were included in the negative declaration, she could not say.

- 6) At approximately 11:30am Wed. 2/4/09, Jill Griffiths, Environmental Planning Officer for LB, returned my call. She said that the project was undergoing an EIR; that the city had hired an environmental consulting firm (unnamed) to assist with the EIR. And, that as part of the EIR, there would be 45 days during which the public could provide comments on the EIR.
- a) When asked if this was a “Historic” project, given the designation of LB Marine Stadium as a CA Historic Landmark, she replied that the silt removal and removable boat slips did not impact Marine Stadium, which ends at the bridge, and thus it had NOT been referred to Jan Ostashay’s office.
 - b) We then discussed what exactly constituted the scope of the historic site. We discussed the original site into the Colorado Lagoon, and the subsequent relocation of the 2000M race course to south of the bridge, about to the Yacht Club. Ms. Griffiths was under the impression that the Historic Landmark only went to the bridge. But when reading the website description, the 2000M - in its original form or in its current form – POSSIBLY was the essence of the historic site. We agreed that this point needed clarification and that if this were the finding, then the parts of the Rebuild Alamitos Bay Marina project that impacted the 2000M race course would be referred for a Historical Review.
 - c) Ms. Griffiths said it was her understanding that the boat slips would only need to be removed a couple of times/year, for major rowing events. So, again, this was thought to not have an impact on the rowers or Marine Stadium. I sought clarification: I asked if that meant all of our training was to be in a short course, and that our rowers would only have access to a full course on race days. I then asked if the City thought this was acceptable for other sports, such as swimming -- e.g., train in a small pool and then on race days the Olympic sized pool would be made available. She agreed that this was a good point and it needed exploring.
 - d) I then said it seems to me that if the 2000M race course is the historic site, then restricting community access to the 2000M to a couple of days a year certainly bears outside review. We deferred again to what exactly constitutes the historic site: the remaining area of the original Marine Stadium or the 2000M.

- e) I asked Ms. Griffiths who would pay for the removal of the boat slips when the entire race course was needed. She replied that she did not know, but that since the boat slips were city property, she assumed the city would pay. I said this needs to be clearly understood and explicated in writing.
 - f) I asked her if she thought the boat slips were being purchased by the city. She replied yes. When I mentioned I had heard a rumor, which may or may not be true, that the boat slips might be being purchased by the Yacht Club and then donated to the city, with a provision that they then be leased exclusively to the Yacht Club, she said she had not heard this. I asked her to verify whether or not this was true.
 - g) We ended the call with Ms. Griffiths saying she would contact Mr. Sandoval for clarification on this points that I raised. I ended the call by saying that I wanted transparency in what was happening and that we need to follow due process and not have it subverted. She agreed.
- 7) I then called the CA Office of Historic Preservation and spoke with Joseph McDole (916-653-8972) in the CA Historical Resources Information System (CHRIS) department. He provided the following information:
- a) The Designation of Long Beach Marine Stadium (LBMS) was signed-off on 8/23/94. In 1993 LBMS was designated a “Point of Historic Interest”; then in 1994, it was designated a Historic Landmark (can’t be both). Applicant was Ralph S. Cryder, Director of City of Long Beach Parks, Recreation and Marine. The application materials contain:
 - i) A copy of the Long Beach City Council Resolution , dated May 22, 1994 which states that “Marine Stadium is a body of water 2000M long and approximately 100 yards wide, oriented north by northwest”.
 - ii) The following description: “LBMS is designated by the city as a Long Beach Historic Site, assuring that Marine Stadium will continue to exist as a water course in substantially the form and use it has today”. Signed Ruthann Lehrer – Neighborhood and Historic Preservation Officer, City of LB 12/16/93.
 - iii) Picture from May 1992 (xerox of xerox, not a very good photo).

- iv) Los Angeles County Parcel number for this property is 7242-5-900
 - b) The Office of Historical Preservation affiliated Regional Information Center in Fullerton has this documentation and potentially has other documentation. Contact information is: Stacy St. James, coordinator, (714) 278-5395. The Regional Information Center is part of the Dept. of Anthropology at CSUF. There will be costs to access the information at this location.
- 8) On Wed. 2/4/09 I e-mailed Jill Griffiths with the information provided by Joseph McDole. She responded late Wednesday, saying she had given this information to the consulting group working on the EIR. And that I had been added to a list of people interested in this project and would be notified of upcoming meetings that I might want to attend.
- a) I e-mailed Ms. Griffiths on 2/5/09, saying I was puzzled and baffled by what I perceived to be a lack of acknowledgement of the content of the information I provided, specifically data that would support the conclusion that the historical landmark aspects of LBMS were to be impacted by the project. She called me about 9:15am on 2/5/09 to clarify things. Ms. Griffiths said the consulting group compiling the EIR would thoroughly research the project, including whether or not the historical landmark aspects of Marine Stadium would be impacted. She also said that Jan Ostashay was now involved. She said once the EIR was finished but before it was published, she wanted to have a meeting with the various stakeholders, Mark Sandoval, and the consulting group, so that stakeholder questions could be asked and answered. She wanted the questions to be asked by the stakeholders to be provided in advance; that these would be the questions answered. I suggested that perhaps the stakeholders could meet with the consulting firm early on in the process so they could benefit from the stakeholders sharing what information they had. Ms. Griffiths said that the process did not allow for the consulting firm to interact with the public beforehand. She then made mention of a change in the boat slips and the plans, but I did not understand what she said. She had a 9:30 meeting, so I was not able to pursue clarification of the boat slip changes, or other additional questions I had, such as :
 - i) What changes have been made to the boat slip portion of the plan?

- ii) In what way is Ms. Jan Ostashay now involved? Does this mean that the City of Long Beach has accepted that there are Historic Landmark aspects to the Rebuild and Dredge of Alamitos Bay? If so, what are these aspects?
 - iii) What is the name of the Consulting firm compiling the EIR?
 - iv) What type of CEQA document(s) is being prepared and by whom – by the consulting firm, by the city?
 - v) What is the projected revenue from the additional boat slips?
 - vi) Was there a cost-benefit analysis on the addition of the boat slips and if so, where would this analysis be obtained?
- 9) Shannon Johnston, from Girl Scouts, returned my call from 2/3/09 (I had left a message). She said she was not aware of the impending Alamitos Bay project and that the Girl Scouts had not been asked to provide input on this project and how it might impact them. Ms. Johnston said she had just spoken with Phil Hester about some Girl Scouts expanding the water-based activities out of their Alamitos Bay facility, and he had not mentioned the project to her, which she found “interesting”. She said she would give Phil Hester a call and ask him to brief her on the project. Ms. Johnston’s contact is sjohnston@girlscoutsla.org
- 10) The questions in item #9 were e-mailed to Ms. Griffiths Friday 2/6/09 @ 11am.

INFORMATION DOWNLOADED FROM OFFICE OF HISTORIC PRESERVATION (OHP) WEBSITE

What is Substantial Adverse Change to a Historical Resource?

Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired (PRC Section 5020.1(q)).

While demolition and destruction are fairly obvious significant impacts, it is more difficult to assess when change, alteration, or relocation crosses the threshold of substantial adverse change. The CEQA Guidelines provide that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance.

How Can Substantial Adverse Change be Avoided or Mitigated?

A project that has been determined to conform with the Secretary of the Interior's Standards for the Treatment of Historic Properties can generally be considered to be a project that will not cause a significant impact (14 CCR Section 15126.4(b)(1)). In fact, in most cases if a project meets the Secretary of Interior's Standards for the Treatment of Historic Properties it can be considered categorically exempt from CEQA (14 CCR Section 15331).

Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the historical resource. This is often accomplished through redesign of a project to eliminate objectionable or damaging aspects of the project (e.g., retaining rather than removing a character-defining feature, reducing the size or massing of a proposed addition, or relocating a structure outside the boundaries of an archeological site).

Relocation of an historical resource may constitute an adverse impact to the resource. However, in situations where relocation is the only feasible alternative to demolition, relocation may mitigate below a level of significance provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California Register (14 CCR Section 4852(d)(1)).

In most cases the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of an historical resource (14 CCR Section 15126.4(b)). However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate below a level of significance. In this context, recordation serves a legitimate archival purpose. The level of documentation required as a mitigation should be proportionate with the level of significance of the resource.

Avoidance and preservation in place are the preferable forms of mitigation for archeological

sites. When avoidance is infeasible, a data recovery plan should be prepared which adequately provides for recovering scientifically consequential information from the site. Studies and reports resulting from excavations must be deposited with the California Historical Resources Regional Information Center. Merely recovering artifacts and storing them does not mitigate impacts below a level of significance.

Who Ensures CEQA is Being Followed Properly?

In a way, the people of California bear this responsibility. But, ultimately, it is the judicial system that ensures public agencies are fulfilling their obligations under CEQA. There is no CEQA “police” agency as many members of the public mistakenly assume. Rather it is any individual or organization’s right to pursue litigation against a public agency that is believed to have violated its CEQA responsibilities.

Although the OHP can, and often does, comment on documents prepared for CEQA purposes (or the lack thereof), it is important that the public be aware that such comments are merely advisory and do not carry the force of law. Comments from state agencies and other organizations with proven professional qualifications and experience in a given subject can, however, provide valuable assistance to decision-makers as well as provide substantive arguments for consideration by a judge during CEQA litigation.

What Information Is Useful to Have When Contacting OHP About a CEQA Project?

Information about the project:

Where is the project located? City, county, street address.

Is there a project name? Often having the project name will make it easier for OHP to find out more information about the project when we contact the lead agency.

What does the project propose to do? Demolish, alter, relocate an historical resource? Build housing, commercial offices, retail?

Information about the historic property (or properties) potentially impacted:

Where is the property located? City, county, and a street address

What is its name? If the property has an historic name, or even what it is generally known as in the local community, it may be easier for us to locate information on it.

What do you know about the property? Why do you think it’s significant?

Lead agency contact information:

Who is the lead agency for the project? That is, who is undertaking the project (if it’s a public project) or permitting it (if it’s a private project)? Ideally this should include both the name of the public agency as well as the department or division handling the project.

Can you obtain a specific contact person’s name? Do you have a phone number and/or email address for him or her?

Information on the development of the CEQA process thus far:

What has the lead agency told you about the environmental review process so far?

Do they know what type of CEQA document they're going to prepare?

Have they already prepared one, and, if so, what is the public comment period on it?

When Does CEQA Apply?

Resources listed in, or determined to be eligible for listing in, the California Register are resources that must be given consideration in the CEQA process.

All projects undertaken by a public agency are subject to CEQA. This includes projects undertaken by any state or local agency, any special district (e.g., a school district), and any public college or university.

INFORMATION TAKEN FROM PARK RECREATION AND MARINE WEBPAGE

Construction Information

Construction in the Long Beach Shoreline Marina has been completed.

Alamitos Bay Marina Rebuild Update (September 15, 2008)

The timing for the rebuild of the Alamitos Bay Marina (ABM) included a hearing before the City's Planning Commission in October, and a hearing at the State Coastal Commission in February 2009. However, the schedule has unfortunately been backed up approximately six months due to an issue with eelgrass.

According to a Federal Eelgrass Policy, adopted in the early 1990s, the removal of eelgrass must be mitigated at a ratio of 1.2 to 1. When we surveyed the dredge area under the entire ABM, we found about 1,400 square feet of eelgrass, which means we need to re-plant about 1,700 feet of eelgrass somewhere else. Because eelgrass is prevalent in Alamitos Bay, there are few areas where we can mitigate. We have communicated with the State Department of Fish and Game, who monitors compliance with the policy, and have determined that the best place to mitigate is the Cerritos Channel adjacent to the Pacific Coast Highway bridge. We have determined that this mitigation will cost about \$1.5 million and eliminate ten Basin 6 North slips, which generate about \$60,000 in revenue a year – a very costly mitigation.

The real problem, however, is a second part of the Eelgrass Policy. That section requires that "potential eelgrass habitat" must also be mitigated on a 1 for 1 basis. What this means is that if we have soft-bottom areas that are less than 8-feet deep, even if eelgrass is not growing, we must re-create that habitat somewhere else. We have measured those areas under the marina, and calculate that we must re-create about 146,000 square feet of this habitat, roughly three acres, even though eelgrass is not growing there and is prevalent throughout the Bay!

Our consultants have told us that even though this policy has existed nearly two decades, the regulatory agencies have just recently begun strictly enforcing it. This means that we will not be able to get a Coastal Development Permit from the Coastal Commission unless we comply with the policy, or somehow convince the regulatory agencies that this is not feasible or is unneeded.

In a recent meeting with our consultants, expert attorneys and our attorneys, we were advised that if we were to challenge the policy, we would be unwise to do it unless we first did a full environmental impact report (EIR). Fortunately, we have already done a significant amount of work, so we believe that the full EIR should take no more than six additional months, not the year that it normally takes.

As a result, we are now planning to take this issue to the Planning Commission in April, and hope to get to the Coastal Commission no later than October 2009. That should be our final step, and the rebuild will get underway.