



## Legislation Text

---

**File #:** 2018-0542, **Version:** 1

---

**DATE:** January 16, 2019

**SUBJECT:**

**RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA TO HOST CALIFORNIA SEA GRANT FELLOWS EXTENDING THE AGREEMENT FOR 1 YEAR AND INCREASING THE NOT-TO-EXCEED AMOUNT BY \$138,778 FOR A NEW TOTAL OF \$452,798. FY2019 EXPENDITURES ARE BUDGETED.**

### **EXECUTIVE SUMMARY:**

On January 10, 2017, by resolution #2017-010, the Board of Port Commissioners approved an agreement with the Regents of the University of California (Regents) to host three California Sea Grant State Fellows for one year in the amount of \$175,067, and for mutual indemnification (Agreement #6171-2017).

On January 20, 2018, Amendment No. 1 to this agreement was approved to allow the District to host two new Sea Grant Fellows for one year and to extend a current fellow for an additional five months for a total amount of \$138,953 bringing the total not-to-exceed amount to \$314,020.

The proposed Amendment No. 2 to the agreement with the Regents will allow the District to host two new California Sea Grant Fellows for one year in the amount of \$116,092, as well as extend one current Sea Grant Fellow for an additional nine and one half months at \$22,686, for a total amount of \$138,778 bringing the total not-to-exceed amount to \$452,798 (Attachment A).

### **RECOMMENDATION:**

Adopt a resolution authorizing Amendment No. 2 to Agreement #6171-2017 with the Regents of the University of California to host California Sea Grant Fellows extending the agreement for one year and increasing the not-to-exceed amount by \$138,778 for a new total of \$452,798.

### **FISCAL IMPACT:**

Funds are available in the approved Aquaculture & Blue Technology, Environmental Conservation, and Planning FY18/19 budgets.

### **COMPASS STRATEGIC GOALS:**

This second amendment to the agreement with the UC Regents supports the following Strategic Goal (s).

- A Port with a healthy and sustainable bay and its environment.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A Port that is a safe place to visit, work and play.
- A financially sustainable Port that drives job creation and regional economic vitality.

## **DISCUSSION:**

California Sea Grant is a unique partnership that unites the resources of the federal government, the State of California and universities across the state to create knowledge, products and services that benefit the economy, the environment and the citizens of California. California Sea Grant is one of 33 state programs funded by the National Sea Grant College Program, part of the National Oceanic and Atmospheric Administration (NOAA). Matching funds come from the state and private sources. California Sea Grant is administered by Scripps Institution of Oceanography (SIO) and the Regents of the University of California, San Diego (UCSD). The California Sea Grant Program provides a unique educational and professional opportunity for graduate students who are interested in coastal and marine resources, and the policy decisions affecting those resources.

The Sea Grant Fellowship program is designed to provide recent university graduate students an opportunity to acquire “on the job” experience in the planning and implementation of coastal and marine resource policies and programs. The Sea Grant Fellowship program matches highly motivated and outstanding graduate students with “hosts” agencies from municipal, state, and federal agencies within California. The Sea Grant Fellowship program provides graduate students with full-time employment for one year and serves to both increase the staffing capacity of ocean and coastal management agencies in California with highly motivated and talented graduate students, but to also facilitate the training and development of the next generation of ocean and coastal leaders.

The District became a host agency for the first time in 2017. As a host agency the District provides an educational opportunity to fellows who will, in turn, provide substantial professional contributions and to work with other staff and/or leadership, as appropriate. Hosts are expected to supervise, mentor, and provide opportunities for fellows to be involved in critical issues that support the fellow’s professional and educational goals.

On an annual basis, Sea Grant conducts an open solicitation to graduate students throughout the State of California university system. The solicitation process requires graduate students to submit an application to California Sea Grant, which screens them for appropriate academic background, employment history, community and extracurricular activities, interest in the fellowship, and for personal characteristics such as initiative, adaptability, and strong communication and analytical skills. Placement with host agencies is based on in-person interviews and ranking of preferences by both the selected finalists and hosts after a mandatory matching workshop. For 2019, Sea Grant selected 24 finalists to be awarded fellowships, who will be placed in over a dozen host agencies. Host agencies are expected to contribute 70% of the costs to support the first fellow, and any additional fellows to be supported at 100% through an agreement with the Regents (Attachment A).

In 2019, pending Board approval, the Port will be hosting two new California Sea Grant Fellows. Additionally, one current Sea Grant Fellow will extend their term by nine and one half months. The fellows will be working within Aquaculture & Blue Technology, Environmental Conservation, and

Planning Departments within the Planning and Green Port Department. Projects the fellows will support include:

- Aquaculture & Blue Technology, including the Blue Economy Incubator
- Environmental Conservation, Natural Resources and Coastal Resiliency, including Mitigation Banking
- Regional Ocean Planning efforts
- Planning and Pre-development for a variety of land and ocean-based projects proposing aquaculture and blue technology opportunities

### **General Counsel's Comments:**

The General Counsel's Office has reviewed and approved the proposed Amendment No. 2 to the Agreement with the Regents as to form and legality.

### **Environmental Review:**

The proposed Board action does not constitute a "project" or an "approval" of a "project" under the definitions set forth in California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of its projects. If a project is formulated and CEQA review is conducted, the Board reserves its discretion to adopt any and all feasible mitigation measures, alternatives to the project, including a no-project alternative, a statement of overriding considerations, if applicable, and may approve or disapprove the project and any permits or entitlements necessary for the same. Those decisions may be exercised in the sole and absolute discretion of the Board. Based on the totality of the circumstances and the entire record, this presentation does not commit the District to a definite course of action prior to CEQA review being conducted. No further action under CEQA is required at this time.

In addition, the proposed Board action allows for the District to implement its obligations under Sections 81, and 87 of the Port Act, which authorize: the use of funds for expenses of conducting the District; and for commercial and industrial uses and purposes, in addition to the establishment and maintenance of District lands for ecological preservation, and habitat restoration. This proposed Board action furthers these requirements. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board action does not allow for "development," as defined in Section 30106 of the California Coastal Act, or "new development," pursuant to Section 1.a. of the District's Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, the District's projects require processing under the District's CDP Regulations. If a project is formulated as a result of these items, the Board will consider approval of the project after the appropriate documentation under District's CDP Regulations has been completed and authorized by the Board, if necessary. The Board's direction in no way limits the exercise of the District's discretion under the District's CDP Regulations.

### **Equal Opportunity Program:**

Not applicable.

**PREPARED BY:**

Simon Kann, Acting Principal  
Aquaculture & Blue Technology

Paula Sylvia, Program Manager  
Aquaculture and Blue Technology

Attachment(s):

Attachment A: Amendment No. 2 to Agreement with the Regents of the University of California