

COASTAL CONSERVANCY

Staff Recommendation
January 29, 2004

BUENA VISTA PROPERTY ACQUISITION

File No. 03-162
Project Manager: Terri Nevins/Carol Arnold

RECOMMENDED ACTION: Authorization to disburse up to \$1,160,000 to the Wildlife Conservation Board for the acquisition of the 289-acre Buena Vista property in the Watsonville Slough watershed.

LOCATION: Approximately two miles west of the City of Watsonville in the unincorporated San Andreas area of Santa Cruz County (Exhibits 1 and 2)

PROGRAM CATEGORY: Reservation of Significant Coastal Resource Areas

EXHIBITS

- Exhibit 1: Location Map
 - Exhibit 2: Site Map
 - Exhibit 3: Santa Cruz long-toed salamander
 - Exhibit 4: Letters of Support
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31350-31356 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million one hundred sixty thousand dollars (\$1,160,000) to the Wildlife Conservation Board ("WCB") for the acquisition of the property commonly known as the Buena Vista property, County of Santa Cruz Assessors Parcel Nos. 046-041-01, 046-041-03 and 046-051-24, consisting of approximately 289 acres, subject to the following conditions:

1. Prior to the disbursement of any funds for the acquisition, the WCB shall submit for the review and approval of the Executive Officer of the Conservancy ("Executive Officer"):
 - a. All relevant acquisition documents, including, without limitation, the appraisal, purchase agreement, escrow instructions, environmental or hazardous materials assessment and title report.
 - b. Evidence that sufficient funds are available to complete the acquisition.
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2. The WCB shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. The WCB shall permanently dedicate the property for habitat preservation, open space and limited public access consistent with endangered species habitat, through an appropriate instrument approved by the Executive Officer.
4. The WCB, through the California Department of Fish and Game, shall prepare a management plan for the property consistent with Fish and Game Code Section 2794.
5. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property, the design and location of which has been approved by the Executive Officer.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Chapter 8 of Division 21 of the California Public Resources Code (Sections 31350-31356) regarding reservation of significant coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

PROJECT SUMMARY:

This project will result in the acquisition of the 289-acre Buena Vista property for the purpose of protecting and enhancing sensitive habitat. This property has rare, threatened, and endangered plants and animals, including the federally-listed endangered Santa Cruz long-toed salamander, an animal endemic to the region (see Exhibit 3).

The proposed project is within 700 feet of the U.S. Fish and Wildlife Service (USFWS) Ellicott Slough National Wildlife Refuge (Ellicott NWR) and the California Department of Fish and Game (DFG) Santa Cruz Long-Toed Salamander State Ecological Reserve, Ellicott Pond Unit (State Reserve). The strategic location of the Buena Vista property provides an excellent opportunity to protect multiple species within a large complex of diverse habitats, as well as to help ensure the long-term viability of these two preserves within a rapidly developing region.

The Wildlife Conservation Board will acquire the property from the Trust for Public Land (TPL), which has an option to purchase from the current owner, which must be exercised by May 20, 2004. After acquisition by the Wildlife Conservation Board, DFG would manage the property in the near term. It is anticipated that management responsibilities will subsequently be transferred to the USFWS after the extension of the Ellicott NWR boundary, directly adjacent to the State Reserve. Expansion of the Ellicott NWR is currently pending.

Once acquired, the property will be used primarily for research and to enhance and recover populations of rare and endangered species. However, docent or ranger led tours are expected to be offered in the future and would provide excellent educational opportunities for the public to learn about native California habitat, endangered species, and recovery efforts. DFG does not consider unlimited public access to the property appropriate at this time for a number of reasons: 1) the

site is extremely sensitive, being one of only 11 locations known to contain a breeding population of the Santa-Cruz long-toed salamander; this site is considered essential for the survival of this species; 2) the property does not link directly to other publicly-owned lands; 3) it is very overgrown and lacks well-defined trails; 4) it has very limited parking; 5) it is surrounded by private residences and agricultural parcels; and 6) it is not directly accessible from Highway 1.

The Wildlife Conservation Board, TPL, USFWS, DFG, the County of Santa Cruz, and a number of local environmental organizations have long been interested in this property because of its outstanding natural resource values and relatively pristine condition. It is ranked high on a list of rare habitats that the County of Santa Cruz wishes to preserve.

Site Description: The Buena Vista property is located in the center of a region locally referred to as the San Andreas Area, west of Highway 1, in the vicinity of Watsonville (Exhibits 1 and 2). The land uses in the San Andreas Area are predominantly commercial agricultural operations. This includes productive row croplands and greenhouses, as well as specialty crops such as strawberries, Brussels sprouts, lettuce, and flowers. The region also contains single-family residences on fairly large lots, some of which are in disrepair, while others are estate homes. The property immediately southwest of the Buena Vista site has been subdivided into 2.5-acre parcels and is ripe for development.

The Buena Vista property contains one older, single-family residence that is currently rented, and an unoccupied trailer that will be removed prior to closing. The Department of General Services prepared a relocation determination and found the tenants to be eligible for relocation and moving costs. The relocation assistance has been presented to the tenant and approved by the Wildlife Conservation Board. The relocation funds will be provided to the tenants once they have moved. The remainder of the property is undeveloped, without improved roads or trails. There are three ridgelines and four drainage valleys on the property.

The Buena Vista property is part of a larger landform of gently to moderately sloping west-facing terraces. Elevations on the property range from 250 to 450 feet, with slopes ranging from 0 to 30 percent. Due to the geology, soils, and undisturbed habitat, the property is an important site for groundwater recharge. Given Santa Cruz County's problem with salt water intrusion, preservation of this property will benefit groundwater quality.

Much of the lowlands in the southern portion of the San Andreas Area include wetlands associated with the Watsonville Slough complex. The Buena Vista property contains the headwaters of Gallighan Slough, which is part of this system.

The property supports a mosaic of mixed-age oak woodlands, maritime chaparral, seasonal wetlands, a small seasonal stream with riparian vegetation, and remnant perennial native grasslands. The property has been designated as critical habitat for the federally endangered robust spineflower and provides breeding habitat for the endangered Santa Cruz long-toed salamander.

The federally endangered Santa Cruz long-toed salamander (Exhibit 3) and California tiger salamander use a seasonal pond found on the property. The seasonal pond serves as a breeding site for the Santa Cruz long-toed salamander, one of only 11 known breeding sites in the range of the species. The salamanders use the pond for breeding during the winter months and spend the rest of the year in the surrounding uplands of maritime chaparral and oak woodlands. This species is so limited in distribution that preservation of self-sustaining populations at this site and at the pond on the Ellicott NWR are absolutely necessary for recovery of this amphibian. These two

breeding ponds are within migrating distance of each other, separated by a small, well-vegetated, privately owned parcel of fairly undisturbed upland habitat. Possible future protection of this wildlife corridor would enable safe movement of species that are at risk of extinction.

The California tiger salamander, a California species of special concern and a candidate for federal listing, has also been documented on the Buena Vista site. This salamander species has similar habitat needs as the long-toed salamander, which will enable management protocols to be established that will benefit both.

The federally endangered annual robust spineflower is known to exist in only seven locations in Santa Cruz and Monterey Counties. Because it is so limited in distribution, the USFWS recovery plan recommends reintroduction. The Buena Vista site has an established population and is considered an excellent location for expanding the size of the current population.

Other special status plant and animal species observed on the site include Hooker's manzanita, Kellogg's horkelia, white-tailed kite, sharp-shinned hawk, and the Cooper's hawk. Additionally, the site contains numerous common plants and animals associated with coastal California, including bobcats, dusky-footed woodrats, striped skunks, brush rabbits, chipmunks, fox, coyote, and deer. Bird species observed on the site included Bewick's wren, wrentit, California thrasher, and golden-crowned sparrow.

The property's oak woodland and maritime chaparral are identified by Santa Cruz County as "habitats of special concern." The oak woodlands on the property are known as "San Andreas coast live oak woodlands," which provide food and shelter for hundreds of species. The San Andreas coast live oak is considered to be a distinct, regionally restricted habitat type. The property's maritime chaparral includes many areas dominated by Hooker's manzanita, also a narrowly distributed endemic species.

Project History: Indigenous people were known to utilize the Buena Vista site and surrounding region for over 5,000 years, gathering acorns, hazelnuts, wild game, bulrushes, and willows, and constructing residences from bent willows, tules, bulrushes, and grasses. There is evidence that the Native American Aptos/Cajastaca group lived on the Buena Vista site, probably beginning about 1,500 years ago. During the Spanish period, the property became part of the Rancho San Andres, a land grant of almost 9,000 acres. In 1846, a survey was done of this Rancho and a map was prepared which showed many hills covered with oaks and chaparral, areas that were never cleared and remain today in their original condition. Only half of the Rancho San Andres was considered good for cultivation; the remainder was wooded, chaparral, and what was referred to as "swamp" land.

Whereas portions of Rancho San Andres have been subdivided into residential and agricultural parcels, the Buena Vista property has been passed on as a single tract, escaping subdivision and providing this unique opportunity for conservation within a fragmented, heavily impacted landscape. However, urban and agricultural development poses an immediate threat to this property. Since 1980, hundreds of acres in the San Andreas Area have been converted to strawberry farming. The growth of the Silicon Valley economy created a housing market for large estates.

Various development plans have been proposed for the site; most recently the construction of an 18-hole golf course, clubhouse and related facilities. For many years, the site was known as the Buena Vista Country Club, reflecting the owners' vision for the property. County review determined that the proposed development plan would not be in compliance with local coastal plan

(LCP) requirements, and would necessitate an amendment to the LCP, a very significant obstacle. In recent years the owners decided not to pursue the development and the property was put on the market for sale. As noted in the appraisal, development of the property into estate-size homes could avoid the sensitive habitat, highlighting the need for public acquisition and management.

In 1999, the Conservancy provided funding to the County of Santa Cruz to prepare a Watsonville Sloughs Watershed Resource Conservation and Enhancement Plan. Recently completed, this plan identifies critical areas of concern and recommends actions for the protection of the area. Acquisition of the Buena Vista property to preserve the existing expanse of maritime chaparral occurring south of Highway 1 and between the upper areas of Gallighan Slough and Ellicott National Wildlife Refuge is one of the recommendations of the plan.

PROJECT FINANCING:

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| Coastal Conservancy: | \$1,160,000 |
| Wildlife Conservation Board: | 2,272,574 |
| Land & Water Conservation Fund: | 1,227,211 |
| Section 6 – Recovery Land Acquisition Grants (2002 and 2003): | 1,040,215 |
| TEA Funds: | <u>1,000,000</u> |
| Total Project Cost: | \$6,700,000 |

Conservancy funds for this project are expected to come from the Conservancy’s fiscal year 2002-2003 appropriation under the California Wildlife Protection Act of 1990 (Proposition 117), known as the Habitat Conservation Fund (HCF). Pursuant to State Fish and Game Code Section 2786(b), HCF funds may be used for the acquisition of habitat to protect rare, endangered, threatened, or fully protected species. Acquisition of the subject property will serve to protect sensitive habitat for the Santa Cruz long-toed salamander, a federally listed endangered species. DFG will prepare a management plan for the property as required by Fish and Game Code Section 2794 with respect to land acquired with these funds.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

This proposed project would be undertaken pursuant to Chapter 8 of the Conservancy’s enabling legislation (California Public Resources Code Sections 31350-31356).

The proposed project is consistent with §31350, which vests in the Conservancy authority to assure the reservation of significant coastal resource areas that would otherwise be lost to public use and enjoyment. The Wildlife Conservation Board’s acquisition of the subject property for addition to the State Reserve would prevent private development of the site and thereby assure the permanent protection of endangered species habitat and coastal resources.

Section 31351(a) directs the Conservancy to cooperate with public agencies and nonprofit organizations to ensure the reservation of lands for fish and wildlife habitat, historical preservation, or scientific study required to meet the policies and objectives of Division 21 and/or the Coastal Act. Cooperating with the WCB and TPL on the acquisition of the subject property for protection of the site’s endangered species and sensitive habitat areas is consistent with this Section.

Section 31352 states that in the event any public agency or nonprofit organization is unable, due to limited financial resources or other circumstances, to acquire, hold, protect, or use an interest in real property for a purpose provided in §31351, the Conservancy may award a grant to a public agency or nonprofit organization and provide technical assistance required to aid the public agency or nonprofit organization in completing the acquisition or related functions. Conservancy funding would aid WCB in completing the proposed acquisition, for which WCB does not have sufficient funding available.

**CONSISTENCY WITH CONSERVANCY'S
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 2, Objectives A and B** of the Conservancy's Strategic Plan, the proposed acquisition will preserve open space views in the San Andreas region and open 289 acres that are currently inaccessible to new, docent-led public access.

Consistent with **Goal 4, Objective A**, the proposed protect will result in the acquisition of 289 acres of significant scenic coastal resource property.

Consistent with **Goal 5, Objective A**, the project will result in the preservation of 289 acres of wetlands, oak woodlands, chaparral, coastal prairie, and grasslands within the Watsonville Slough watershed.

Consistent with **Goal 5, Objective B**, acquisition of the Buena Vista property will help create a wildlife corridor between the breeding ponds used by the Santa Cruz long-toed salamander.

Consistent with **Goal 6, Objectives A and B**, the proposed project will help implement a regionally-based conservation plan for the Watsonville Slough watershed and preserve an important area for infiltration of rainwater, benefiting ground water quality.

Consistent with **Goal 8, Objective A**, public acquisition of the property will resolve controversies regarding subdivision, development, and preservation of the 289-acre parcel.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See "Project Financing" section above.
3. **Support of the Public:** The protection of the Buena Vista property and the Watsonville Slough watershed has widespread support, including that of Senator Bruce McPherson, Assemblyman John Laird, the Santa Cruz County Board of Supervisors and Planning Department, USFWS, DFG, Trust for Public Land, California Native Plant Society, Land Trust of Santa Cruz County, Watsonville Wetlands Watch, Sierra Club, Balance Hydrolics, Inc., and the Open Space Alliance. Letters of Support are attached as Exhibit 4.

4. **Location:** The proposed project is located within the coastal zone of the County of Santa Cruz.
5. **Need:** The Wildlife Conservation Board is unable to acquire the property without funds provided by the Conservancy.
6. **Greater-than-local interest:** The Watsonville Slough complex is a nationally significant wetland resource. It includes extremely valuable wetland and upland habitat, including the Buena Vista property. Because of the relatively undisturbed nature of the Buena Vista property, it is home to endangered species, including the Santa Cruz long-toed salamander and robust spineflower, as well as numerous other sensitive plant and animal species. It represents one of the best opportunities for the recovery of these species.

Additional Criteria

7. **Urgency:** TPL's option to acquire the property expires on July 19, 2004. All other funding is currently available for the acquisition by the Wildlife Conservation Board. Any delay in concluding these transactions could result in the forfeiture of other grant funds and loss of the opportunity to preserve this property.
8. **Resolution of more than one issue:** The project will address issues affecting both wetland and upland habitat resources, as well as provide the opportunity to restore and enhance numerous rare, threatened, and endangered species. Acquisition of this property will eliminate the development threat, and make future public access possible.
9. **Leverage:** See the "Project Financing" section above.
10. **Conflict resolution:** The project resolves land use conflicts between endangered species protection and residential, private recreational, and agricultural development pressure.
12. **Readiness:** TPL has secured an option to purchase the property for its fair market value. All other funding sources are approved and in the process of being disbursed into escrow.
13. **Realization of prior Conservancy goals:** See the "Project History" section above.
15. **Cooperation:** The project involves a cooperative effort between the Conservancy, WCB, USFWS, DFG, TPL, County of Santa Cruz, and numerous environmental groups.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with several recommended actions or specific policies listed in Santa Cruz County's 1994 certified, combined General Plan and Local Coastal Program (LCP) Plan. The overall goals guiding the Conservation and Open Space Chapter of the Plan are divided into three areas: 1) natural and cultural resources protection, 2) open space protection, and 3) resource utilization. The objectives, recommended actions, or policies as listed in the Plan are as follows:

- Objective 5.1 Biological Diversity: To maintain the biological diversity of the County through an integrated program of open space acquisition and protection, identification and protection of plant habitats and wildlife corridors and habitats. (p. 5-1) [The endangered and rare species found on the Buena Vista property are included in Appendix B: Sensitive Habitat Plant and Animal Species of the General Plan/LCP.]

- Program (k) under Biological Resources: Continue to ensure survival of the endangered Santa Cruz long-toed salamander through County programs. (p. 5-6)
- Objective 5.2 Riparian Corridors and Wetlands: To preserve, protect, and restore all riparian corridor and wetlands for the protection of wildlife and aquatic habitat, water quality, erosion control, open space, aesthetic, and recreational values and the conveyance and storage of flood waters. (p. 5-10)
- Objective 5.5a Watershed Protection: To protect and manage the watersheds of existing and future surface water supplies to preserve the quality and quantity of water produced and stored in [Santa Cruz County] to meet the needs of County residents, local industry, agriculture, and the natural environment. (p. 5-18)
- Policy 5.10.10 Designation of Scenic Roads: State Highway 1 from Santa Mateo County to Monterey County and Buena Vista Drive from San Andreas Road to Larkin Valley Road are designated as having scenic value. The public vistas from these roads shall be afforded the highest level of protection. (p. 5-34)
- Objective 5.11 Open Space Preservation: To identify and preserve in open space uses those areas which are not suited to development due to the presence of natural resource values or physical development hazards. (p. 5-38)

COMPLIANCE WITH CEQA:

Acquisition of the 289-acre Buena Vista property is categorically exempt from the California Environmental Quality Act (CEQA) in that it involves the acquisition of land for open space and plant and wildlife habitat preservation (14 Cal. Code of Regulations Section 15325). Staff will file a Notice of Exemption upon Conservancy approval of the project.