

COASTAL CONSERVANCY

Staff Recommendation

April 24, 2008

**SANTA CLARA RIVER PARKWAY - ACQUISITIONS**

File No. 00-105

Project Manager: Peter S. Brand

**RECOMMENDED ACTION:** Authorization to disburse up to \$4,500,000 and up to \$750,000 of funds from the U.S. Fish and Wildlife Service to The Nature Conservancy for the acquisition of two properties to further implementation of the Santa Clara River Parkway.

**LOCATION:** Ventura County

**PROGRAM CATEGORY:** Resource Enhancement

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**EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [River Parkway Status Map](#)

Exhibit 3: [Santa Clara River Parkway Conceptual Enhancement Plan and Staff Recommendation, October 26, 2000](#)

Exhibit 4: [Staff Recommendation, June 25, 2001](#)

Exhibit 5: [Letters of Support](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31251-270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four million five hundred thousand dollars (\$4,500,000) for the acquisition of two properties (Ventura County Assessor Parcel Numbers: 138-0-090-245 and 103-0-060-055) and an amount not to exceed seven hundred fifty thousand dollars (\$750,000) of funds from the U.S. Fish and Wildlife Service for the acquisition of one of these properties (Ventura County Assessor Parcel Number: 138-0-090-245) to The Nature Conservancy to implement the Santa Clara River Parkway project, as shown in Exhibits 1 and 2 of the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of funds for each acquisition, the Executive Officer shall review and approve all title and acquisition documents including but not limited to

the appraisal, agreement of purchase and sale, escrow instructions and documents of title pertaining to that acquisition;

2. The Nature Conservancy shall pay no more than fair market value for any property acquired pursuant to this authorization, as established by an appraisal approved by the Executive Officer; and
3. All property interests acquired with these funds shall be permanently protected for public access, open space and habitat conservation in a manner acceptable to the Executive Officer and consistent with the Enhancement Plan and Public Resources Code Section 31116(b).”

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 and will help to carry out the Santa Clara River Conceptual Enhancement Plan approved by the Conservancy on October 26, 2000, pursuant to Chapter 6 of the Division 21 of the Public Resources Code (Sections 31241-31270) regarding enhancement of coastal resources;
2. The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines last updated by the Conservancy on September 20, 2007; and
3. The Nature Conservancy is a private, nonprofit organization existing under the provisions of Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

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## **PROJECT SUMMARY**

Staff recommends that the Conservancy authorize disbursement of up to \$4,500,000 in Conservancy funds to The Nature Conservancy for the acquisition of two properties, referred to as Site A and Site B, along the Santa Clara River (Exhibit 1). Staff further recommends that the Conservancy authorize disbursement of up to \$750,000 of grant funds received from the U.S. Fish and Wildlife Service to The Nature Conservancy for acquisition of Site B. These acquisitions will preserve one and one half miles of river and allow for the enhancement and restoration of approximately 228 acres of riparian habitat. Both properties are in the floodplain of the river.

Site A adjoins previous river parkway acquisitions and will help consolidate management of the lower seven miles of river, much of which is now in public ownership. Site B is closer to the mouth of the river and is essential if the southern part of the original estuary is to be restored. Both properties will provide flood relief to adjoining farmers and reduce river flows that have periodically destroyed public facilities nearby. Conservancy consultants advised staff that removal of levees along these and nearby properties will lower flood elevations by several feet. Reconnecting the river to its floodplain in the lower river will also reverse the manmade process

of incision and degradation of the streambed that is hampering the revival of endangered species dependent on the estuary.

This project is the fourth in a series of acquisition authorizations for the Santa Clara River Parkway. The acquisitions will continue the implementation of the Santa Clara River Parkway Conceptual Enhancement Plan, developed by the Coastal Conservancy, river landowners and local partners, and approved by the Conservancy on October 26, 2000. This involves property acquisition of a continuous estuarine and riverine corridor along the lower 23 miles of the Santa Clara River to preserve habitat and to provide public trail linkages along the river and adjacent public lands. (Exhibit 2) The Conservancy and its partners, The Nature Conservancy and the Friends of the Santa Clara River, have already acquired approximately twelve miles of river, seventeen properties totaling 2,700 acres, in implementation of the vision of a Santa Clara River Parkway (Exhibit 2).

The goals of the Santa Clara River Parkway are: (1) to restore natural hydrologic and geomorphic processes affecting the Parkway area, while providing enhanced flood protection for adjacent private land and public facilities including removing and/or setting back levees and other permanent flood control structures within the planning area; (2) to restore aquatic and riparian habitat within the Parkway area to provide improved conditions for native species such as the anadromous steelhead; and (3) to provide for public access and environmental education including the creation of a continuous public trail system along the length of the Parkway.

**Site Description:**

Site A adjoins the Camp property, already acquired, which will be converted from agriculture back to riparian habitat depending on the outcome of restoration plans for this reach. Site B, approximately one half of which is currently in agriculture, is near the mouth of the river and will be restored consistent with future plans to reclaim the valuable habitat of the estuary which is essential to the aquatic health of endangered species such as the tidewater goby and the southern steelhead.

The Santa Clara River is the largest river in southern California and one of the last major rivers in the region that exists in a relatively natural state. The Santa Clara originates in the northern slope of the San Gabriel Mountains in Los Angeles County, traverses Ventura County and flows into the Pacific Ocean halfway between the Cities of San Buenaventura and Oxnard. Its total length is approximately 100 miles with its watershed covering approximately 1,200 square miles.

The headwaters of the Santa Clara and all of its major tributaries originate on National Forest lands. The estuary at the river mouth is protected as a natural preserve within McGrath State Beach. The portion of the river in Los Angeles County is designated as a “significant ecological area” by Los Angeles County. While this designation does not convey protective status, it does recognize the biological importance of the upper Santa Clara River. The majority of the main river corridor is privately owned and not protected.

Elevations in the Santa Clara River watershed range from 8,831 feet above sea level on

Mount San Piños to sea level at McGrath State Beach. Streamflows into the Santa Clara River are highly variable. Average discharge measured at Montalvo (three miles upstream of the estuary) ranges from no flow for many days during the summer to winter flood flows over 100,000 cubic feet per second (cfs). Major floods are common on the Santa Clara, and because the river carries high sediment loads and has a broad migrating channel, flood damage has been extensive. The most damaging flood occurred in January 1969, when a peak flood of 160,000 cfs jumped the north bank of the river and destroyed the East Side Treatment Plant, Ventura Boat Harbor, and several upstream bridges.

From a biological perspective, the river is unmatched in southern California. Extensive patches of high quality riparian habitat are present along the entire length of the river. These patches serve as “stepping stones” for migratory birds traveling between riparian areas and wetlands on the south coast.

The river is also home to many species in decline throughout the southern California region. The federal listed endangered Least Bell’s Vireo and Unarmored Threespine Stickleback are two such species. Projections in the draft recovery plan for the vireo indicate that approximately 4,500 acres of riparian habitat on the Santa Clara River could support 625 territorial male vireos, more than any other southern California river, making the Santa Clara the site for a new population stronghold. Likewise, two reaches of the river in Los Angeles County are designated as essential habitat for the stickleback. Without these areas, the sticklebacks, vireos, and the other endangered or candidate species (*e.g.*, Least Tern, Tidewater Goby, *etc.*) will face localized extinction and possible extirpation from the region. The Santa Clara River has also been designated as critical habitat for the survival of southern steelhead.

The Santa Clara River is a highly dynamic system susceptible to episodic flood events, most recently in 1969, 1978, and 1995. Natural processes such as flooding and fire, and historic land use practices such as grazing, agriculture, urban development, and aggregate mining have influenced the geomorphic characteristics of the watershed. Use of the watershed has changed from grazing to agriculture and urban development in Los Angeles and Ventura Counties over the past two centuries. In the 1900s the trend of narrowing the river for agricultural land reclamation and increasing urban development up to the river banks has created a narrower river/riparian corridor with a greater potential for erosion damage. Local efforts at bank stabilization have required frequent maintenance and raised concerns that the methods used for channel stabilization at one location could be aggravating bank erosion at another location.

**Project History:** In 2000, after discussions with river landowners and with the support of the adjoining cities, State and local politicians and environmental groups, the Conservancy proposed the establishment of the Santa Clara River Parkway, which would result in the acquisition and restoration of a 23 mile-long corridor from the mouth of the Santa Clara River to the Sespe Creek confluence. The Santa Clara River Parkway was established with two complimentary purposes: the acquisition and public management of the river corridor to allow for habitat restoration, public enjoyment and environmental education; and the restoration of the natural processes of the river to prevent continued flooding and damage to habitat, farmland and public facilities. In 2001, initial funding of

\$9.2 million was appropriated by the legislature to the Coastal Conservancy for this project.

At that time, The Nature Conservancy was analyzing the potential to protect the most threatened natural communities of the region. Their scientists having determined the biological significance of the river corridor, The Nature Conservancy began collaboration with the Coastal Conservancy to help implement the Santa Clara River Parkway project which will help to achieve The Nature Conservancy's goals for the ecoregion.

The Coastal Conservancy approved the Santa Clara River Conceptual Enhancement Plan and authorized the first acquisition in October 2000. Land acquisition began in March 2001, with the purchase of the Camp property, 225 acres (approximately one and a half miles of the river) including 150 acres of orchard that will ultimately, after levee removal, be converted back to riparian habitat. Since then eleven other properties have been acquired with Coastal Conservancy grant funds within the boundaries of the Parkway, for a total of 2,100 acres and ten miles of river. The proposed acquisitions will contribute to this assemblage of parcels within the Parkway.

The Nature Conservancy will hold and manage the properties until the Coastal Conservancy is prepared to implement a comprehensive levee removal (or setback) and habitat restoration project with its local project partners. The Nature Conservancy has also acquired a few properties upstream of the current Parkway boundary. The Coastal Conservancy authorized on September 15, 2004 an amount of \$550,000 and an additional amount of \$57,290 provided by the Santa Clara River Trustee Council for consultant services in the preparation of a restoration feasibility study for the Santa Clara River Parkway. The feasibility study augments existing studies by providing a comprehensive understanding of both physical and biological processes (including human induced change) within the Parkway. The study documents baseline conditions and develops a set of general and site specific restoration strategies, and an assessment of restoration feasibility given existing constraints and implementation and an estimate of management costs. Various levee and berm removal and habitat restoration options are examined to identify the biological and flood reduction benefits that could result from reconnecting the river to the floodplain.

**PROJECT FINANCING:**

Coastal Conservancy (current authorization)	\$4,500,000
Coastal Conservancy (April 2003)	\$1,000,000
U.S. Fish and Wildlife Service	\$750,000
Resources Agency – River Parkway	<u>\$500,000</u>
TOTAL	\$6,750,000

The anticipated source of Conservancy funds for this authorization is Proposition 50. Proposition 50 is the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. These funds are available to provide coastal watershed protection consistent with the Conservancy's enabling legislation, specifically Chapter 6 of Division 21 of the Public Resources Code, including acquisition.

The Conservancy approved on April 24, 2003 the use of Proposition 13 funding for the acquisition of properties, including the proposed acquisitions, within the Santa Clara River Parkway. This funding was appropriated to the Conservancy and specifically designated for the Santa Clara River Parkway from the River Protection Subaccount of the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Act of 2000 (Proposition 13). The River Protection Program provides for acquisition and restoration of riparian habitat, riverine aquatic habitat, and other lands in close proximity to rivers and streams and for river and stream trail projects undertaken in accordance with among other things the statutory provisions of Chapter 6 of Division 21, the Conservancy's enabling legislation.

The Resources Agency has approved in concept a River Parkways grant of \$500,000 for this project. The Fish and Wildlife Service has awarded a Coastal Wetlands grant of \$750,000 for the Santa Clara River Estuary including Site B.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

On October 26, 2000, the Conservancy adopted the Santa Clara River Conceptual Enhancement Plan pursuant to its authority under Division 21 of the Public Resources Code; in particular Chapter 6 (Public Resources Code Sections 31251-31270), and authorized funding for the initial acquisition of property necessary to establish a continuous river corridor along the Santa Clara River (see Exhibit 1). The proposed authorization would continue that effort consistent with the Plan and with goals, objectives and authorities of Chapter 6 and as such, this authorization remains consistent with the Conservancy's October 26, 2000 authorization.

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

Consistent with **Goal 1, Objective G**, the project will acquire approximately one and one half miles of riverfront property that may ultimately be used to develop a river parkway trail to connect inland populations to the coast.

Consistent with **Goal 4, Objective A**, the project will acquire approximately 228 acres of significant coastal resource properties for conservation of natural communities and scenic and recreational resources. As shown on Exhibit 2, these acquisitions are connected to other protected lands and are strategically important to complete the Santa Clara River Parkway.

Consistent with **Goal 5, Objective C**, the project will preserve wildlife corridors along the Santa Clara River.

Consistent with **Goal 6, Objective B** the proposed project will preserve property to help implement a river parkway.

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

The proposed project remains consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, and as described in the Conservancy's June 25, 2001 authorization. ( Exhibit 4) The project is furthermore consistent with updated criteria added in September 20, 2007, as follows

**Additional Criteria:**

**10. Conflict Resolution:** The Santa Clara River, like many other rivers in California, has been the scene of historic conflicts over endangered species, sand and gravel mining, channelization and confinement of the river through levee development, and many other land use issues such as development. In particular, acquisition and restoration of the floodplain ensures preservation of fish and other species while at the same time relieving flooding.

**11. Innovation:** The Santa Clara River Parkway provides an acquisition and public land management solution for a threatened river that previously relied on the traditional welter of overlapping regulations and costly, contradictory public works expenditures that resulted in increasing flood damage to public infrastructure and habitat damage on private property. By providing a more self sustaining natural system, the Santa Clara River Parkway will reduce public and private expenditures in the future. Acquisition will also allow for a continuous recreation trail the length of the river.

**12. Readiness:** The Nature Conservancy has negotiated option agreements and letters of intent that will expedite acquisition of these properties. The Coastal Conservancy and The Nature Conservancy have in partnership already acquired many properties on the river.

**13. Realization of Conservancy Goals:** See "Project History" section above.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The proposed project remains consistent with the policies of the Coastal Act and the Local Coastal Programs, as determined in the Conservancy's October 26, 2000 approval of the Santa Clara River Parkway Conceptual Enhancement Plan.

**COMPLIANCE WITH CEQA:**

Acquisition of the properties pursuant to the Santa Clara River Parkway Conceptual Enhancement Plan is categorically exempt under the California Environmental Quality Act (CEQA) because the transfer of ownership or interest in land is for the purpose of preserving open space (14 Cal. Code of Regulations Section 15325) and for wildlife conservation purposes (Section 15313). Upon approval, staff will file a Notice of Exemption for the project.