

COASTAL CONSERVANCY

Staff Recommendation

April 1, 2010

PARADISE BEACH ACQUISITION

File No. 10-001-01

Project Manager: Rachel Couch

RECOMMENDED ACTION: Consideration and possible Conservancy authorization to disburse \$1.2 million from the National Oceanic and Atmospheric Administration of the United States Department of Commerce and \$1,136,000 to the County of Santa Barbara for the acquisition of the Paradise Beach property, Point Sal, northern Santa Barbara County.

LOCATION: North of Point Sal, at the southern end of the Guadalupe-Nipomo Dunes complex, northern Santa Barbara County.

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

Exhibit 1: [Project Location Map](#)

Exhibit 2: [Project Site Map](#)

Exhibit 3: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement to the County of Santa Barbara (“the County”) of an amount of up to one million two hundred thousand dollars (\$1,200,000) from the United States Department of Commerce, National Oceanic and Atmospheric Administration, (“NOAA”) Coastal Estuarine Land Conservation Program (“CELCP”) and an additional amount of up to one million one hundred thirty-six thousand dollars (\$1,136,000) for the acquisition of the 172-acre Paradise Beach II property, (Santa Barbara County Assessors Parcel Number 113-160-004), as shown in Exhibit 2 to the accompanying staff recommendation. This authorization is subject to the following conditions.

1. Prior to the disbursement of any Conservancy funds for acquisition, the County shall submit for review and approval by the Executive Officer of the Conservancy (“the Executive Officer”) all relevant acquisition documents, including, but not limited to the appraisal,

- agreement of purchase and sale, escrow instructions, and documents of title, and a signing plan.
2. The County shall pay no more than fair market value for the Paradise Beach Property, as established in an appraisal approved by the Executive Officer.
 3. The County shall acknowledge Conservancy funding by erecting and maintaining signs on the property that have been reviewed and approved by the Executive Officer.
 4. The County shall permanently dedicate the property for the purpose of protecting, restoring and enhancing habitat and open space, and providing public access where appropriate, pursuant to Public Resources Code Section 31116(b).
 5. The County shall manage the property as part of its Point Sal Reserve Management Area and consistent with the Point Sal Reserve Management Plan (as amended and updated), and coordinate management of the property with The Dunes Collaborative ensuring that management of the property is consistent with management of the greater Nipomo-Guadalupe Dunes public landholdings.
 6. The County and its successors-in-interest shall participate in the development of the California Coastal Trail on the property and, through an instrument acceptable to the Executive Officer, shall permanently dedicate the necessary portion of the property for such use, after which the County shall install and maintain signs identifying the California Coastal Trail, which design, number, and placement of the signs shall be 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 the Project Selection Criteria and Guidelines, last updated by the Conservancy on June 4, 2009.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 6 of Division 21 of the Public Resources Code, regarding the enhancement of coastal resources.
3. The area in which the Paradise Beach II Property is located has been identified in the certified local coastal program for Santa Barbara County as requiring public action to resolve existing or potential resource protection problems.”

PROJECT SUMMARY:

The proposed authorization would enable Santa Barbara County to acquire the 172-acre Paradise Beach II property (also known as the “Tognazzini parcel”) for conservation of open space, dune, coastal dune scrub, sage scrub, chaparral, and willow riparian habitats and public access. Of the \$2,336,000 requested, \$1.2 million would be provided by a grant from the National Oceanic Atmospheric Administration’s (“NOAA”) Coastal Estuarine and Land Conservation Program (“CECLP”). The remaining \$1,136,000 of Conservancy funds would provide the required non-federal match to the CELCP grant and would complete the necessary acquisition funding package.

The 1991 Point Sal Reserve Management Plan, funded by the Conservancy, identified critical biological and archaeological resources and balanced protection of the region's biological, ecological, cultural, scenic and open space values, with educational and recreational opportunities. The plan includes recommendations for public acquisitions, including the Paradise Beach II property.

The Paradise Beach II property is the last unprotected parcel remaining in the approximately 800-acre Point Sal Management Area. The Dunes Collaborative found the Paradise Beach II property to be "one of the highest priorities for conservation efforts in the entire Dunes Complex" given the unprotected status of the property's coastal frontage and its biodiversity, cultural and geologic significance. (See letter of support in Exhibit 3).

The most significant features of this property include approximately one mile of the white, sandy Paradise Beach, a marine mammal haul out area, intact coastal dune scrub vegetation, and unique freshwater seeps.

As detailed in the Point Sal Reserve Management Plan, the larger Point Sal Reserve Management Area, including the Paradise Beach II Property, is regionally unsurpassed in terms of the diversity and integrity of its natural and cultural resources. Several of the area's plant communities are designated as "environmentally sensitive" in the Conservation Element of the Santa Barbara County Local Coastal Plan and Comprehensive Plan ("LCP"), and the area has been designated an "Area of Critical Environmental Concern" by the Bureau of Land Management.

The County of Santa Barbara is a member of The Dunes Collaborative, a coalition of all public landowners and nonprofit organizations working within the larger Nipomo-Guadalupe Dunes Complex. The County will manage the Paradise Beach II property along with its other Point Sal and Dunes holdings as part of the larger Dunes Complex.

Site Description: The Paradise Beach II property comprises 172 acres within the approximately 800-acre Point Sal Reserve Management Area. It is bordered to the north and to the east by the privately-held Corralitos Ranch, to the south by County-owned parcels, and to the west by Paradise Beach and the Pacific Ocean. Vandenberg Air Force Base lies to the immediate south of the Reserve (Exhibit 2).

Just inland of the approximately one mile long white, sandy Paradise Beach, the sandy upland bluffs contain unique freshwater seeps supporting willow habitat. Further inland, coastal dune scrub gives way to central maritime chaparral and central coastal sage scrub communities and willow riparian forest. In the middle of the property, a freshwater dune pond is framed by a eucalyptus grove that serves as an overwintering site for Monarch butterflies. The Point Sal Reserve Management Plan also identifies a wildlife dispersal corridor that crosses the inland portion of the property providing a connection between habitats in the Reserve.

Dirt roads and trails on the property are accessed via a dirt road from Brown Road. The current owners have continuously owned the property since the homestead era of the 1870's. A historic cabin on the property existed until the 1970's when it burned and was not replaced, although its foundation remains. Today the family uses the property for camping, family reunions, and occasional hunting. The property is zoned for agriculture (320-acre minimum) and agriculturally-related uses (including a primary residence and guesthouse). There is no known historical use of

the property for farming, the land is largely unsuitable for sustained grazing, and there are no permanent structures on the property.

Views from the property include expansive vistas of the Pacific Ocean, Mussel Rock, the surrounding hillsides, and range from Point San Luis to the north, to Point Sal and beyond to the south.

Point Sal lies in the Coast Ranges Geomorphic Province and contains some of the oldest rocks (Jurassic period) reported to be exposed on the Central Coast. They are believed to have originated during sea floor spreading when plate tectonic movement brought this piece of ocean plate to the edge of the continent. Point Sal is thus a well-preserved record of the birth of ocean plate material. The rugged shoreline of Point Sal was formed by a combination of erosional forces such as waves, landslides and slumps. Sand dunes, formed by beach sand being blown inland by strong onshore winds, comprise much of the northwest area north of Point Sal Ridge.

Point Sal's location has given rise to an area uniquely rich in plant species. A total of fourteen plant communities were identified within the reserve management area including central maritime chaparral, designated as "regionally restricted" in the LCP; and central dune scrub; needlegrass grassland; active coastal dunes, designated as "environmentally sensitive". The Point Sal Reserve Management Plan notes an unusually high percentage of native flora per area (84% of the 323 species), and the presence of eighteen endemic species. This species richness is due to several factors. The region contains unique ridge soils derived from Franciscan volcanics, which are also found on the Channel Islands, making Point Sal floristically more similar to the offshore islands than any other mainland location. The region also contains ancient dunes soils which support Maritime Chaparral (an unusual assemblage of species that includes several endemic species). In addition to ancient sands, active, modern sand dunes occur along the coast, with their characteristic suite of species. Furthermore, the region is situated where biogeographic provinces overlap and where species characteristic of both central and southern California coexist. Thirty two species reach their southernmost distributional limits and six reach their northernmost distributional limits in this region.

Similarly, the region is a transitional zone for both marine and terrestrial biota. The mingling of two major ocean currents creates thermoclines and coastal upwelling which affect species distribution and abundance. For example, the Stellar sea lion and northern fur seal range extends into the area from the north, while the Guadalupe fur seal and northern elephant seal range extends into the area from the south.

The region contains six critical habitat areas according to the Local Coastal Plan (LCP): wetlands; coastal sand dunes; black-shouldered kite habitat; marine mammal hauling grounds; rocky points and intertidal areas (intertidal areas are designated as "zoologically significant" in the LCP); and seabird nesting and roosting areas. The Point Sal Reserve Management Plan states that 11 federally- or state-listed threatened or endangered species are known to inhabit Point Sal's coastal waters and shoreline; of these 11 species, eight are marine mammals (including the federally endangered southern sea otter) and three are birds (including the California least tern and the now delisted federally endangered brown pelican). The plan also states that seventeen species of special concern (one herptile, two mammal, fourteen bird) are present or likely to occur in the area. Over time, the site would provide refugia for adaptation to global climate-change for wildlife and vegetation due to its size and adjacency to over 121,000 of acres of protected lands in public ownership in northwestern Santa Barbara County.

Finally, the Paradise Beach II property and region contain significant cultural resources. The Point Sal Reserve Management Plan states that some current recreational and agricultural practices are detrimental to the environmental integrity of Point Sal. According to the plan, the primary sources of habitat degradation, wildlife persecution and archaeological impacts are uncontrolled livestock grazing, off-road vehicle use, poaching (terrestrial and intertidal), and illegal use of firearms. Another concern is unregulated recreational use, which damages vegetation, disturbs wildlife, destroys habitat and results in artifact collecting.

Project History: The passage of the “California Wildlife, Coastal and Parkland Conservation Act of 1988” (Proposition 70) designated funds to both the Conservancy and the County of Santa Barbara to acquire significant natural lands in the Central Coast. In November 1989, the Santa Barbara County Board of Supervisors appointed the Land Trust for Santa Barbara County (“LTSBC”) to pursue acquisition of properties in the Point Sal area using County Proposition 70 and County Coastal Resource Enhancement Funds (“CREF”). As a first step, the LTSBC, with input from government agencies and conservation groups, prepared the Point Sal Reserve Management Plan (March 1991) using Conservancy funds. The plan designates an approximately 800-acre Point Sal Reserve Management Area that includes relatively small parcels owned by the federal Bureau of Land Management and the California Department of Parks and Recreation (State Parks) and five privately-owned parcels, including the Paradise Beach II parcel (shown as the “Tognazzini parcel” on Exhibit 2). Consistent with the plan, four of the five privately-owned parcels have been acquired by the County, most recently the adjacent 143-acre “Graggani property”, acquired with Conservancy support in 2008. The Graggani property is located immediately south the current property and shares Paradise Beach frontage. The Paradise Beach II property is the last privately-owned parcel within the Point Sal Reserve Management Area. The Land Conservancy for San Luis Obispo County (“LCSLO”) has played an instrumental role in facilitating these public acquisitions, including the current property.

PROJECT FINANCING:

NOAA Coastal Estuarine Land Conservation Program	\$1,200,000
Packard Foundation (Central Coast Opportunity Fund)	775,000
Coastal Conservancy	<u>1,136,000</u>
Total Project Cost	\$3,111,000

The anticipated sources of Conservancy funds for this proposed project are: \$35,000 from “California Wildlife, Coastal and Park Land Conservation Fund” (Proposition 70) funds; \$909,000 from a FY 2007 appropriation to the Conservancy of “Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000” (Proposition 12, central coast) fund; and \$192,000 from a FY 2007 appropriation to the Conservancy of “California Safe Drinking Water, Water Quality and Supply, Flood Control and Coastal Protection Bond Act of 2006” (Proposition 84) funds. The Conservancy has requested an exemption from the Department of Finance from the restriction on authorization of new bond-funded projects (Letter 09-15) to allow the Conservancy to consider for approval the Paradise Beach II acquisition project. The Proposition 12 funds for the proposed project may only be used to support Central Coast projects (Santa Cruz, Monterey, San Luis Obispo and Santa Barbara Counties); the proposed project is located in Santa Barbara County. Proposition 70 funds are designated exclusively for acquisition

of coastal dunes and wetlands in San Luis Obispo and Santa Barbara Counties; the proposed acquisition includes coastal dunes and wetlands in Santa Barbara County. The Proposition 84 funds may be used for the acquisition of fee interest in property in accordance with the Conservancy's enabling legislation, Division 21 of the Public Resources Code. The proposed acquisition is an acquisition of fee title of property for the purposes of natural resource protection and limited public access. (See the "Consistency with Conservancy Enabling Legislation" section, below). For acquisition projects that protect natural resources, Proposition 84 requires that priority be given to projects that meet specified criteria (Public Resources Code Section 75071). The proposed acquisition satisfies four of the five specified criteria:

1. **Landscape/habitat linkages:** The Paradise Beach property links with several other protected properties all of which contain important wildlife habitat. (See Exhibit 1)
2. **Properties that support relatively large areas of under-protected major habitat types:** The property exhibits outstanding natural resources, including sandy beach, rocky intertidal, dunes, coastal dune scrub, central maritime chaparral, central coastal sage scrub, and willow riparian forest.
3. **Properties that provide habitat linkages between two or more major biological regions of the state:** The property lies within the Point Sal Reserve Management Area, which is situated where the biogeographic regions of central and southern California overlap. Thirty two species reach their southernmost distributional limits and six reach their northernmost distributional limits in this region.
4. **Properties for which there is a non-state matching contribution toward the acquisition costs:** Funds in the amount of \$775,000 will be contributed by the Packard Foundation Central Coast Opportunity Fund in partnership with The Nature Conservancy ("TNC") and \$1.2 million in grant funds are awarded for the acquisition by the National Oceanic and Atmospheric Administration's Coastal Estuarine and Land Conservation Program (CELCP).

As required by Proposition 84, Conservancy staff has submitted to the Resources Agency and has posted on the Conservancy's website an explanation as to how the proposed acquisition meets the criteria of this section.

The Packard Foundation funds are designated for the Central Coast as part of the Central Coast Opportunity Fund in partnership with The Nature Conservancy, to be used for acquisitions in, among other places, the Nipomo-Guadalupe Dunes. The dunes are identified as a priority conservation area in "Conserving the Landscapes of SLO County", a report co-authored in 2000 by TNC, LCSLO and others.

The Coastal Conservancy has received notification that a \$1.2 million grant from the NOAA Coastal Estuarine and Land Conservation Program will be awarded in 2010 for acquisition of the Paradise Beach II property, upon final authorization. The Conservancy's contribution, upon approval, meets the non-federal match requirement.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 6 of the Conservancy's enabling legislation, Public Resources Code Sections 31251-31270.

Consistent with Section 31251, the Conservancy may award grants to public agencies for the purpose of enhancement of coastal resources, including the cost of acquisition of certain lands within coastal resource enhancement areas. Further consistent with this section, the project will enhance the natural and scenic character of Point Sal by enabling long-term management that will direct public use away from rare plants, enhance the site's wetland and other sensitive habitats, reduce illegal hunting, and allow coordinated management of the larger Point Sal Reserve Area.

Consistent with Section 31252, protection of the proposed project area is identified as requiring action in the certified County of Santa Barbara Local Coastal Program, as described in the "Consistency with Local Coastal Program Policies" section, below.

Consistent with Section 31253, the level of Conservancy funding for this project has been determined by considering the total amount of funding available for coastal resource enhancement projects, other available fiscal resources, and the relative urgency of the project.

Consistent with Section 31260, the Conservancy may fund the costs of land acquisition as part of an approved coastal resource enhancement project.

Consistent with Public Resources Code 31104, the Conservancy is authorized to apply for and accept federal grants and receive other financial support from public sources. This authorization would allow the receipt of those federal funds for disbursement pursuant to Chapter 6 of the Conservancy's enabling legislation.

CONSISTENCY WITH CONSERVANCY'S 2007 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1, Objective G** of the Conservancy's 2007 Strategic Plan, the proposed project will secure real property to facilitate the development of a future two-mile link in the California Coastal Trail and inland connecting trails in northern Santa Barbara County.

Consistent with **Goal 4, Objective A**, the proposed project will protect 172 acres of significant coastal resource property. Consistent with Goal 4's statewide strategy, the proposed project will connect existing public lands to provide large, contiguous blocks, protect habitat and wildlife corridors, support a reserve management plan, and preserve scenic vistas and open space.

Consistent with **Goal 5, Objective C**, the proposed project will permanently protect biological diversity and preserve the coastal terminus of a wildlife corridor through acquisition of 172 acres of coastal habitat areas.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on June 4, 2009, 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 the “Project Financing” section above.
3. **Support of the public:** There is strong support for the Paradise Beach II property acquisition project among conservation partners and representatives such as Assemblyman Sam Blakeslee, State Senator Abel Maldonado, and the County of Santa Barbara Board of Supervisors. See letters of support in Exhibits 3.
4. **Location:** The proposed project would be located within the coastal zone of the County of Santa Barbara.
5. **Need:** Conservancy authorization is needed for the County to secure bridge funding to complete the acquisition of this property until such time when the Conservancy can disburse funds to new projects. The project will support the Conservancy’s mandate to conserve significant coastal resources and regionally significant property. The County of Santa Barbara has exhausted its Proposition 70 funds designated for acquisitions in the Point Sal area. The Coastal Conservancy has received preliminary notification that it will receive shortly a \$1.2 million grant from the NOAA Coastal Estuarine and Land Conservation Program for acquisition of the Paradise II property, upon final authorization. Although the Packard Foundation is allocating funding to this project, there are not enough funds to carry out the acquisition without using Conservancy funds.
6. **Greater-than-local interest:** As noted in the management plan, the Point Sal Reserve Area has great regional significance. The area is regionally unsurpassed in terms of its natural and cultural resources, and the diversity and integrity of the area’s geologic formations, biotic habitats and prehistoric sites are unprecedented in mainland California. The area’s dune habitats are near the southern end of the Nipomo-Guadalupe dune system, one of largest, most well-developed and intact dune system remaining on California’s southern/central coastal mainland.
7. **Sea-level Rise vulnerability:** The proposed project will acquire 172 acres of coastal land in a remote region far from developed areas. The property’s coastal frontage, consisting of a long beach backed by high dune terraces, will act as a natural buffer to sea-level rise for the inland portions of the property. Existing informal trails along the dune terrace may become vulnerable to sea level rise and may need to be relocated inland.

Additional Criteria

8. **Urgency:** The Paradise Beach II property is the last remaining privately-owned parcel recommended for public acquisition in the Point Sal Reserve Management Plan Area. This is the first time that the property has been offered for sale since the 1870’s. While the owners prefer to sell to a conservation buyer for conservation purposes, they have indicated a willingness to consider other buyers.
10. **Leverage:** See the “Project Financing” section above.
11. **Readiness:** The County of Santa Barbara stands ready to take title to the property.
12. **Realization of prior Conservancy goals:** In 2008, the Conservancy authorized funds to acquire the adjacent property formerly owned by the Gragnani family. This 143-acre property comprises the southernmost extent of Paradise Beach. The proposed acquisition of the Paradise II property also lies within the Point Sal Reserve Management Area, along with

three other properties previously acquired by the County with Conservancy and LCSLO assistance. See “Project History” above.

- 13. Cooperation:** The proposed acquisition is supported by the region’s dune habitat stakeholders and public landowners. The County will manage the property consistent with the Point Sal Reserve Management Plan recommendations, in cooperation with all stakeholders through the Dunes Collaborative.
- 14. Minimization of Greenhouse Gas Emissions:** The proposed project will ensure protection of 172 acres of habitat, which may offer a benefit for stabilization of the atmosphere, as compared with alternative uses of the property (agricultural, grazing or residential uses). Development and activity on the property will be limited to habitat enhancement and public access. Measures to avoid or minimize greenhouse gas emissions will be incorporated to the extent feasible and consistent with the long-term objectives of the acquisition, to restore and enhance the ecological values of the property and to provide compatible public access.
- 15. Vulnerability from climate change impacts other than sea-level rise:** The proposed project will permanently protect the sandy beach, rocky intertidal shoreline, coastal dune, dune scrub and willow riparian habitat on the 172-acre property. The size of the property and proximity to adjacent protected areas offer connectivity for movement and adaptation of wildlife, and over time, plant species. Vegetation management and habitat restoration objectives in the Point Sal Reserve Management Plan include measures to reduce spread of invasive species, erosion and sedimentation into riparian areas and other potential impacts that may occur as a result of greater storm activity or other climate changes. The management plan may be updated and management techniques may be adapted as additional information on vulnerability to climate change becomes available.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The portions of the *Santa Barbara County Coastal Plan (January 1982, amendments/updates March 1999)* (LCP) that have been certified are relevant to the proposed project, and the proposed project is consistent with these certified portions. The Point Sal Reserve Management Area, of which the proposed project is a part, contains environmentally sensitive habitat areas as designated in the LCP. Section 3.9 of the LCP addresses environmentally sensitive habitat areas, and Section 3.9.5 recommends actions. Consistent with Action 3, the proposed project consists of the County pursuing additional measures to ensure long-term preservation of the habitat resources in the Point Sal area, specifically public acquisition. Consistent with Action 4, the proposed project will enable the County (or other appropriate managing entity) to post signs at appropriate locations to restrict public access into sensitive habitat areas. Consistent with Action 5, the proposed project will enable the County to encourage and support efforts to increase public understanding of significant habitat areas via educational programs, interpretive signs and displays, and specific studies.

COMPLIANCE WITH CEQA:

The Paradise Beach II acquisition project involves the fee title acquisition of real property in order to preserve it as scenic open space for public access purposes. The acquisition of the property is categorically exempt from the California Environmental Quality Act (CEQA) under

14 Cal. Code of Regulations Section 15325, which exempts transfers of ownership of interests in land in order to preserve open space and existing natural conditions. Staff will file a Notice of Exemption upon the Conservancy's approval of the project.