

COASTAL CONSERVANCY

Staff Recommendation

April 24, 2008

**LAGUNA COAST ACQUISITIONS
LAGUNA CANYON FOUNDATION**

File No. 08-020

Project Manager: Deborah Ruddock

RECOMMENDED ACTION: Authorization to disburse to the Laguna Canyon Foundation up to \$120,000 for acquisition expenses associated with future acquisitions near the Laguna Coast and Aliso and Wood Canyons Wilderness Parks and restoration of existing pedestrian trails on recently acquired properties.

LOCATION: City of Laguna Beach, County of Orange

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [South Coast Wilderness](#)

Exhibit 3: [Letters of Support](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31409 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred twenty thousand dollars (\$120,000) to the Laguna Canyon Foundation for acquisition expenses associated with future acquisition of properties near the Laguna Coast and Aliso and Wood Canyons Wilderness Parks and restoration of existing pedestrian trails on recently acquired properties.

Prior to disbursement of funds, the Conservancy’s Executive Officer shall review and approve in writing a final work program, including a final budget and schedule, and the names of any contractors that the grantee proposes to employ for the project.”

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 September 20, 2007.
2. The proposed authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code with respect to public access.
3. The Laguna Canyon Foundation is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

PROJECT SUMMARY:

Proposition 12 (the “Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000”) allocated \$12,500,000 to the Coastal Conservancy to undertake projects for the South Coast Wilderness system of coastal canyons and watersheds in south Orange County, including, but not limited to, properties adjacent to Laguna Coast Wilderness Park (LCWP) (Exhibit 1). Since bond passage, the Laguna Canyon Foundation (LCF), the City of Laguna Beach, and the County of Orange have been working together and with the Conservancy, the public, and other major conservation organizations to identify and prioritize acquisition opportunities.

To date, approximately \$8 million of Proposition 12 funds have been used to purchase eight properties totaling more than 238 acres of open space to be managed as part of the LCWP (see “Realization of Prior Conservancy Goals” section). The LCF managed and completed these land transactions on behalf of the city (which has accepted title to the properties), using a previous \$100,000 Conservancy grant of Proposition 12 funds for the purpose (see “Project History” section). Currently, approximately \$3.5 million of designated Proposition 12 funds remain available for acquisitions and related projects. To assure that sufficient funds remain readily available to cover transaction expenses (e.g. negotiations, appraisals, property reports, surveys and documents) for future Proposition 12 acquisitions, and to fund restoration of existing pedestrian trails on recently acquired properties, staff recommends a new grant of \$120,000 to the LCF. The City of Laguna Beach and Laguna Greenbelt, Inc. support the project (Exhibit 3).

Site Description: The 20,000-acre South Coast Wilderness (SCW) is a coastal urban oasis that includes LCWP, the Aliso and Wood Canyons Wilderness Park (AWCP), and Crystal Cove State Park. The regional system of coastal canyons, parks and open space preserves stretches along the Orange County coastline from Newport Beach to Dana Point and from inland communities located west of Interstate 5 and the Orange County toll road (Exhibit 2).

Project History: The process of assembling a greenbelt for habitat and public access up and down the coast and inland from the City of Laguna Beach began more than 40 years ago. Most of the greenbelt, known broadly as the South Coast Wilderness, was once part of the Irvine Ranch. A number of tenacious citizen groups formed to prevent development, raise funds for acquisition, pass local initiatives and tax measures, and assist with management of property acquired. These groups include the Citizens’ Town Planning Association, Laguna Greenbelt Inc., LCF, The Conservation Fund, Laguna Canyon Conservancy, Village Laguna, and the Coastal Greenbelt Authority. Over the years, through development and purchase agreements, city, county, and state agencies have purchased other properties.

Proposition 12 (the “Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000”) allocated \$12,500,000 to the Coastal Conservancy to undertake projects for the South Coast Wilderness System of coastal canyons and watersheds in south Orange County, including, but not limited to, properties adjacent to Laguna Coast Wilderness Park (LCWP). Since bond passage, the LCF has worked with a number of other organizations, including the City of Laguna Beach, and the County of Orange to identify and prioritize acquisition opportunities. The Conservancy awarded a grant of \$100,000 of Proposition 12 funds to the LCF in March 2004 to cover transaction expenses associated with acquisition of properties in the South Coast Wilderness.

The LCF has been instrumental in negotiating most of the previous acquisitions in the LCWP. To date, the Conservancy has authorized approximately \$8 million to fund eight separate acquisitions, resulting in the addition of 238 acres to the Laguna Coast Wilderness Park.

PROJECT FINANCING:

Coastal Conservancy	\$120,000
Total Project Cost	\$120,000

The expected source of Conservancy funds for the proposed project is a FY 2006/2007 appropriation to the Conservancy of funds appropriated in accordance with the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (Proposition 12) for projects for the South Coast Wilderness system of coastal canyons and watersheds in South Orange County, including, but not limited to, properties in Laguna Coast Wilderness Park and Aliso and Wood Canyons Wilderness Park.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

This project is consistent with the Conservancy’s enabling legislation, Division 21 of the Public Resources Code, specifically with Chapter 9 pertaining to public coastal access.

Under §31400, the Conservancy has a principal role in the implementation of a system of public access ways to and along the coast. The proposed authorization is consistent with Chapter 9 because completion of the Proposition 12 acquisitions will provide opportunities for trail connectivity and safe access to the coastline and to the thousands of acres of wilderness in the South Coast Wilderness regional system of parks and preserves.

Under §31400.3, the Conservancy may provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public coastal access ways, and related functions necessary to meet the objectives of Division 21. Consistent with this section, the nonprofit LCF will use authorized funds to acquire properties necessary for the restoration, protection and enhancement of key trail links in a coastal wilderness park system.

Consistent with §31409, the proposed authorization to the LCF will assist the City of Laguna Beach in expanding, and providing safe pedestrian access along, an inland trail system that will link to the California Coastal Trail.

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

Consistent with **Goal 1, Objective 1G** of the Conservancy's 2007 Strategic Plan, the proposed authorization to LCF will enable the City of Laguna Beach to secure a real property interest that will assist in expanding an inland trail system that will link to the California Coastal Trail. Consistent with **Goal 4, Objective 4A**, the proposed project will assist in completing acquisitions that will protect significant coast and watershed resource properties, including critical wildlife corridors.

**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 September 20, 2007, 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:** A number of organizations, including Citizens' Town Planning Association, Laguna Greenbelt Inc., The Conservation Fund, Laguna Canyon Conservancy, Village Laguna, and the Coastal Greenbelt Authority have worked to protect the open space of the LCWP. The City of Laguna Beach supports the project (Exhibit 3).
4. **Location:** The proposed authorization will pertain to acquisition of properties located within the coastal zone of the City of Laguna Beach in the County of Orange.
5. **Need:** Neither the Conservancy nor the City of Laguna Beach have funds available for the project purpose. The LCF has played an important role in facilitating the acquisition transactions; without their work it is unlikely that many of these properties would have been acquired. The proposed authorization is needed to continue this effort.
6. **Greater-than-local interest:** The proposed authorization will assist in acquiring properties with links to the broader South Coast Wilderness regional system of parks and preserves trail system serving multiple communities from south of Newport Beach to Dana Point (Exhibit 2).

Additional Criteria

13. **Realization of prior Conservancy goals:** The Coastal Conservancy has long assisted with planning and restoration in the area of southern Orange County known as the South Coast Wilderness (Exhibit 2). In the late 1970s, the Conservancy helped design the Aliso Greenbelt. Later, the Conservancy provided funding for restoration of habitat in the Laguna Lakes, Orange County's only natural freshwater lakes in what is now known as the Laguna Coast Wilderness Park (LCWP). In 2002, the Coastal Conservancy worked with State Parks

on disposition of the cottages at Crystal Cove. Along the Laguna coast, the Conservancy has assisted with many beach access projects.

Proposition 12, passed by the voters in 2000, allocated \$12.5 million to the Conservancy to acquire property in this region. As discussed above, the Conservancy has authorized approximately \$8 million of these funds to acquire 238 acres for inclusion in the LCWP. In addition, the Conservancy has authorized Proposition 12 funding to the Laguna Canyon Foundation for two projects including \$295,440 for the interpretive exhibit program at the Nix Nature Center in Laguna Coast Wilderness Park and \$100,000 for pre-project expenses associated with Proposition 12 transactions.

CONSISTENCY WITH THE COASTAL ACT

The proposed project is consistent with the following specific policy of the Coastal Act, Public Resources Code Sections 30000 *et seq.*:

Section 30210 states that “maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with the public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.” The proposed authorization would permit the LCF to facilitate acquisition of properties in the coastal zone that, when owned by the City of Laguna Beach and managed according to the County’s General Development Plan for the Laguna Coast Wilderness Park, will preserve existing trails and in the future provide connections to a regional trail system and passive recreational opportunities in a manner with the Plan’s intent to keep the LCWP in a natural condition.

Section 30500(a) mandates that “[e]ach local government lying, in whole or in part, within the coastal zone shall prepare a local coastal program for that portion of the coastal zone within its jurisdiction.” Consistent with this section, the City of Laguna Beach has a certified Local Coastal Program (LCP). The proposed authorization would permit the LCF to assist the City with acquisition of properties consistent with this program (City of Laguna Beach Municipal Code Title 25, Section 25.07/002), in that the purchase of the properties will provide permanent protection for natural and scenic coastal resources.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

As a result of the proposed authorization, the LCF would be able to help the City acquire properties for purposes consistent with the City of Laguna Beach’s General Plan/Local Coastal Program (“GP/LCP”).

Topic 5, Parks, Policy 5B of the GP/LCP Open Space/Conservation (OS/C) Element calls for the City to support recreational use of open space lands, where environmentally feasible, with recreational access limited to passive activities such as nature trails and wildlife observation areas. Acquisition of properties pursuant to this authorization and restoration of existing trails on recently acquired properties will preserve existing trails and in the future provide connections to a regional trail system and passive recreational opportunities, as well as provide permanent protection for natural and scenic coastal resources.

Topic 6, Trails, of the OS/C Element discusses the need to establish a network of trails throughout the City interconnecting with proposed and existing trails within the regional wilderness park system. Policy 6L calls for the City to provide public pedestrian access to Open Space/Recreation areas, except where it is inconsistent with public safety or protection of fragile coastal resources. Policy 6M calls for the trail network in hillside areas to be oriented to hiking or passive pedestrian recreational use. Restoration by LCF of existing pedestrian trails on recently acquired properties, City ownership of properties acquired pursuant to this authorization, and management of the properties according to the County's General Development Plan for the Laguna Coast Wilderness Park, will preserve existing trails and future regional trail connections and provide passive recreational opportunities in a manner consistent with the Plan's intent to keep the LCWP in a natural condition.

Topic 7 Visual Resources discusses preservation of the City's natural open space on the basis of its scenic quality as an issue of special importance to the community. Policy 7I calls for public acquisition and management of notable geologic features and vista sites. Acquisition of properties pursuant to this authorization will provide permanent protection for natural and scenic coastal resources.

Topic 8 Vegetation and Wildlife Resources Policy 8A calls for preservation of coastal canyon wilderness throughout the City. Properties acquired pursuant to this authorization are part of a coastal canyons system. Policy 8M calls for preservation of a continuous open space corridor within the hillsides in order to maintain animal migration opportunities. When completed, the acquired properties will comprise a continuous ridgeline greenbelt providing protection for north-south wildlife migration.

COMPLIANCE WITH CEQA:

The proposed trail restoration to be conducted by LCF as part of this authorization is exempt from the California Environmental Quality Act ("CEQA") under 14 California Code of Regulations Section 15304 (Minor Alterations to Land) as an activity that will consist of minor alterations to publicly owned land and vegetation, and does not include the removal of healthy, mature, scenic trees. The proposed authorization for LCF for acquisition transaction expenses does not have the potential for resulting in a physical change in the environment, and, thus, under Section 15378, is not a "project" for purposes of CEQA.