

COASTAL CONSERVANCY

Staff Recommendation  
October 21, 2010

**LAGUNA COAST ACQUISITIONS  
LAGUNA CANYON FOUNDATION**

Project No. 10-021-01  
Project Manager: Deborah Ruddock

**RECOMMENDED ACTION:** Authorization to disburse up to \$126,000 to the Laguna Canyon Foundation for pre-project expenses associated with future acquisition of property interests in the South Coast Wilderness system of parks and preserves, Orange County.

**LOCATION:** City of Laguna Beach, Orange County

**PROGRAM CATEGORY:** Public Access

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**EXHIBITS**

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

Exhibit 2: [Photos](#)

Exhibit 3: [Project Letters](#)

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**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-six thousand dollars (\$126,000) to the Laguna Canyon Foundation for pre-project expenses associated with future acquisition of property interests in the South Coast Wilderness system of parks and preserves in Orange County.

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:

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1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
  2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access to and along the coast.
  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.”
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**PROJECT SUMMARY:**

Proposition 12 (the “Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000”) allocates \$12,500,000 to the Coastal Conservancy to “acquire land needed to connect important coastal watershed and scenic areas in the Laguna Coast Wilderness Park”. A 2004 re-appropriation permitted the Conservancy to use these funds, subject to Division 21 of the Public Resources Code, “to undertake 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 Woods Canyon Wilderness Park”. At the time this staff report is being prepared, staff awaits a 2010 budget re-appropriation of these funds for the broader purposes specified in the 2004 budget act.

Since bond passage, the non-profit Laguna Canyon Foundation, 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, prioritize and complete these projects. To date, approximately \$10 million of Proposition 12 funds have been used to purchase ten properties totaling more than 250 acres of open space. The Foundation has managed the transactions (see “Project History” section below), and has passed title to all of the acquired properties to the City. The County has agreed to manage all of these properties as part of the LCWP.

Currently, approximately \$2.5 million of designated Proposition 12 funds remain available for South Coast Wilderness projects. Under the proposed authorization, Conservancy funds would be used by the Foundation to pay for transaction expenses such as appraisals, property reports, surveys and negotiations to support anticipated future acquisitions.

In addition to expanding the protected open space for habitat and scenic values, anticipated acquisitions will provide benefits for public access, wildlife habitat and scenic resources.

A letter of support for the project has been received by the City of Laguna Beach (Exhibit 3).

**Site Description:** The 20,000-acre South Coast Wilderness (SCW) is a scenic urban oasis featuring numerous water courses, canyons, impressive rock outcrops, caves, high-quality coastal sage scrub habitat and wildlife corridors, and a regional trail network popular with area residents and visitors (Exhibit 2). The urban area surrounding the SCW includes Laguna Hills, Newport Beach, Irvine, Laguna Woods, Aliso Viejo and Laguna Niguel, cumulatively home to more than 600,000 residents. Laguna Canyon Road (LCR), the main east-west artery, bisects the area, with Crystal Cove State Park and LCWP located north of the highway and more LCWP and Aliso and

Woods Canyon Wilderness Park accessible to the south. The James and Rosemary Nix Nature Center, located on LCR near the toll road, provides interpretive programs related to the local habitat, wildlife and unique geology and provides trailhead access to LCWP.

**Project History:** The proposed authorization of \$126,000 would be the third Conservancy grant of Proposition 12 funds to the Laguna Canyon Foundation to cover transaction expenses associated with acquisition of properties in the South Coast Wilderness. The Conservancy authorized a grant of \$100,000 to the Foundation in 2004 and a grant of \$120,000 in 2007.

**PROJECT FINANCING**

|                            |            |
|----------------------------|------------|
| <b>Coastal Conservancy</b> | 126,000.00 |
| <b>Total Project Costs</b> | 126,000.00 |

The expected source of Conservancy funds for the proposed project is an anticipated FY 2010/2011 appropriation to the Conservancy of funds appropriated from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (Proposition 12).

**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 1E** of the Conservancy's 2007 Strategic Plan, the proposed authorization to LCF will enable the City of Laguna Beach to secure real property interests that will assist in expanding an inland trail system that will connect inland populations to the coast and expand recreational opportunities.

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 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:** 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).
7. **Sea level rise vulnerability:** Not applicable to this project, a grant for pre-project planning-type activities.

**Additional Criteria**

14. **Realization of prior Conservancy goals:** See "Project History" section above.

**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 will provide permanent protection of open space that currently supports recreational trail use and features high quality wildlife habitat and scenic 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. City ownership of properties acquired pursuant to this authorization, and management of the properties according to the County’s General Development Plan related to wilderness areas, 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 area in a natural state.

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 authorization for LCF for pre-acquisition, transaction expenses does not have the potential for resulting in a physical change in the environment, and, thus, under 14 California Code of Regulations Section 15378, is not a “project” for purposes of CEQA.