

COASTAL CONSERVANCY

Staff Recommendation
December 4, 2008

BOBBA PROPERTY ACQUISITION

File No. 08-131-01
Project Manager: Michelle Jespersen

RECOMMENDED ACTION: Authorization to disburse up to \$600,000 to the Tri-Valley Conservancy to acquire the 74-acre Bobba property, located in the South Livermore Valley Area of eastern Alameda County, for the purpose of providing public access and protecting scenic and open space values and preserving agricultural uses.

LOCATION: Outside the City of Livermore in eastern Alameda County.

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

- Exhibit 1: [Project Location](#)
 - Exhibit 2: [Map of Property with Trail Alignments](#)
 - Exhibit 3: [Landscape Map of Proposed Regional Trail Routes](#)
 - Exhibit 4: [Photographs](#)
 - Exhibit 5: [Project Letters](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$600,000 (six hundred thousand dollars) to the Tri-Valley Conservancy (TVC) for the purpose of acquiring the approximately 74-acre Bobba property (Alameda County Assessor’s Parcel Numbers 99-500-2-4 and 99-500-2-5), subject to the following conditions:

1. Prior to disbursement of any Conservancy funds for the acquisition of the property, TVC shall submit for review and approval of the Executive Officer of the Conservancy:
 - a. All relevant acquisition documents, including but not limited to the appraisal, environmental assessment, purchase agreement, escrow instructions, and documents of title.

- b. Documentation that the property owner has filed a notice that will effectuate cancellation of the Williamson Act contract on the property by the end of 2018.
 - c. A signing plan acknowledging Conservancy funding, the design and placement of which is approved by the Executive Officer.
 - d. Evidence that sufficient funds are available to complete the acquisition.
2. TVC shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
 3. The property acquired under this authorization shall be managed and operated in a manner consistent with the purpose of providing public access and protecting scenic and open space values and preserving agricultural uses and shall be permanently dedicated to those purposes in accordance with 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 the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
3. TVC is a non-profit organization existing under 501(c)(3) of the U.S. Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

PROJECT SUMMARY:

Staff requests authorization to disburse up to \$600,000 to the Tri-Valley Conservancy (TVC) to purchase the approximately 74-acre Bobba property. The primary purpose of the acquisition is to provide public access trails across the Bobba property that would link Del Valle State Park, located southeast of the Bobba property, to Sycamore Grove Regional Park (Sycamore Grove), immediately to the west, and link Camp Arroyo, located adjacent to southern most property line, and Veteran’s Park, adjacent to part of the property’s northern boundary (see Exhibit 1).

The Bobba property is located within the South Livermore Valley Area in eastern Alameda County, just outside the City of Livermore (Exhibit 1). The property is L-shaped and sits between the Del Valle State Park, a state park unit operated by the East Bay Regional Park District (EBRPD) and Sycamore Grove, a regional park owned and operated by the Livermore Area Recreation and Park District (LARPD). Del Valle State Park is located to the southeast of the Bobba property and is considered the eastern gateway to the Ohlone Wilderness Trail, with 28 miles of scenic back country trails, including the Heron Bay Trail. On its west side, the Bobba property is adjacent to Sycamore Grove. TVC holds an easement over the upper half of this park to ensure protection of open space, natural, biologic, recreation historic and scenic values. This park contains the Sycamore Grove Trail. Public access through the Bobba property would provide a link between the Heron Bay Trail and the Sycamore Grove Trail.

Acquisition of the Bobba property would also complete a gap along the Shadow Cliffs to Del

Valle Regional Trail through the lower section of the Bobba property and would link EBRPD's Camp Arroyo to the Veteran's Park portion of Sycamore Grove. Built in 2001 as a result of a partnership between EBRPD and the Taylor Family Foundation, Camp Arroyo is 138 acres located in between the Bobba property and Del Valle and is operated year-round by the YMCA. Camp Arroyo has innovative programs for outdoor environmental education, includes a conference and retreat center, and is visited by more than 6,000 people each year. The future trail connections afforded by purchasing the Bobba property would enhance the existing recreational opportunities at Del Valle State Park, which includes Lake Del Valle and the surrounding 4,316 acres of land available for hiking, horseback riding, and nature study, and EBRPD's Camp Arroyo. (See Exhibit 2 for possible trail routes and connections between the Bobba property, Sycamore Grove and Del Valle).

The ultimate vision for public access within the region is the establishment of a trail that would go from the Ohlone Wilderness trail to EBRPD's Shadow Cliffs Regional Recreation Area in South Pleasanton, and connect up to the Bay Ridge Trail (See Exhibit 3). To that end, TVC is now working to identify lands that would help connect Shadow Cliffs Recreation Area to South Pleasanton.

In addition to public access, the Bobba property is under Williamson Act Contract that expires in 2018, and acquisition by TVC would allow for the agricultural use of the land until that time. While the property is not considered prime agricultural land, the Alameda County Important Farmland Map classifies the Bobba property as best suited for grazing livestock. The property was used for some limited agricultural production in the past, and the current owner has at times leased the property for livestock grazing. A significant portion of the property is dominated by non-native annual grasses that are suited for grazing where slopes are no greater than 25 percent.

The property also contains scenic and open space features and some limited habitat values. The protected areas on either side of the Bobba property include significant natural areas and are home to at least two special status species. Sycamore Grove contains possible breeding ponds for the California tiger salamander, a federally-listed threatened species. Although no biological surveys have been done at the Bobba property, it is likely that a pond located on the lower portion of Bobba property could provide habitat for the California tiger salamander as well as other amphibian species (i.e. tree frogs and toads). There have also been a limited number of documented sightings of California red-legged frogs at Sycamore Grove. Given its proximity, the Bobba property could provide some limited dispersal habitat near the Arroyo Del Valle Creek for this species. In addition, the property is a wildlife corridor between the surrounding protected lands; deer, bobcats, foxes, and coyotes have often been seen crossing the property. Other habitat features of the property are described in more detail in the Site Description section below.

TVC is a 501(c)(3) nonprofit organization dedicated to permanently protecting fertile soils, rangelands, open space and biological resources, and to supporting a viable agricultural economy in the Tri Valley area of Alameda County. Established in 2003, TVC grew out of South Livermore Agricultural Land Trust, an organization charged with permanently protecting and stewarding a minimum of 5,000 acres of land within the South Livermore Valley Area Plan. Today, the TVC is well experienced in managing conservation property interests: it holds 58 easements over more than 4,100 acres of land and has an endowment specifically for the monitoring and defense of the easements it holds within the South Livermore Valley Area Plan. The Bobba property is located within the Plan's boundaries.

Site Description:

The 74-acre Bobba property is an L-shaped property located off Arroyo Road between Sycamore Grove Regional Park, Camp Arroyo, and the U.S. Veterans Affairs Hospital. The property is best described by dividing it into two parts: the upper portion, closest to Sycamore Grove Park and adjacent to the Cantu Property and the lower portion that parallels Arroyo Road and is adjacent to Camp Arroyo. The inside edges of the L-shape property abut the U.S. Veterans Affairs Hospital lands.

The upper portion of the property, closest to Sycamore Grove, is open grassland with some stands of eucalyptus tress. As stated above, the grassland area is primarily made up of non-native annual grasses; however, there are likely remnant native grasses on the steep slopes that could be restored. The upper portion of the property provides opportunities to enjoy expansive views of the surrounding open space and agricultural lands, Del Valle State Park and Del Valle Dam, and the Livermore Valley (see photos in Exhibit 4).

The lower section of property includes open grasslands, oak woodlands and a riparian area along a dry seasonal creek. The riparian area includes oaks, buckeyes and a few willow trees, all of which provide hunting, nesting and roosting habitat for raptors.

Arroyo Del Valle Creek also cuts through the lower portion of the Bobba property. In order to provide a bridge crossing for the one paved road over the creek, there is a small earthen dam and culvert on Del Valle Creek. Behind the earthen dam, there is a small pond of appropriate depth and with good dispersal area that could possibly provide habitat for the California tiger salamander.

Project History: In 2007, the Conservancy provided funding to LARPD to restore and enhance a stock pond and 3.3 acres of riparian habitat in Sycamore Grove Regional Park. The project implemented recommendations identified in the Sycamore Grove Regional Park Resource Management Plan, which was developed by the LARPD in 2002, also with funding assistance from the Conservancy.

The acquisition of the Bobba property will also provide the potential to connect trails that will eventually link to the Bay Area Ridge Trail (Ridge Trail), a project in which the Conservancy has made significant investments. The vision for the Ridge Trail is a 500-mile, multi-use, continuous trail that rings San Francisco Bay high on the ridge line. Under the leadership of the Conservancy and the Bay Area Ridge Trail Council, and supported by a diverse group of project partners, the Ridge Trail creates an interconnected system of open space and trails that provides recreational opportunities and scenic views to the public. Begun almost 20 years ago, over 300 miles of trail are now dedicated and/or open to the public in all nine Bay Area counties. This project authorization will further the Conservancy's statutory and strategic goal of improving access around San Francisco Bay.

PROJECT FINANCING:

Coastal Conservancy	\$600,000
Tri-Valley Conservancy	*\$750,000
Livermore Area Regional Park District	\$150,000
East Bay Regional Park District	<u>TBD</u>
Total Project Cost	\$1,500,000

*Funds provided by EBRPD would reduce the funding contribution from TVC

The anticipated source of funds for this project is the fiscal year 2007/08 appropriation to the Conservancy from the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006” (Proposition 84) (Public Resources Code Sections 75001 *et seq.*). This funding source may be used for the protection of bays, coastal waters, lands and watersheds, including projects to protect the natural habitat values of coastal waters and lands, and projects and expenditures to promote access to and enjoyment of coastal resources, pursuant to the Conservancy’s enabling legislation, Chapter 4.5 of Division 21 of the Public Resources Code. The acquisition of the Bobba property by the TVC will protect scenic and open space values and agricultural lands, and improve public access along ridgetops within San Francisco Bay Area. In addition, as discussed below, the project is consistent with Chapter 4.5 of Division 21.

Proposition 84 also requires that, for acquisition projects that protect natural resources, the Conservancy assess whether the project meets at least one of the criteria specified in Section 75071. The proposed acquisition satisfies two of the five specified criteria:

- 1) The property links to existing protected areas with other large blocks of protected habitat. The linkage serves to connect existing protected areas, facilitate wildlife movement and botanical transfer, and results in sustainable combined acreage.
- 2) Over half of the acquisition costs will be provided through non-state matching funds.

Finally, as required by Section 75701, Conservancy staff has submitted to the Resources Agency and has posted on the Conservancy’s website explanation as to how the proposed acquisition meets the criteria of that section.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

This project is undertaken pursuant to Chapter 4.5 of the Conservancy’s enabling legislation, Public Resources Code Sections 31160-31165, to address resource and recreational goals in the San Francisco Bay Area.

The Bobba property is located in Alameda County, one of the nine San Francisco Bay Area counties in which the Conservancy is authorized, under Sections 31160 and 31161 of the Public Resources Code, to undertake projects and award grants to address resource and recreational goals for the region.

Under Section 31162(a), the Conservancy may undertake projects and award grants in the nine-county San Francisco Bay Area to improve public access to, within, and around the bay, coast,

ridgetops, and urban open spaces, consistent with the rights of property owners, without having significant adverse impact on agricultural operations and environmentally sensitive areas and wildlife through completion and operation of regional bay, coast, water, and ridge trail systems and local trails connecting to population centers and public facilities, which are part of a regional trail system and are consistent with locally and regionally adopted master plans and general plans. This project will improve public access along ridgetops, consistent with the rights of the property owner without having significant adverse impact on agricultural operations or environmentally sensitive areas and wildlife. This trail link is identified in the City of Livermore Specific Plan, in trail plans for EBRPD and LARPD, and is consistent with TVC's Conservation Plan – Implementation Plan adopted September 18, 2007.

Consistent with Section 31162(b), this project will protect natural habitats, connecting corridors, scenic areas, and other open-space resources of regional importance.

Consistent with Section 31162(d), the project provides open space and natural areas that are accessible to urban populations for recreational and educational purposes because the project is located in the City of Livermore, adjacent to the natural areas and recreational opportunities of the adjacent existing protected areas, LARPD's Sycamore Grove Park and EBRPD's Camp Arroyo. Sycamore Grove Park contains a variety of significant habitat types including riparian areas, oak woodlands, and the largest remaining intact grove of Western Sycamore trees. EBRPD's Camp Arroyo provides recreational and educational opportunities on 138 acres; the camp is operated year-round by the YMCA.

Finally, the project satisfies all the criteria for determining project priority under 31163, because the project: (1) is supported by adopted local plans including the City of Livermore Specific Plan, regional trail plans for EBRPD and LARPD lands, and the TVC Conservation Plan – Implementation Plan; (2) includes multi-jurisdictional participation from two special districts (LARPD and EBRPD), and a local conservation organization (TVC), and serves a regional constituency that will enjoy public access through use connecting segments of the Ridge Trail; (3) will be implemented immediately; (4) provides benefits that would be lost if the project is not quickly implemented; and (5) includes significant matching funds.

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

Consistent with **Goal 11, Objective C** of the Conservancy's 2007 Strategic Plan, the proposed project increases the amount of land accessible to the public and provides a corridor for trails.

Consistent with **Goal 12, Objective B** of the Conservancy's 2007 Strategic Plan, the proposed project will protect approximately 74 acres of rangeland in the nine Bay Area counties.

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

The proposed project is consistent with the current Conservancy's Project Selection Criteria and Guidelines 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:** This project is supported by Senator Don Perata, Assemblyman Guy Houston, the City of Livermore, EBRPD, and the Bay Area Ridge Trail Council.
4. **Location:** The project is located in Alameda County, one of the nine Bay Area counties.
5. **Need:** Without Conservancy participation, there will not be enough funds to carry out the project and leverage contributions from regional and local park district agencies.
6. **Greater-than-local interest:** The project will facilitate development of a key trail linkage along the Shadow Cliffs to Del Valle Regional Trail between the Heron Bay Trail on Del Valle State Park and trails on Sycamore Grove Regional Park, two properties already managed by EBRPD and LARPD respectively. The connecting trail through the Bobba property will eventually link up to other regional trails in the vicinity that then connect to the Bay Area Ridge Trail. As a result, the project is of interest not just to the local park and trail users but to hikers throughout the Bay Area.

Additional Criteria

7. **Urgency:** The property owner has stated that his offer to sell the property is only good for this calendar year; therefore, immediate authorization of funds is necessary to meet a December 30th close of escrow deadline.
8. **Resolution of more than one issue:** The project will provide trail connections between population centers, existing public facilities and eventually connect to the Bay Area Ridge Trail; the project will also protect valuable agricultural land, natural habitats and connecting corridors.
9. **Leverage:** See the “Project Financing” section above.
10. **Readiness:** Conservancy staff met with staff from TVC, other funding agencies (EBRPD, LARPD) and the landowner to negotiate the terms of the purchase. TVC is ready to move forward with the acquisition once the Conservancy funds are authorized.
11. **Realization of prior Conservancy goals:** “See “Project History” above.” In addition, the Bay Area Conservancy program identified this area of Alameda County as an area of focus to protect agricultural lands, lands with significant habitat values and lands with recreational opportunities. This project achieves Strategic Plan goals and distributes public funds to an area that to date, has not received significant public dollars from the Conservancy.
12. **Return to Conservancy:** See the “Project Financing” section above.
13. **Cooperation:** The project represents a cooperative effort amongst multiple public agencies, lead by TVC, to acquire land that will provide a key trail link for existing and future trails.

COMPLIANCE WITH CEQA:

Acquisition of the Bobba property is categorically exempt from the California Environmental Quality Act (CEQA) in that it involves the acquisition of interests in land to preserve open space, provides public access and recreation, and allows for continued agricultural use of the property (14 Cal. Code of Regulations Section 15325(b) and (f)). Staff will file a CEQA Notice of Exemption upon Conservancy approval of the project.