

COASTAL CONSERVANCY

Staff Recommendation
April 17, 2025

TULARCITOS CREEK ESSELEN TRIBE ANCESTRAL LAND RETURN

Project No. 23-018-02
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to disburse up to \$2,000,000 to the Esselen Tribe of Monterey County to acquire 1,720 acres of the historic Rana Creek Ranch along Tularcitos Creek in upper Carmel Valley to protect and restore natural resources and wildlife habitat; preserve open space; enable compatible agriculture including cattle grazing; protect cultural resources; provide compatible Native American tribal access and guided public access; and potentially create a tribal education center and tribal housing for property management.

LOCATION: Upper Carmel Valley, Monterey County

EXHIBITS

- Exhibit 1: [Project Location 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 and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed two million dollars (\$2,000,000) to the Esselen Tribe of Monterey County (“the grantee”) to acquire 1,720 acres of the historic Rana Creek Ranch along Tularcitos Creek in upper Carmel Valley to protect and restore natural resources and wildlife habitat; preserve open space; enable compatible agriculture including cattle grazing; protect cultural resources; provide compatible Native American tribal access and guided public access; and potentially create a tribal education center and tribal housing for property management, subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy (Executive Officer):
 - a. All relevant acquisition documents for the acquisition including, without limitation, the appraisal, purchase and sale agreement, escrow instructions, environmental or hazardous materials assessment, and title report;
 - b. A baseline conditions report; and
 - c. Evidence that sufficient funds are available to complete the acquisition.
2. The grantee 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 to protect and restore natural resources and wildlife habitat; preserve open space; enable compatible agriculture including cattle grazing; protect cultural resources; provide compatible Native American tribal access and guided public access; and potentially create a tribal education center and tribal housing for property management. The property shall be permanently dedicated to those purposes by an appropriate instrument approved by the Executive Officer.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property or in a nearby publicly-viewable area, the design and location of which are to be approved by the Executive Officer.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resource protection.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. The Esselen Tribe of Monterey County is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

STAFF RECOMMENDATION

PROJECT SUMMARY: Staff recommends the Conservancy authorize a grant of up to \$2,000,000 to the Esselen Tribe of Monterey County (ETMC) to acquire 1,720 acres of the historic Rana Creek Ranch in upper Carmel Valley along Tularcitos Creek (the “project”). See Exhibit 1 for project location. The purpose of the acquisition is to protect and restore natural resources and wildlife habitat; preserve open space; enable compatible agriculture including cattle grazing; protect cultural resources; provide compatible Native American tribal access and guided public access; and potentially create a tribal education center and tribal housing for property management (“acquisition purposes”), as well as returning land to ETMC. In June 2023, the Conservancy authorized a grant to the Wildlands Conservancy to acquire 11,692 acres of the

historic Rana Creek Ranch. This project will authorize acquisition of an additional 1,720 acres of the historic Rana Creek Ranch referred to as the Tularcitos Creek parcels (the “property”). The Wildlands Conservancy owned the property at the time of the Conservancy’s 2023 funding approval and the Conservancy did not contribute to the Wildlands Conservation acquisition of this property. The property is comprised of ten legal parcels and a developed network of road and utility infrastructure installed to prospective building sites that could accommodate the development of ten or more homesites under Monterey County zoning and land use policies. The property’s largely undisturbed landscape, open space values, and abundant water resources are at significant risk from large estate development and intensive agricultural uses such as vineyards.

Upon acquiring the land, ETMC plans to implement nature-based indigenous stewardship practices and youth cultural education programs. ETMC’s vision prioritizes community wellness and the restoration of biodiversity and climate resilience. Planned initiatives include riparian corridor restoration, the preservation and propagation of ancient “ancestor” oak trees, the revival of cultural fire practices, and the restoration of Esselen Tribal food sovereignty. Additionally, the land would serve as a space for sharing Esselen cultural traditions with other tribes in the region and fostering tribal capacity building, and ensuring the preservation and protection of this culturally and ecologically rich portion of the Tribe’s ancestral homelands. Fee for service educational programs will provide revenue for long term staffing and career pathways for ETMC Tribal citizens.

To support ETMC’s future programs and activities, ETMC may potentially use an existing homesite and may develop up to two new additional homesites on the property to house tribal members managing the property. In addition, ETMC may potentially develop an interpretive cultural education center and renovate an existing nursery. Conservancy staff will work together with the Tribe and Wildlife Conservation Board to ensure that the Tribe records a deed restriction that restricts the potential development to a maximum of two new homesites and interpretive cultural education center. Restrictions will require the potential homesites and education center to be built within building envelopes created by the previous owner. The deed restriction will also require that any development be sited to minimize potential impacts to sensitive wetland, riparian and woodland resources. Allowing the Tribe to use one homesite and to potentially develop two new homesites for property management and to develop an interpretive cultural education center aligns with the priorities set forth in Executive Order N-15-1 issued by Governor Newsom in 2019 to address the historic wrongs committed against Native American tribes, and with the State’s commitment to truth, healing, and reconciliation with Tribes.

In addition, terms for a proposed easement to allow The Wildlands Conservancy (the seller of the property) to pump well water from the property to its adjacent Rana Creek Preserve (acquired in 2023 with Conservancy funding) for habitat and agricultural purposes will be reviewed and approved by the Conservancy to ensure that the property will maintain sufficient water resources and limit the water pumped to only what is necessary for the Rana Creek Preserve. Potential continued use of an existing airstrip would be restricted to coordinated firefighting activities.

Site Description: The property is located in upper Carmel Valley along Tularcitos Creek, a tributary to the Carmel River (Exhibits 1 and 2). The property features oak woodland savanna and extensive riparian habitats, extending from Carmel Valley Road to Tularcitos Ridge. The land is home to one of the largest Esselen village sites within the Tribe's 850-square-mile ancestral territory. The site is named Capanay, meaning "Tule" in the Esselen language. The topography of the property varies from relatively level river valley, rolling hills and meadows, to steep, forested slopes in the southern portion of the property. The northern boundary of the site runs along the frontage of E. Carmel Valley Road with Tularcitos Creek running generally parallel to the roadway. The level portions of the property transition into more forested and mountainous terrain with several elevated meadows, old growth live and blue oak forest, native grasslands and wetland features. Numerous springs, seasonal creeks, and wetlands support federal and State-listed species including California red-legged frog and California tiger salamander. Tularcitos Creek provides potential habitat for re-establishing presence of the federally protected South-Central California Coast steelhead. Several creeks and drainages are fenced off to protect habitat from cattle-grazing. The property also provides a key wildlife corridor between the Salinas Valley and Los Padres National Forest.

South of Tularcitos Creek a valley floor features 175 acres of level farmland historically used to plant field crops. This area is fully irrigated with underground piping and a mix of overhead sprinklers and drip systems controlled from a pumphouse. Structural improvements include a small single-family residence, several older barns, pump house, 27 wells, a million-gallon reservoir, five 20,000-gallon cisterns for additional water storage, a network of paved and dirt roads, an aircraft runway, and extensive fencing and cross-fencing for livestock. Developed springs throughout the property supply water to water tanks and cattle troughs. The entire ranch is enrolled in an Agricultural Preserve/Williamson Act contract. An existing conservation and cultural resource protection easement restricts future residential development to areas outside of the property's prime farmland. The property is currently leased to ETMC.

Grant Applicant Qualifications: ETMC has successfully managed several grants for organizational development, tribal capacity building, and land acquisition. In 2024 ETMC, in collaboration with Western Rivers Conservancy, received a \$1.4 million grant from the Wildlife Conservation Board for the acquisition of 327 acres of land adjacent to ETMC's Eagle Peak Rancheria property called Pico Blanco. ETMC is also partnered with Big Sur Land Trust to co-manage the 5,105-acre Basin Ranch, and the 12,142-acre Rana Creek Preserve with The Wildlands Conservancy. In 2024 ETMC received a \$3.5 million grant from California Department of Forestry and Fire Protection (CalFire) for Tribal Wildfire Resilience work on and adjacent to the Eagle Peak Rancheria. ETMC has also successfully administered grants for habitat restoration and fuels reductions. ETMC is also actively involved in a variety of other conservation projects and public education initiatives with agencies working in Monterey County. The ETMC Cultural Resource staff works with agencies throughout the Central Coast region providing cultural resource and archaeological monitoring.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:

The proposed project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:

Selection Criteria

1. Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.

See the "Consistency with Conservancy's Strategic Plan" section below.

2. Project is a good investment of state resources.

The proposed project is a good investment of state resources because it will contribute to meeting the state's biodiversity and equitable outdoor access goals as outlined in the Strategic Land Acquisition section of the Governor's 30x30 Executive Order. This project also aligns with the priorities set forth in Executive Order N-15-1 issued by Governor Newsom in 2019 to address the historic wrongs committed against Native American tribes, and with the State's commitment to truth, healing, and reconciliation with Tribes.

3. Project includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area.

The proposed project will result in returning land to ETMC. Letters were sent to 13 tribes with no response received.

4. Project benefits will be sustainable or resilient over the project lifespan.

The proposed project will return land to ETMC, permanently protect the property from overdevelopment, and enhance regional climate resilience by permanently protecting a key wildlife corridor between Salinas Valley and Los Padres National Forest. The project will deliver long-term benefits, including carbon sequestration, by preserving oak woodlands and avoiding greenhouse gas emissions by limiting future development. The project will also provide refuge for species moving north and/or up elevation to escape the impacts of climate change.

5. Project delivers multiple benefits and significant positive impact.

As described above, the proposed project will deliver multiple benefits including returning land to ETMC, permanently protecting natural habitat, open space, cultural resources, and compatible grazing from development. The acquisition will also protect a key wildlife corridor between the Salinas Valley and Los Padres National Forest. The project will improve climate resilience and adaptation by permanently protecting diverse, climate-resilient habitats.

6. Project planned with meaningful community engagement and broad community support.

The project has broad community support from local and state legislators, the Big Sur Land Trust, and ETMC. See Exhibit 3 for project letters.

PROJECT FINANCING

Coastal Conservancy	\$2,000,000
Wildlife Conservation Board	<u>\$6,550,000</u>
Project Total	\$8,550,000

Conservancy funds for this project are expected to come from an appropriation to the Conservancy from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoors Access for All Act of 2018 (Proposition 68, California Public Resources Code Sections 80000- 80173). This project is an eligible project type pursuant to Section 80120(c) for the protection of beaches, bays, wetlands, and coastal watershed resources pursuant to Division 21 (commencing with Section 31000), including the acquisition of land in or adjacent to the California coastal zone with open space, recreational, biological, cultural, scenic, or agricultural values. The proposed acquisition is consistent with the [funding guidelines for expenditure of Proposition 68](#) adopted by the Conservancy on December 6, 2018 as described in various sections of this staff recommendations.

Unless specifically identified as “Required Match,” the other sources of funding and in-kind contributions described above are estimates. The Conservancy does not typically require matching funds or in-kind services, nor does it require documentation of expenditures from other funders or of in-kind services. Typical grant conditions require grantees to provide any funds needed to complete a project.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

Conservancy participation in the proposed project is consistent with Chapter 5.5, Integrated Coastal and Marine Resources Protection (Section 31220) of the Conservancy's enabling legislation, Division 21 of the Public Resources Code. Section 31220(a) authorizes the Conservancy to undertake a project or award grants for coastal watershed projects that meet one or more criteria of Section 31220(b). Consistent with Section 31120(b), the proposed project will (1) protect fish and wildlife habitat within coastal watersheds and coastal waters (Section 31120(b)(2)), including endangered species habitat in the Carmel River watershed; and (2) acquire, protect, and restore coastal wetlands, riparian areas, floodplains, and other sensitive watershed lands, including watershed lands draining to sensitive coastal or marine areas(Section 31120(b)(6)).

Consistent with Section 31220(a), staff has consulted with the State Water Resources Control Board in the development of the project to ensure consistency with Chapter 3 (commencing with section 30915) of Division 20.4 of the Public Resources Code, regarding the clean beaches grant program.

Consistent with Section 31220(c), the project is consistent with local watershed management plans and water quality control plans adopted by the State Water Resources Control Board and Regional Water Quality Control Boards (see the “Consistency with Local Watershed Management Plan/State Water Quality Control Plan” section below), and has a monitoring and evaluation component included in the project.

CONSISTENCY WITH LOCAL WATERSHED MANAGEMENT PLAN/STATE WATER QUALITY CONTROL PLAN:

Projects undertaken pursuant to Chapter 5.5 of Public Resources Code Division 21 (Section 31220) must be consistent with local watershed management plans, if available, and with water quality control plans, adopted by the state and regional water boards. The Water Quality Control Plan for the Central Coastal Basin adopted by the Regional Water Quality Control Board designates several beneficial uses for the Carmel River that will be protected or enhanced by the proposed project including cold freshwater habitat, wildlife habitat, threatened or endangered species; and migration of aquatic organisms (Table 2.1 Basin Plan).

The 2019 Monterey Peninsula, Carmel Bay, and South Monterey Bay Integrated Regional Water Management Plan identifies eight priority objectives including protecting and improving water quality for beneficial uses and preserving the environmental health and well-being of the Region's streams, watersheds, and the ocean by taking advantage of opportunities to assess, restore and enhance these natural resources. The proposed project is consistent with these objectives as well as the resource management strategies for ecosystem restoration and forest management.

CONSISTENCY WITH CONSERVANCY'S [2023-2027 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1.2 Return Power to Tribes**, the proposed project will return 1,720 acres of land to ETMC.

Consistent with **Goal 3.1 Conserve Land**, the proposed project will protect 1,720 acres of coastal watershed lands.

Consistent with **Goal 3.3 Working Lands**, the proposed project will protect working ranch lands.

COMPLIANCE WITH CEQA:

The proposed acquisition is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15325 because it is a transfer of ownership of interests in land in order to preserve open space, habitat, and historical resources. In particular, this acquisition will preserve existing natural conditions, allow for continued agricultural use, protect and restore a watershed, and preserve historical cultural resources. . Any potential future development will be subject to CEQA.

Staff will file a Notice of Exemption upon Conservancy approval of the project.