

COASTAL CONSERVANCY

Staff Recommendation
May 19, 2011

PLEASANTON RIDGE REGIONAL PARK ACQUISITION II

Project No. 05-054-02
Project Manager: Brenda Buxton

RECOMMENDED ACTION: Authorization to disburse \$1,000,000 to the East Bay Regional Park District for the acquisition of approximately 540 acres of the 955-acre Owen property in order to expand the Pleasanton Ridge Regional Park.

LOCATION: Pleasanton Ridge, Alameda County (Exhibit 1)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

- Exhibit 1: [Regional Map](#)
- Exhibit 2: [Project Location](#)
- Exhibit 3: [Property Site Map](#)
- Exhibit 4: [Project Photos](#)
- Exhibit 5: [Upland Habitat Goals Biodiversity Portfolio Report](#)
- Exhibit 6: [Project Letters](#)

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 up to one million dollars (\$1,000,000) to the East Bay Regional Park District (the District) to acquire approximately 540 acres of the Owen property, Alameda County Assessor’s Parcel Nos. 085A 3900-001-01, 3900-001-05, and 3900-001-06, subject to the following conditions:

1. The District shall dedicate the property for natural resource protection, open space preservation and public access by an appropriate instrument approved by the Executive Officer.
2. The District shall pay no more than fair market value for the property, as established in an appraisal approved by the Conservancy’s Executive Officer.

3. The District shall submit for the review and approval of the Executive Officer all relevant acquisition documents, including but not limited to the appraisal, environmental assessments, escrow instructions, title reports, and documents of title necessary for the purchase of the property.”
4. Prior to opening the site to the public, the District shall submit for the review and approval of the Executive Officer a plan showing the design and placement of sign(s) acknowledging Conservancy funding.”

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 the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.”

PROJECT SUMMARY:

Staff recommends authorization to disburse up to \$1,000,000 to the East Bay Regional Park District (the District) toward the acquisition of the 955-acre Owen property, which is adjacent to the Pleasanton Ridge Regional Park in unincorporated Alameda County (Exhibit 1). In order to respond to the seller’s desire for a rapid closing date, this acquisition is being completed in two phases. The District has completed Phase I which acquired 415 acres this spring with the anticipation that Conservancy funding will be used for the Phase II acquisition of the remaining 540 acres.

Acquisition of the Owen property is a priority for Conservancy assistance because in total it will add 955 acres to the Pleasanton Ridge Regional Park, a 6,532-acre regional park running from Dublin to Sunol along the hills of southeastern San Francisco Bay. This parkland is on the ridge separating the East Bay from Pleasanton and the Livermore Valley. The Owen property is a particularly key addition for the District because it will expand the existing regional park by 15%. In addition, this acquisition provides opportunities for a new staging area and new trails. Despite the surrounding rugged and steep terrain, the Owen property features areas near the Palomares Road that could be suitable for visitor parking and facilities. This would provide a new access point into Pleasanton Ridge Regional Park and its regional trails from the western, Alameda County side of the ridge. Once developed, trails on the property would provide visitors with a variety of experiences from cool, shady riparian woodlands to windswept grasslands with spectacular views. Once the property is acquired, development of the trails and staging area would take place after the District completes a land use planning process, approximately five years in the future.

Acquisition would also preserve a diverse mosaic of habitat types. The property contains steep slopes with coastal scrub and chaparral as well as ridge top grasslands. In addition, the property features canyon riparian areas and oak and Bay Laurel woodlands. This mosaic provides habitats for numerous species including the special status Alameda whipsnake, California red-legged frog, and California tiger salamander. The undeveloped Pleasanton Ridge provides a critical wildlife corridor for Alameda and Contra Costa counties.

The District successfully negotiated a purchase agreement with the Owen property owners and seeks Conservancy assistance to complete the acquisition quickly. The District was founded in 1934 and manages over 108,000 acres in 65 parks. The District's mission to provide a diversified system of regional parks and trails and while providing environmental stewardship of natural resources make them an appropriate grantee for San Francisco Bay Area Conservancy Program funds. The Conservancy has partnered with the District on numerous acquisition, restoration, and public access and recreation projects in Alameda and Contra Costa Counties.

Site Description: In addition to the habitats described above, the property features numerous springs and ponds. Elevations range from 990 feet at roadside to 1,800 feet at the ridgeline. The property is largely undeveloped except for an abandoned house and barn and a few dirt roads leftover from ranching days; the structures have fallen into disrepair and would be removed. The property is currently leased to a local rancher who uses the property to graze livestock. The District will continue to allow use of the property as rangeland via a lease for the foreseeable future. The property has been marketed for development and the nearby properties have been developed. Zoning allows for a total of nine single-family residences and nine secondary dwellings although topographical restrictions could reduce the number of single-family residences allowed to three.

The Upland Habitat Goals Biodiversity Habitat Report for the property ranks the property as highly suitable for conservation and identifies the importance of Palomares and Stonybrook Creeks (adjacent and downstream creeks, respectively) and notes the property's contribution towards protection goals for California Bay Forest, coastal scrub, warm grasslands, and coast live oak forest. Approximately 50% of the property is designated as essential for completing the conservation lands network in the Bay Area. (Exhibit 5)

Project History: The District has been actively acquiring property along Pleasanton Ridge since the 1980s as part of its long-term plan to create a park along the undeveloped East Bay ridge tops. In 2005, the Conservancy provided \$400,000 to the District for the acquisition of the 106-acre Vinson property which was on the northern end of Pleasanton Ridge Regional Park.

PROJECT FINANCING

East Bay Regional Park District (Phase I)	\$1,725,000
Coastal Conservancy (Phase II)	\$1,000,000
Private Foundation (pending, Phase II)	\$1,000,000
East Bay Regional Park District (Phase II)	<u>\$ 250,000</u>
Total Project Costs (Phase II)	\$2,250,000
Total Project Costs (Phase I and II)	\$3,975,000

The District has divided the acquisition of the Owen property into two phases in order to close the acquisition within the property owners' desired timeline. In March 2011, the District used \$1,975,000 of Measure WW funds (a local open space funding measure) to acquire 415 acres and pay for an option on the remaining 540 acres. After authorization by the Conservancy, the

District anticipates acquiring the remaining acres with additional private foundation funding (application pending) to match the Conservancy's \$1,000,000 contribution.

The anticipated source of Conservancy funds will be an appropriation to the San Francisco Bay Area Conservancy Program of the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84). This funding source may be used for the protection and restoration of the natural habitat values of coastal waters and lands, pursuant to the Conservancy's enabling legislation, Division 21 of the Public Resources Code. The proposed project serves to preserve the natural habitat values of lands in the Alameda Creek watershed which drains into San Francisco Bay. 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 of the Public Resources Code. The proposed acquisition satisfies three of the five specified criteria:

- 1) The property contributes to linking 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 within the Pleasanton Ridge of the undeveloped ridgetops of south eastern San Francisco Bay.
- 2) The project will contribute to long-term protection of and improvement to the water and biological quality of Palomares Creek within the Alameda Creek watershed.
- 3) The project is supported by matching funds. An additional \$2,965,000 in funding is being contributed to the acquisition.

As required by Section 75701, Conservancy staff has submitted to the Resources Agency and posted on the Conservancy's website an explanation as to how the proposed acquisition meets the criteria of this 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 goals in the San Francisco Bay Area.

Consistent with Section 31162, the project is located in the nine-county San Francisco Bay Area.

Under Section 31162(a), the Conservancy may award grants that will "improve public access to, within, and around the bay, coast, ridgetops, and urban open spaces...through completion...of regional bay, coast, water and ridge trail systems..." The proposed addition of the Owen property to Pleasanton Ridge Regional Park will provide a link needed for public access into the western side of the park.

Under Section 31162(b), the Conservancy may act to "protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas and other open-space resources of regional importance." Acquisition of the Owen property will bring its natural resources under the stewardship of the District. The natural resources on the property include riparian wetlands and

creeks, oak/bay woodlands, mixed chaparral, grasslands, seeps, springs, and habitat for several special-status species.

Furthermore, under Section 31162(d), the Conservancy may “promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes.” This property is only a few minutes’ drive from Interstate 580 and easily accessed by residents of Alameda and Contra Costa counties.

The proposed project also satisfies each of the five criteria for determining project priority under Section 31163(c) in the following respects: (1) the acquisition is consistent with the District’s 2007 Master Plan and the open space elements of the Alameda County General Plan; (2) it will serve a regional constituency as part of the District’s park system, which attracts visitors from the entire Bay Area; (3) the District and the seller are ready to complete the transaction; (4) not purchasing this property would likely result in development of the property and the loss of a significant conservation and public recreational opportunity; and (5) the proposal includes matching funds from other sources as described under the “Project Financing” section above.

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

Consistent with **Goal 10, Objective D** of the Conservancy’s 2007 Strategic Plan, the proposed project will protect 955 acres of uplands wildlife habitat, connection corridors, and scenic areas of regional significance in one of the Bay Area’s nine counties.

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:** In addition to support from state and federal elected officials, Exhibit 6 contains letters of support from the East Bay Chapter of the Sierra Club, the East Bay Area Trails Council, the Bicycle Trails Council of the East Bay, and a local Sunol resident.
4. **Location:** The Owen property is located in Alameda County and is within the jurisdiction of the San Francisco Bay Area Conservancy Program. This acquisition is contiguous with the Pleasanton Ridge Regional Park and would provide additional protection of natural resources and public access to the park.

5. **Need:** The District does not have sufficient funding to complete the acquisition and without Conservancy funds will only be able to acquire the acreage in Phase I. Without the parcels in Phase II, the District will not be able to develop a staging area adjacent to Palomares Road.
6. **Greater-than-local interest:** The District's regional parks serve a regional constituency and draw visitors from all over the Bay Area. In addition, the project is a short distance from Interstate 580 and easily accessible. The property contains important habitats, and a portion of the property identified by the Upland Habitat Goals project as essential for the Conservation Lands Network.
7. **Sea level rise vulnerability:** The lowest elevation of the property is 900 feet and so the property will not be vulnerable to sea level rise.

Additional Criteria

8. **Urgency:** The purchase agreement requires the District to complete escrow of all parcels by September 2011.
10. **Leverage:** See the "Project Financing" section above.
13. **Readiness:** The District has all of the project elements in place to enable closing escrow by September 2011, in accordance with the terms of the purchase and sale agreement.
14. **Realization of prior Conservancy goals:** See "Project History" above.
17. **Vulnerability from climate change impacts other than sea level rise:** Preserving the property for public park purposes will help minimize adverse climate change impacts. In an undeveloped condition the natural landscape will be more resilient to climate change; for example, there will be fewer constraints to the migration of plant and animal species. In addition, the property features great topographical variation and is likely to preserve a variety of habitat types even in the face of climate change.

COMPLIANCE WITH CEQA: As a transfer of ownership of interest in land to preserve open space and habitat, including acquisition for the preservation and restoration of natural conditions, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) under 14 Cal. Code of Regulations Section 15325. The project is also exempt under Section 15313, which provides a categorical exemption for the acquisition of lands for fish and wildlife conservation, including preservation for public access, where the purpose of the acquisition is to preserve the land in its natural condition. Upon approval, staff will file a Notice of Exemption for this project.