

COASTAL CONSERVANCY

Staff Recommendation  
February 14, 2013

**COYOTE VALLEY OPEN SPACE PRESERVE PLANNING**

Project No. 12-054-01  
Project Manager: Jeff Melby

**RECOMMENDED ACTION:** Authorization to disburse up to \$150,000 to the Santa Clara County Open Space Authority for planning the natural-resource and public-access elements of the Coyote Valley Open Space Preserve in Santa Clara County.

**LOCATION:** Between South San Jose and Morgan Hill in unincorporated Santa Clara County

**PROGRAM CATEGORY:** San Francisco Bay Area Conservancy

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**EXHIBITS**

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

Exhibit 2: [Project Photographs](#)

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 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$150,000 (one hundred fifty thousand dollars) to the Santa Clara County Open Space Authority (Authority) for planning the natural-resource and public-access elements of the Coyote Valley Open Space Preserve in Santa Clara County. Prior to the disbursement of funds, the Authority shall submit for the review and approval of the Executive Officer of the Conservancy a final work plan (including the names of any contractors to be used in the completion of the project), and a project schedule and budget.”

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.”
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### **PROJECT SUMMARY:**

Staff recommends that the State Coastal Conservancy authorize disbursement of up to \$150,000 to the Santa Clara County Open Space Authority (Authority) for planning the natural-resource and public-access elements of the Coyote Valley Open Space Preserve (Preserve) in Santa Clara County. The 348-acre Preserve is an important part of the limited publicly-protected open space in the Coyote Valley—a largely undeveloped area that extends from south San Jose to Morgan Hill. It affords a great opportunity to provide access and interpretation of this unique landscape to residents of the South Bay Area, including San Jose (the largest city in the Bay Area) and Morgan Hill (the fastest-growing city in Santa Clara County).

The purpose of the Coyote Valley Open Space Preserve Planning Project (Project) is to prepare a science-based, community-informed plan to guide future improvements to the Preserve, including protection and restoration of natural and cultural resources; and to plan and design a staging area, initial trails, and other high priority public-access improvements. It is the aim of the Authority to complete the plan and construct initial improvements by Fall of 2013 to coincide with the Authority’s 20<sup>th</sup>-year anniversary. In addition to contributing funding for planning, the Authority will contribute \$225,000 to cover the implementation costs. Key elements of the project include:

- Preparation of a comprehensive natural-resource plan to guide restoration of a 26-acre meadow, re-establishment of its former wetlands, and a riparian habitat restoration project using a palette of “climate smart” species along a 4,100-foot, perennial stream segment;
- Implementation of a biodiversity-driven conservation grazing program, including a seasonal grazing regime, new wildlife-friendly fencing, solar pumps, and construction of 1-2 new ponds (designed to promote red-legged frog habitat);
- Identification of agricultural conservation actions that demonstrate techniques to integrate agricultural operations with habitat and water-quality restoration;
- Planning and design of a rustic staging area for approximately 20 vehicles, with a restroom, picnic area, shade structure, and interpretive panels;
- Planning of an approximately 4-mile long, multi-use trail system, with interpretive signs featuring the area’s serpentine biodiversity, Native American history, and agricultural and ranching heritage, and the identification of potential long-term regional trail connections to Calero County Park, Rancho Cañada del Oro Open Space Preserve, and the Bay Area Ridge Trail.

The natural-resource plan will guide future habitat restoration and enhancement activities to benefit the nine rare, threatened, and endangered species known to occur on the property. The plan will focus on restoration of serpentine grassland, a locally rare habitat type in Santa Clara

County; riparian restoration along approximately 4,100 linear feet of perennial stream channels using a “climate smart” palette of species like sycamore, cottonwood, and willow species, along with low-stature native shrubs; establishment of one or more new ponds to provide new breeding habitat for the California tiger salamander and California red-legged frog; and hydrologic restoration of the site to reestablish a network of seasonally-emergent wetlands that once existed within the Fisher Creek floodplain.

The Project will address at least two other topics of regional significance: habitat connectivity and agricultural viability. The Preserve is part of an important wildlife linkage across Coyote Valley and has been identified in draft Bay Area Critical Linkages Project documents as a priority. In terms of agricultural viability, the Preserve will serve as the public “anchor” for the Coyote Valley Agricultural Enterprise and Conservation Program recommended in the *Conserving Coyote Valley Agriculture Feasibility Study* (Study) prepared by Sustainable Agriculture Education (SAGE). The planning process will determine the feasibility of utilizing a portion of the Preserve for cultivated agriculture, orchards, or community gardens, and will outline partnerships and programs to demonstrate that agricultural viability is consistent with habitat and water-quality protection. The Project will also include a plan for using cattle grazing to promote grassland biodiversity. By promoting the integration of agriculture and resource protection, the Preserve will serve as a model for other areas that seek to retain agricultural land uses and the suite of ecosystem services provided by those landscapes.

As the project will result in new public access facilities and plans for the protection and restoration of environmental and watershed resources in an area subject to significant urban growth pressures, the Project is compatible with and directly supports a number of county-wide and regional plans, including:

- Santa Clara County General Plan, 1994
- Santa Clara County Trails Master Plan, 1995
- Santa Clara County Open Space Authority 5-Year Plan, 1996
- Santa Clara Basin Watershed Management Initiative, Santa Clara Valley Water District, 1996
- Santa Clara Valley Habitat Conservation Plan, 2012

The Authority was created by the State Legislature in 1993 to preserve hillsides, creek corridors, and other undeveloped land in Santa Clara County through acquisition of fee or conservation easements (Pub. Res. Code §§ 35100, et seq.). The Authority encompasses the Cities of Campbell, Milpitas, Morgan Hill, Santa Clara, and San Jose as well as the unincorporated area of the County that is not within the Midpeninsula Regional Open Space District. The Authority is a California independent special district within Santa Clara County which receives its revenue through benefit assessments that are levied by the Authority and from interest income. These revenues provide the main base for the Authority's acquisition and land improvement work.

The Authority's ability to restore land and promote public access is exemplified by its acquisition of nearby Rancho Cañada del Oro Open Space Preserve and the Sierra Vista Open Space Preserve, which together provide over 18 miles of multiple-use trails, including a dedicated hiking and accessible loop trail that features a newly-restored meadow. Authority field staff take great pride in the improvements they have made at the preserves, including the

integration of robust science-based management and monitoring programs to restore habitat for rare, threatened and endangered species. Authority staff is supplemented by a dedicated group of over 150 volunteers who assist with restoration and public access projects. In 2012, staff and docents led over 115 interpretive programs that were attended by 2,000 preserve visitors.

**Site Description:** Located along the foothills of the eastern slope of the Santa Cruz Mountains, the Preserve encompasses 348 acres of valley floor that gradually rise up to a prominent ridgeline. The incredibly scenic property is highly visible from locations throughout the Coyote Valley, and its dramatic ridgeline can be seen from Highway 101 and other major routes that extend between San Jose and Morgan Hill. Grassland and oak woodlands are the dominant vegetation types. According to a recent biotic assessment, a number of rare communities are present including 51 acres of serpentine grasslands; 185 acres of mixed oak woodlands; 13 acres of riparian woodlands; and two acres of freshwater emergent wetlands. These important natural communities provide habitat for at least nine rare, threatened, and endangered species that are documented to occur on the preserve: Santa Clara Valley dudleya, smooth lessingia, Tiburon Indian paintbrush, most beautiful jewel-flower, Bay checkerspot butterfly, Opler's longhorn moth, northern harrier, white-tailed kite, and Golden Eagle. In addition, 17 other listed species have the potential to occur on the property given their presence within a few miles of the preserve, notably the California tiger salamander and California red-legged frog. Two perennial streams originate on the property. These feed into Fisher Creek, an important tributary to Coyote Creek, which in turn drains into San Francisco Bay.

The Preserve features well-documented Native American cultural resources. These include traces of a former village site and artifacts that may be associated with a ceremonial site located high on a promontory overlooking the Coyote Valley.

**Project History:** The Authority purchased the 348-acre property in 2010 to protect the site's stellar natural and cultural resources, and to provide opportunities for future public recreation and environmental interpretation. Once planning is complete and a staging area, trails, and other priority capital improvements are in place, the property will be opened to the public as "Coyote Valley Open Space Preserve." This will be the Authority's third preserve that is available for public access and enjoyment, and an important addition to the limited public land in the Coyote Valley accessible to the public.

The Project will facilitate implementation of recommendations in the *Conserving Coyote Valley Agriculture Feasibility Study* (Study) and the *Bay Area Critical Linkages Project* (CLP), both funded by the Conservancy. The purpose of the Study is to assess the potential for creating an economically viable and ecologically and culturally valuable, agricultural resource area within the 7,400-acre Coyote Valley. The CLP is designed to develop focused plans for maintaining functional habitat connectivity in areas that are highly threatened by habitat loss and fragmentation. The Conservancy helped fund creation of the CLP by the Bay Area Open Space Council.

**PROJECT FINANCING**

Coastal Conservancy	\$150,000
Santa Clara County Open Space Authority	<u>\$ 47,000</u>
<b>Total Project Cost</b>	<b>\$197,000</b>

Conservancy funds are anticipated to come from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40) appropriation for the San Francisco Bay Area Conservancy Program. Proposition 40 funds may be used to enhance and interpret land and water resources in accordance with the provisions of the Conservancy’s enabling legislation, Division 21 of the Public Resources Code. (Public Resources Code Section 5096.650(b)) Consistent with the purposes of Proposition 40, the proposed project will be undertaken pursuant to the San Francisco Bay Area Conservancy Program (Chapter 4.5 of Division 21 of the Public Resources Code), and will consist of planning and related activities necessary to assist, promote and enhance access to visitor-serving amenities at the Coyote Valley Open Space Preserve in the County of Santa Clara. Proposition 40 also requires the Conservancy to give priority to grant projects with matching funds (Public Resources Code Section 5096.651). The Authority has committed to providing \$47,000 in matching funds for this planning project and \$225,000 to cover the implementation costs. In addition, the Authority will contribute over \$80,000 in in-kind services for planning and implementation.

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, sections 31160-31165 regarding San Francisco Bay projects.

Pursuant to Section 31111 of the Public Resources Code, the Conservancy may award grants to public agencies for the purpose of funding and undertaking plans and feasibility studies.

Pursuant to Section 31162, the Conservancy may award grants in the nine-county San Francisco Bay Area that help to achieve various specific goals, including the goals of increasing public access around the bay and urban open spaces, protecting natural habitats and open space resources of regional importance, and promoting projects that provide open space and natural areas accessible to urban populations for recreational purposes. The proposed project is located entirely within the County of Santa Clara.

Consistent with Section 31162(a), the proposed project will plan for improved public access, including a staging area and trail system that has the potential to link with regional trail systems, including the Bay Area Ridge Trail. The proposed project will not have a significant adverse effect on agricultural operations, environmentally sensitive areas or wildlife; in fact, the Project includes development of a comprehensive natural-resource plan to integrate agricultural operations with habitat and water-quality restoration at the Preserve.

Consistent with Section 31162(b), the proposed project will increase protection of natural habitats, scenic areas and open-space resources of regional importance in the South Bay Area.

Consistent with Section 31162(c), the activities proposed for funding will serve to assist in the implementation of the policies and programs of the adopted plans of local governments and special districts (see list in Project Summary section above).

Consistent with Section 31162(d), the activities proposed for funding will provide increased accessibility of the Coyote Valley area to urban populations for recreational and educational purposes.

In addition, the proposed project satisfies criteria for determining project priority under Section 31163(c), as follows: (1) the proposed project is multijurisdictional and will serve a regional constituency; (2) the proposed project will be implemented in a timely way (anticipated to start immediately); (3), the proposed project will include matching funds from other sources; and (4) the project is fully consistent with and supported by adopted local plans, as described in the "Project Summary" section, above.

**CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 11, Objective C**, of the Conservancy's 2013 Strategic Plan, the proposed project will develop plans for enhancement of at least 1.5 acres of wetlands.

Consistent with **Goal 12, Objective A**, the proposed project will develop a plan that provides for recreational facilities.

Consistent with **Goal 12, Objective H**, the proposed project will develop plans for a trail system that has the potential to link with regional trail systems, including the Bay Area Ridge Trail.

**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 November 10, 2011, 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 proposed project is supported by State Senator Bill Monning (District 17), State Assemblymember Mark Stone (District 29), US Fish and Wildlife Service, California Department of Fish and Wildlife, Peninsula Open Space Trust, The Nature Conservancy, Greenbelt Alliance, Community Alliance with Family Farmers, Amah Mutsun Tribal Band, Santa Clara County Audubon Society, Sustainable Agriculture Education, Natural Resources Conservation Service, Loma Prieta Resource Conservation District, Santa Clara County Farm Bureau, California Rangeland Trust, University of California Agricultural Extension, Santa Clara County Parks and Recreation Department,

Bay Area Ridge Trail Council, and Responsible Organized Mountain Pedalers. Please see letters in Exhibit 3.

4. **Location:** The proposed project is located in Santa Clara County, which is within the nine-county Bay Area.
5. **Need:** The Conservancy's involvement at Coyote Valley Open Space Preserve will expedite the planning and implementation of priority public access improvements, and will help attract additional matching funds to implement high-priority habitat restoration projects that will be identified in the planning process. Without Conservancy involvement, the Authority would have to phase the project over two or more years.
6. **Greater-than-local interest:** This 348-acre preserve is among the limited publicly-protected open space in the Coyote Valley, and its location will provide outstanding access to the residents of the South Bay Area, including San Jose (the largest city in the Bay Area) and Morgan Hill (the fastest-growing city in Santa Clara County).
7. **Sea level rise vulnerability:** This inland project area is not anticipated to be impacted by sea-level rise or its secondary effects.

**Additional Criteria**

8. **Leverage:** See the "Project Financing" section above.
9. **Readiness:** The proposed project will commence as soon as funds are authorized, and will be completed within one year.

**COMPLIANCE WITH CEQA:**

The proposed planning project is statutorily and categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under two sections of the CEQA Guidelines, 14 Cal. Code of Regulations §§15000, et seq. The proposed planning activities are statutorily exempt pursuant to Section 15262 in that they will involve feasibility and planning analysis for possible future action that has not yet been adopted, approved or funded and they will include consideration of environmental factors. The planning activities are likewise categorically exempt under §15306 to the extent that they involve basic data collection and resource evaluation activities. Staff will file a Notice of Exemption upon approval of the project.