

COASTAL CONSERVANCY

Staff Recommendation  
June 18, 2020

**DUTCH BILL CREEK PARKWAY ACQUISITION**

Project No. 20-018-01  
Project Manager: Lisa Ames

**RECOMMENDED ACTION:** Authorization to disburse up to \$500,000 to the Sonoma County Regional Parks to acquire approximately 515 acres in the Dutch Bill Creek watershed, a tributary to the Russian River, to protect open space, habitat, natural floodplain, and water quality, and to provide an opportunity to develop a future regional parkway with recreational trails.

**LOCATION:** Monte Rio, Sonoma County

**PROGRAM CATEGORY:** S.F. Bay Area Conservancy Program

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EXHIBITS

- Exhibit 1: [Project Location Map](#)
  - Exhibit 2: [Project Photos](#)
  - Exhibit 3: [Bay Area Conservation Lands Network-Upland Habitat Goals Project Report](#)
  - Exhibit 4: [Project Letters](#)
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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to Sonoma County Regional Parks (“the grantee”) to acquire approximately 515 acres (Sonoma County Assessor Parcel Nos. 096-010-003, -008, -010, 096-020-003, 096-030-004, 096-040-005, 096-050-007 and 096-080-005) in the Dutch Bill Creek watershed in Sonoma County to protect open space, habitat, natural floodplain, and water quality, and to provide public access consistent with these purposes.

This authorization is 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 including, without limitation, appraisals, environmental or hazardous materials assessment, title report, purchase and sale agreement, escrow instructions and all documents affecting title;
  - 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 open space, habitat, natural floodplain and water quality, and to provide public access consistent with these purposes. 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.”

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 authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

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**PROJECT SUMMARY:**

Staff recommends the Conservancy authorize disbursement of up to \$500,000 to Sonoma County Regional Parks (“Regional Parks”) to acquire approximately 515 acres (the “Dutch Bill Creek property” or “the property”) to protect open space, habitat, natural floodplain, and water quality, and to provide an opportunity to create a future regional parkway with recreational trails in western Sonoma County. The property lies immediately south of the small hamlet of Monte Rio and is adjacent to Dutch Bill Creek, an important anadromous fish stream and tributary to the Russian River. (Exhibit 1-Project Location).

The Dutch Bill Creek property provides habitat for sensitive and endangered species known to occur on or near the property including foothill yellow-legged frog, northern spotted owl, Baker’s larkspur, and Pennell’s bird’s beak. Dutch Bill Creek is an important fish corridor for endangered Central California Coast (CCC) Coho and other salmonids and was identified as a lower Russian River core priority recovery area in the National Marine Fisheries Service (NMFS)

CCC Coho Recovery Plan in 2012. The property's uplands include redwood/Douglas fir forest, formerly managed for timber production. Over 89% of the property is forested (75% redwood); the remaining upland habitats are characterized by oak woodland and serpentine-influenced chaparral. Nearly half of the property is harvestable timberland according to a timber appraisal conducted in 2018. If acquired by Regional Parks, the property's timber will not be commercially harvested. Based on a forest management plan to be completed after acquisition, Regional Parks may conduct forest thinning for fuel management and forest health purposes. (See Exhibit 2 for Project Photos)

The Dutch Bill Creek property is adjacent to public lands and conservation easement protected lands including the Monte Rio Recreation and Park District's Creekside Park, LandPath's Bohemia Preserve, and forest held by the Sweetwater Springs Water District. (Exhibit 1 -Site Map) The property is in the center of the Essential Habitat Connectivity Corridor (identified by CA. Department of Fish and Wildlife) that traverses north-south through Sonoma County. The project site also contains significant habitat as assessed by regional conservation planning efforts in the San Francisco Bay Area. The western portion of the property is part of the Coast Range-Marin Coast Corridor, a critical linkage identified by the San Francisco Bay Area Upland Habitat Goals Project connecting habitat from the Sonoma and Marin county coasts to an inland corridor running through the Petaluma and Saint Helena areas towards Clear Lake (Exhibit 3). The eastern portion of the property containing streams and associated riparian and upland areas is designated by the Bay Area Conservation Lands Network as essential for protection. Acquisition and protection of the property will secure a connection between the property's two important habitat corridors.

By preventing floodplain development, the acquisition will minimize flooding risks in the Monte Rio community, reduce residential runoff and increase groundwater infiltration around the creek. The acquisition will preserve and potentially enhance the water quality of this important coho salmon stream. Acquisition will allow for possible future restoration of the property's riparian and in-stream habitats and further water quality improvements.

In addition to protecting sensitive habitats and securing regional habitat connectivity, the proposed acquisition project will improve public access to protected lands in Sonoma County and potentially expand inland trails that will ultimately connect to the coast. The boundary of Sonoma Coast State Park is a short distance away from the public lands adjacent to the property. Acquiring this property will give Regional Parks the opportunity to develop the Dutch Bill Creek regional parkway that includes approximately 0.8 miles of the planned Dutch Bill Creek Bikeway. This public trail segment is the first step in realizing the decades-long planning by Sonoma County for an eventual 5.5-mile trail connecting Occidental to Monte Rio along or parallel to the historic North Pacific Coast Railroad right-of-way, creating a safe and scenic route within the redwood forest for residents and visitors to access communities and landscapes of western Sonoma County.

Following acquisition, Regional Parks will engage the community in trail planning and Master Plan preparation that will include a forest management plan. Regional Parks will be responsible for funding and implementing ongoing management and monitoring of the Dutch Bill Creek property.

**Site Description:** The 515-acre property is located just south of the small economically disadvantaged community of Monte Rio in western Sonoma County. The property is bisected by Bohemian Highway, Main Street and Dutch Bill Creek, which all extend southerly from the Russian River towards the community of Occidental. (Exhibit 1) Access to the property is from Bohemian Highway and Main Street as well as from Tyrone Road at the south end of the property's western section. Interior access is good from a variety of trails and older seasonal logging roads throughout the undeveloped property. The property is adjacent to public lands and conservation easement protected lands including the Monte Rio Recreation and Park District's Creekside Park, LandPath's Bohemia Preserve, and forestland held by the Sweetwater Springs Water District.

Dutch Bill Creek, a tributary to the Russian River, is an important fish corridor for endangered Central California Coast ESU Coho and other salmonids. The property provides habitat for sensitive and endangered species known to occur on or near the property including foothill yellow-legged frog, northwestern pond turtle, northern spotted owl, osprey, Sonoma tree vole, California giant salamander, California freshwater shrimp, marbled murrelet, Baker's larkspur, Sonoma alopecurus, and Pennell's bird's beak. The property is in the center of the Essential Habitat Connectivity Corridor that traverses north-south through Sonoma County linking the Coast Range to the Marin Coast Corridor.

Over 89% of the property contains redwood/Douglas fir forest, formerly managed for timber production. Based on a survey and timber appraisal, an estimated 211 acres is harvestable timberland and could produce 76,000 board feet. The remaining habitats comprise oak woodland and serpentine-influenced chaparral.

**Grantee Qualifications:** Regional Parks successfully operates a network of parks with camping facilities and public access trails throughout Sonoma County. Recently, Regional Parks received Conservancy funding to prepare a master plan addressing resource protection and public use, including a segment of the California Coastal Trail and lower-cost accommodations for the Carrington Coast Ranch. Regional Parks has completed numerous coastal planning and implementation projects with public input and Conservancy support, and currently manages coastal regional parks and accessways from Bodega Bay to Gualala Point, including Doran Beach, Pinnacle and ShortTail Gulches, Stillwater Cove, Sea Ranch coastal access trails and Gualala Point.

**Project History:** The Dutch Bill Acquisition Project is a critical first step in the decades-long planning for a trail connecting Occidental to Monte Rio. The larger parkway project includes planning and acquisition for a 5.5-mile trail from Occidental to Monte Rio along or parallel to the historic North Pacific Coast Railroad right-of-way. This trail would create a safe and scenic route within the redwood forest for residents and visitors to access communities and places of interest such as Occidental, Camp Meeker, Tyrone, Monte Rio, Monte Rio Creekside Park, vacation resorts, beaches, and the planned Russian River Trail.

The Dutch Bill Creek Trail was described as a project in the 1979 Sonoma County General Plan. The project was carried over into the 1989 General Plan and identified in subsequent documents such as the 1997 Sonoma County Bikeways Plan and identified as project 96 in the adopted 2010 Bicycle and Pedestrian Plan. Following Monte Rio Park & Recreation District's

successful completion and operation of Creekside Park in 2014, Sonoma County Regional Parks focused on connecting the community of Monte Rio to areas south with the planned trail. The landowners of the Dutch Bill Creek property (Torr family), who incidentally created the Monte Rio Park & Recreation District, own most of the property between Monte Rio and Tyrone. Much of their property fronts both Main Street and the Bohemian Highway, located on either side of Dutch Bill Creek. Initial discussions with the Torr family about a trail easement transformed into protecting the greater property as a Regional Park with a bikeway and connecting trails. In 2018, Regional Parks entered into negotiations with the Torr family as willing sellers.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$500,000</b>
Sonoma County Ag and Open Space	\$2,038,800
Parks for All Measure M (Regional Parks)	\$445,972
Sonoma County Park Mitigation Fees	\$167,700
California Department of Parks and Recreation -Land and Water Conservation Fund (pending)	\$954,028
<b>Project Total</b>	<b>\$3,606,500</b>

Conservancy funds for this project are expected to come from an 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, Pub. Res. Code section 75001, et seq.), This funding may be used for the preservation of watersheds in the San Francisco Bay Area that drain directly to the ocean, pursuant to Chapter 4.5 of the Conservancy’s enabling legislation, Division 21 of the Public Resources Code. (Pub. Res. Code section 75060(c)). Consistent with this chapter, the proposed acquisition will protect and allow for future restoration of water and open-space resources and help to preserve the natural habitat values of the Russian River watershed that drains directly to the coast, as discussed in the next section below.

For acquisition projects that protect natural resources, Proposition 84 requires the Conservancy to give priority to projects that meet the criteria specified in Section 75071. The proposed acquisition satisfies three of the specified criteria: 1) the project will link to existing protected areas with other large blocks of protected habitat and serve to facilitate wildlife movement, botanical transfer, and result in sustainable, combined acreage; 2) the project will contribute to long-term protection of, and improvement to the water and biological quality of streams within a "priority watershed" (the Russian River) as identified by the Resources Agency; and 3) the project is supported by non-state matching funds. As also required by Section 75071, Conservancy staff have submitted to the Resources Agency and have posted on the [Conservancy’s website](#) an explanation as to how the proposed acquisition meets the criteria of that section.

The Sonoma County Ag and Open Space District has committed \$2,038,800 towards acquisition of the property. Regional Parks has secured \$445,972 from Sonoma County’s Parks for All

Measure M funds and \$167,700 of funding from Sonoma County Park Mitigation fees for acquisition costs.

Regional Parks has submitted a grant application for \$954,028 from the California State Parks and Recreation's Land and Water Conservation Fund, a federally-funded grant program.

As an in-kind contribution, the landowner has agreed to a purchase price of \$3.9 million. The appraised value is \$4.125 million, leaving a \$225,000 value difference for this bargain sale.

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

The proposed project is consistent with the provisions of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165, which authorizes the Conservancy to award grants in the nine-county San Francisco Bay Area to help achieve stated goals. Specifically, the proposed project, located in a coastal draining watershed in Sonoma County, supports the achievement of the goals as stated in more detail below.

Section 31162(b) authorizes the Conservancy to award grants to protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas and other open space resources of regional importance. The proposed project will protect natural habitat, including redwood habitats, through acquiring the property and extinguishing the full timber harvest potential. Additionally, the proposed project will protect wildlife habitat that serves as a critical link in the Essential Habitat Connectivity Corridor that traverses north-south through Sonoma County linking the Coast Range to the Marin Coast Corridor.

Section 31162(a) authorizes the Conservancy to improve public access around the bay, coast, ridgetops, and urban open spaces in a manner that will not have a significant adverse impact on environmentally sensitive areas and wildlife. The proposed acquisition project may serve to achieve these objectives by providing the opportunity to create the Dutch Bill Creek parkway with future pedestrian, cycling and horse-riding trails that will be designed to protect the site's sensitive habitats.

The project satisfies all of the five criteria for determining project priority under Section 31163(c), as follows: 1) the project is fully consistent with and supported by adopted local plans, including the **2020 Sonoma County General Plan** and the **2010 Sonoma County Bicycle and Pedestrian Plan**; 2) the project serves a multi-jurisdictional constituency, since it will preserve open space and scenic areas for the enjoyment of both local residents and visitors who come from across the region and the nation to the project area; 3) the project can be implemented in a timely fashion: once funded, the acquisition is expected to occur within six months; 4) in the event the project is not implemented promptly, the opportunity for completion of the purchase of the property may be lost and potential timber harvest could occur; and 5) the Conservancy funding for the acquisition is matched by SCAPOSD, Regional Parks and a federally-funded CA State Parks grant program--the Land and Water Conservation Fund.

**CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 2, Objective G** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will acquire land to allow for the development of a new river parkway that will eventually connect to the coast.

Consistent with **Goal 5, Objective A** the proposed project will protect 515 acres of the Dutch Bill Creek watershed, a coho salmon priority stream within the Russian River watershed.

Consistent with **Goal 5, Objective C**, the proposed property acquisition will implement a project that preserves fish and wildlife corridors between core habitat areas from coastal to inland habitat areas.

Consistent with **Goal 13, Objective C**, the proposed project will complete an acquisition project that will increase the amount of land accessible to the public and provide a corridor for trails.

**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 October 2, 2014, 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. **Promotion and implementation of state plans and policies:**
  - **California @ 50 Million: The Environmental Goals and Policy Report** (Governor's Office of Planning and Research, 2015): Active Transportation Program goals include increasing the proportion of trips accomplished by biking and walking, improving safety for non-motorized travelers, reducing greenhouse gas emissions, improving public health, and ensuring benefits to disadvantaged communities. Two of three roads (Bohemian Highway to the south toward Occidental and Highway 116 West to the coast) leading out of Monte Rio, a disadvantaged community, have high use by both motor vehicles and cyclists. Unsafe conditions include narrow roadways, 2-lanes with no shoulder, many curves limiting sight distance, and people driving at high speed. This acquisition will provide access on an existing fire road and make possible planning and construction of the first 0.8 miles of the long-awaited Monte Rio Bikeway that will eventually connect Monte Rio to Occidental. By making alternate routes available this project will substantially increase the safety of southward and westward travel from Monte Rio and directly address all five of the Active Transportation Program goals.
  - **California Water Action Plan (2016)– Action 8: Increase Flood Protection – Encourage Flood Projects that Plan for Climate Change and Achieve Multiple**

*Benefits.* While acquisition of the proposed property does not include a flood project, it does prevent the land from being developed and timber harvest (zoning allows construction of 28 housing units and associated roads and an estimated 211 acres of redwood/Douglas fir forest can be harvested on steep hills). This acquisition helps prevent run-off and erosion directly upstream of the confluence of Dutch Bill Creek and the Russian River. Monte Rio, built around the confluence of the Creek and the River, floods frequently. The most recent occurrence was in 2019 with floodwaters 8 feet deep downtown and the frequency of flooding is increasing with the changing climate. Protecting the property in perpetuity will prevent exacerbating this situation while providing many of the co-benefits identified in the Water Action Plan including carbon sequestration, groundwater infiltration, and protecting and restoring important habitats. Dutch Bill Creek is designated Critical Habitat for endangered salmonids and a primary focus of salmonid recovery efforts in the Russian River Watershed.

- **California State Wildlife Action Plan (SWAP 2015)** Over 89% of the property is Pacific Northwest Conifer Forest (with approximately 75% of this being redwoods), one of four habitat conservation targets in the Northern California Coast (North Coast and Klamath Province Area 263A). One of the objectives for this habitat type is to ensure that redwood habitat is conserved, which this acquisition does. In addition, six of the focal conservation species for the Northern California Coast are known to occur on or near the property: foothill yellow-legged frog, northwestern pond turtle, northern spotted owl, osprey, Sonoma tree vole, and California giant salamander.
  - **California Essential Habitat Connectivity Strategy for Conserving a Connected California (CDFW-Caltrans 2010)** The Dutch Bill Creek property is in the center of the Essential Habitat Connectivity Corridor that traverses north-south through Sonoma County. Higher elevation areas of the property are in the zone of moderate permeability surrounding Dutch Bill Creek which is categorized as impermeable in the statewide model. However, with Regional Parks' ability to manage Dutch Bill Creek valley from ridgeline to ridgeline, including access to the creek itself, as this acquisition would allow, it may be possible to render this area permeable thus substantially broadening the connectivity corridor by filling a gap in the middle.
4. **Support of the public:** See Exhibit 4 for project letters.
  5. **Location:** The proposed project encompasses a portion of Dutch Bill Creek, a tributary to the Russian River which is an important coastal-draining anadromous fish watercourse in Sonoma County.
  6. **Need:** Without Conservancy funding to leverage other non-state funding, the acquisition would be delayed, and Regional Parks would miss this opportunity to acquire the property for habitat protection and a future parkway. The property owner has a backup buyer interested in using the property as zoned for timber harvest.

7. **Greater-than-local interest:** Future trail connections to and through Monte Rio are a central part of plans for a bikeway and trail network for West Sonoma County. This proposed Dutch Bill acquisition project is the next step in the decades-long planning for a trail connecting Occidental to Monte Rio. The greater project includes planning and acquisition for a 5.5-mile trail from Occidental to Monte Rio along or parallel to the historic North Pacific Coast Railroad right-of-way. This trail would create a safe and scenic route within the redwood forest for residents and visitors to access communities and places of interests such as Occidental, Camp Meeker, Bohemia Ranch, Tyrone, Monte Rio, Monte Rio Creekside Park, vacation resorts, beaches, and the planned Russian River Trail.
8. **Sea level rise vulnerability:** Although not close to the ocean, the property is adjacent to a tributary to the Russian River. The Russian River is currently tidally influenced up to Duncans Mills. As the sea rises, the distance upstream that experiences a tidal prism and brackish water will increase. By 2100, it is possible that the project site will be tidally influenced. The acquisition of the land will not cause any change in vulnerabilities, but sea level rise will need to be considered during the master planning process.

#### **Additional Criteria**

9. **Urgency:** If Regional Parks is unable to obtain Conservancy funds and assemble the funding package for the acquisition, the property owner will sell this property to a buyer interested in timber harvesting to the full extent of the zoning allowances.
10. **Leverage:** See the “Project Financing” section above.
11. **Readiness:** Regional Parks has entered into a purchase agreement with the landowner and is prepared to acquire the property when all funding is secured.
12. **Realization of prior Conservancy goals:** See “Project History” above.”
13. **Vulnerability from climate change impacts other than sea-level rise:** The central portion of the property, including Dutch Bill Creek, is undergoing increased frequency and severity of flooding as the climate changes. By protecting the land, instead of allowing it to be developed and harvested, exacerbated flooding on and downstream of the property will be avoided.
14. **Minimization of greenhouse gas emissions:** This acquisition project will not produce greenhouse gases. Protection of 211 acres of Douglas fir/redwood forest that would otherwise be harvested will sequester carbon, and appropriate management of the forest will allow further carbon stores to accumulate.

#### **CEQA COMPLIANCE:**

The project consists of the purchase of land in order to preserve fish and wildlife habitat and provide access to public lands where the purpose of the acquisition is to preserve the land in its natural condition. Such purchases are exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines, Class 13 (Acquisition of Lands for Wildlife Conservation Purposes). 14 Cal. Code Regs. § 15313. The acquisition of the property is also categorically

exempt from the requirements of CEQA under 14 Cal. Code of Regs. Section 15325 because it involves the transfer of ownership interests in land to preserve open space or enhance natural conditions, including plant or animal habitats. With respect to the anticipated future public access, the acquisition is also exempt pursuant to 14 Cal. Code of Regulations, Section 15316. Section 15316 exempts acquisition of land to create a park, where the land is in a natural condition and no management plan has been prepared for the park use. Here, the land is undeveloped and the planning for development of the regional parkway area has not yet been initiated.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.