



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services
Department No.: 063
For Agenda Of: 6/3/2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Bob Nisbet, Director (560-1011)
Director(s) General Services Department
Contact Info: Paddy Langlands, Assistant Director (568-3096)
Support Services Division

SUBJECT: **Certificate of Acceptance for The Land Conservancy of San Luis Obispo County
Conveyance of Paradise Beach (APN: 113-160-005) (003538) Fourth Supervisorial
District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

As to form: County Parks & Risk Management

Recommended Actions:

That the Board of Supervisors:

- a) Approve the attached Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines; and
- b) Accept the Planning Commission Report showing that the conveyance of the Paradise Beach property is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code 65402; and
- c) Adopt the Resolution of Acceptance: Interest in Real Property which recognizes the County's acceptance of the Paradise Beach Property for consideration of the rights, obligations, duties and interest under the Standard Agreement 07-090 between the State Coastal Conservancy and The Land Conservancy of San Luis Obispo County; and
- d) Execute the Standard Agreement (five in total) between the State Coastal Conservancy, The Land Conservancy of San Luis Obispo County, as Assignor, and the County of Santa Barbara, as Assignee, to amend the existing Grant Agreement No. 07-090 (between State Coastal Conservancy and The Land Conservancy) and to assign all the Land Conservancy's rights, obligations, duties and

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interests to the County of Santa Barbara; and authorize the General Services Director, or designee, to complete and sign the required payment form (Payee Data Record) from the State of California in lieu of IRS W-9; and

e) Accept the transfer of 143 acres of undeveloped land within the approximately 800 acre Point Sal Reserve Management Area conveyed from The Land Conservancy of San Luis Obispo County, by authorizing the Clerk of the Board to execute the Certificate of Acceptance attached to the Certified Copy of the Grant Deed.

Summary Text:

The Nature Conservancy has allocated its dunes acquisition dollars (Regional Water Quality Control Board funds granted under the Water Quality Trust portion of the Guadalupe Oil Spill settlement) to The Land Conservancy of San Luis Obispo County acquisition of the 143 acre Paradise Beach Property (also known as the "Gragani Parcel"), and the State Coastal Conservancy had enough funds remaining from the Proposition 70 Program ("California Wildlife, Coastal and Park Land Conservation Fund") slated for coastal dunes protection to carry out the funding for this acquisition. The Land Conservancy of San Luis Obispo County desires to transfer the Paradise Beach Property to the County to provide large contiguous blocks of land within the Point Sal Management Reserve Plan for conservation of open space and coastal dunes habitat and to be managed along with the County's other Point Sal and Dunes holdings.

The Planning Commission consistency report required by Government Code 65402 is being transmitted to the Board in letter form which is attached to this staff report.

The adoption of the Resolution and execution of the Standard Agreement 07-090 approves the County as successor to the fee title of the Paradise Beach property, assigns and amends all The Land Conservancy's obligations, duties and interests under the Standard Agreement -7-090 to the County.

Background:

The passage of the "California Wildlife, Coastal and Park Conservation Act of 1988" (Proposition 70) designated funds to both the State Coastal Conservancy and the County of Santa Barbara to acquire significant natural lands, and presented an opportunity to preserve, protect and manage the unique resources between Point Sal and Mussel Point. In November 1989, the Board of Supervisors appointed the Land Trust of Santa Barbara County to pursue acquisition of properties in the Point Sal area using County Proposition 70 and Coastal Resource Enhancement funds. As a first step, the Land Trust prepared the Point Sal Reserve Management Plan (completed in March 1991) using State Coastal Conservancy grant funds. The plan was prepared under the guidance of a steering committee that included government agencies and conservation groups, which have expressed a commitment to coordinate their respective conservation efforts for Point Sal. The plan designates an approximately 800-acre Point Sal Reserve Management Area that includes relatively small parcels owned by the Federal Bureau of Land Management and the California Department of Parks and Recreation and five privately-owned parcels, including the Paradise Beach parcel. The plan notes that some of the current recreational and agricultural practices are detrimental to the area's environmental integrity. The plan seeks to manage the area to protect the region's biological, ecological, cultural, scenic, and open space values while maximizing educational and recreational

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opportunities. Consistent with the plan, the County has since acquired two privately-owned parcels for an approximate total of 420 acres.

The Land Conservancy of San Luis Obispo County desires to convey the Paradise Beach Property to the County for management as part of its Point Sal Reserve Management Area. The Land Conservancy is a member of The Dunes Collaborative, an entity formed by a Memorandum of Understanding after the completion of the Point Sal Reserve Management Plan, to coordinate all the public landholdings within the larger Nipomo-Guadalupe Dunes Complex. The Dunes Collaborative membership includes all public landowners and nonprofit organizations working within the Dunes Complex, including the County, as the County also owns the Rancho Guadalupe County Park, north of the Point Sal Reserve. Currently, the Rancho Guadalupe County Park is managed by the Center for Natural Lands Management on behalf of the County. The Land Conservancy intends to transfer the Paradise Beach Property to the County which will manage the property along with its other Point Sal Reserve and Dunes holdings.

Site Description: The Paradise Beach Property comprises of 143 acres within the approximately 800-acre Point Sal Reserve Management Area. It is bordered to the north by private parcels, to the east by County-owned parcels, to the south by Bureau of Land Management property, and to the west by Paradise Beach and the Pacific Ocean. Vandenberg Air Force Base is immediately south of the Reserve. The most significant feature of this property is its inclusion of nearly a half mile of Paradise Beach. This white sandy beach extends from Mussel Rock to an area of tidepools just north of Point Sal, and supports a well-used marine mammal haul-out area within the protected rocky areas of its southern end. Paradise Beach is framed by steep coastal bluffs. Pre-existing dirt roads and trails exist on the property, including the Paradise Trail, which provides access to the beach, and the Inland West Trail, which is part of a loop trail extending inland to the first ridge tops. The property is zoned for agriculture and agricultural-related uses, but there is no historical use of the property for farming, the land is largely unsuitable for sustained grazing, and there are no permanent structures on the property.

As detailed in the Point Sal Reserve Management Plan, the larger Point Sal Reserve Management Area, of which the Paradise Beach Property is a part, is regionally unsurpassed in terms of its natural and cultural resources. The diversity and integrity of the area's geologic formations, biotic habits, and prehistoric sites are unprecedented in mainland California. Several of the area's plant communities are designed as "environmentally sensitive" in the Conservation Element of the Santa Barbara County Local Coastal Plan and Comprehensive Plan, and the area has been designated an "Area of Critical Environmental Concern" by the Bureau of Land Management.

Since The Land Conservancy does not hold property for the long-term, they have offered to transfer this property to the County, as they have determined that the County would be the best long-range steward of this land.

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Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Narrative:

Once the transaction has been completed, the property will expand the County's Real Property Inventory by 143 acres. At this time, the County Parks will be responsible to oversee the Reserve and it will not impact Parks budget due to the limited public access to the Reserve. Once the County explores appropriate public access to the Reserve and public access is established, then the County Parks will need more coordination of the management of the Reserve so that management is consistent with the Point Sal Reserve Management Plan and the greater Nipomo-Guadalupe Dunes area.

Staffing Impacts:

Legal Positions:
N/A

FTEs:
N/A

Special Instructions:

After Board action, distribute as follows:

- | | |
|---|---|
| 1. Certified Copy of Grant Deed
with copy of Certificate of Acceptance | Clerk of the Board Files |
| 2. Certified Copy of Grant Deed,
with original Certificate of Acceptance
& Minute Order | Office of Real Estate Services
Attn: Ronn Carlentine |

NOTE: The Office of Real Estate Services will deliver the original Grant Deed with the original Certificate of Acceptance to the Clerk Recorder for recordation. The Clerk of the Board should retain a certified copy of the Grant Deed with a copy of the Certified of Acceptance until the Grant Deed is recorded. Upon the recordation of the deed, the Office of Real Estate Services will return a copy of the deed to the Clerk for its file and reference.

Attachments:

Notice of Exemption
Planning Commission Report
Resolution of Acceptance: Interest in Real Property
Standard Agreement (Assignment & Amendment)
Payee Data Record
Copy of the Grant Deed with Certificate of Acceptance

Concurrence:

County Parks Department

Authored by:

Ronn Carlentine, Office of Real Estate Services