



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: Planning &
Development
Department No.: 053
For Agenda Of: July 15, 2008
Placement: Departmental
Estimated Tme: 15 minutes
Continued Item: Yes
If Yes, date from: 2/12/08; 7/8/08
Vote Required: Majority

TO: Board of Supervisors

FROM: Department John Baker, 568-2085
Director(s)
Contact Info: Doug Anthony, 568-2046

SUBJECT: **Grant Contract(s) for Gaviota Village Property Acquisition**

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Approve up to \$860,938 from the Coastal Resource Enhancement Fund (CREF) for the fiscal year of 2008-2009 to acquire 43 acres, known as the Gaviota Village property, along the Gaviota Coast, which is located in the Third Supervisorial District.
- B. Approve a \$418,553 grant from the Coastal Impact Assistance Program of 2001 (CIAP 2001) to acquire the Gaviota Village property, if the National Oceanic and Atmospheric Administration (NOAA) extends the term of this grant for the Gaviota Village property acquisition.
- C. Direct staff to return on the Administrative Agenda to execute a contractual agreement with the Trust for Public Land, for up to \$918,553, to purchase the Gaviota Village property.

Summary Text: Trust for Public Land (TPL) recently reached an agreement with the landowner of the Gaviota Village property, 43 acres located on the western end of the Gaviota coast. The property is made up of two parcels, one which is zoned Commercial Highway, and has historically been used as a restaurant, service station and grocery store. The property is bordered by Highway 101 on the south, Gaviota State Park open space on the west, and to the east and north agricultural lands (see attached map).

Canada del Barro runs through the Gaviota Village property, and the property supports a variety of habitat types, such as grasslands, chaparral, and coastal sage scrub. TPL plans to transfer the land to the

California Department of Parks and Recreation; the land would be restricted to open space and passive recreational uses. A more definitive definition of the Restricting Use will be forthcoming as TPL negotiates grant agreements with the various funding agencies.

TPL will purchase the land for a total cost of \$2.85 million. TPL has secured the following grants for a total of \$1,389,062:

- \$889,062 from the National Oceanic and Atmospheric Administration's (NOAA) Coastal and Estuarine Land Conservation Program (CELCP); and
- \$500,000 from the Goleta Valley Land Trust.

TPL is currently seeking a \$500,000 grant from the California Department of Parks and Recreation.

TPL also seeks monies from the County. TPL seeks a \$418,553 Coastal Impact Assistance Program 2001 (CIAP 2001) grant. Energy Division staff is working with NOAA to determine if NOAA will extend the CIAP 2001 grant of \$418,553 for this acquisition, and to determine if this source may be used along with the foregoing NOAA CELCP grant.

If NOAA approves the \$418,553 CIAP 2001 grant extension, TPL also seeks a \$500,000 Coastal Resource Enhancement Fund (CREF) grant, making a total request of \$918,553 from the County.

If NOAA does not approve the CIAP 2001 grant extension, TPL withdraws its request for the CIAP 2001 grant and increases its CREF request to the County from \$500,000 to \$860,938.

Energy Division had hoped to have an answer from NOAA prior to docketing this board letter so that it could be more definitive about the final outcome of the \$418,553 CIAP 2001 grant and the exact amount for a CREF grant. The Division hopes to have an answer from NOAA prior to the July 15, 2008 hearing so that it can update the Board of Supervisors and the public with specifics on the proposed two grants. However, if NOAA has not responded by the July 15th hearing, the Division requests that the Board of Supervisors direct the Energy Division to pursue and return to the Board of Supervisors with a contractual agreement with TPL to acquire the Gaviota Village property with one of the following scenarios:

- a total amount of \$918,553 (from both a \$418,553 CIAP 2001 grant and a \$500,000 CREF grant),
or
- a total amount of \$860,938 (solely from CREF).

Background: In the 2007 CREF cycle, TPL unsuccessfully sought a \$500,000 CREF grant to purchase the Gaviota Village. At the time, TPL did not have an agreement with the buyer; however, the Board encouraged all entities to continue negotiating with landowners to purchase the Gaviota Village site. During the 2007 cycle, the Gaviota Village project fully satisfied six of the eight CREF criteria as it would enhance coastal aesthetics, recreation, tourism, and environmentally sensitive resources. It also met the coastal nexus criteria since it a coastal blufftop terrace, offering sweeping views of the Santa Barbara Channel.

On February 12, 2008, the Board of Supervisors deferred the CREF acquisition monies (approximately \$1,372,000) to 2009, unless a prominent land acquisition is brought forward for consideration prior to the 2009 cycle. In addition at that hearing, the Board earmarked \$500,000 to help the City of Carpinteria purchase 27-acres on the Carpinteria Bluffs. (The City reports that it is actively working on this acquisition.) This leaves approximately \$872,000 in CREF monies available.

The County established CREF as a condition of permits for offshore oil and gas development and transportation projects; mitigation is provided through CREF for impacts to coastal resources.

The federal Coastal Impact Assistance Program (CIAP) of 2001 is a one-time allocation of offshore oil revenues to eligible coastal states and political subdivisions. The CIAP 2001 grant expired on December 31, 2007; however, NOAA is considering a request to extend this grant to the end of 2008.

Fiscal and Facilities Impacts:

No fiscal and facilities impacts. The Coastal Resource Enhancement Fund is funded by mitigation fees paid by developers of offshore oil and gas reserves. Fees to fund this grant were received in FY 07-08 and are included in the County's Budget FY 08-09 "Source of Funds Summary – Use of Prior Fund Balances." Staff will request a budget revision to the Energy Division's FY 08-09 budget; expenditures are budgeted under "Use of Funds Summary – Mitigation Programs." The \$500,000 to acquire the Gaviota Village Property is expended from Fund #0063, Department #053, Program #5090, Account #7863, and Project #0803.

The Coastal Impact Assistance Program is funded by the Federal government. This grant was received in FY 01-02. Staff will request a budget revision to the Energy Division's FY 08-09 budget if NOAA approves the CIAP 2001 extension.

Special Instructions:

Planning and Development Department, Energy Division, will prepare a contract with Trust for Public Land and bring it back to the Board of Supervisors on the Administrative Agenda.

Attachments

Map of the Gaviota Coast, including project site

Authored by:

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