

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 11/26/02
Department Name: Planning and Development
Department No.: 053
Agenda Date: 12/10/02
Placement: Departmental
Estimate Time: 20 minutes
Continued Item: Yes
If Yes, date from: 12/3/02

TO: Board of Supervisors

FROM: Dianne Meester, Interim Director
Planning and Development Department

STAFF CONTACT: Doug Anthony, Energy Specialist
Energy Division, 568-2046

SUBJECT: Gaviota Coast Easements

Recommendation(s): That the Board of Supervisors execute the attached contract for services with the Land Trust for Santa Barbara County in the amount of \$1,008,000 and for the period of December 10, 2002 through June 30, 2003. These funds would contribute 5/6s of the costs to purchase two easements that help to conserve agriculture, natural resources, and scenic amenities on the Gaviota coast. Funds available for this contract come from two AB 1431 grants (totaling \$500,000) and two Coastal Resources Enhancement Fund (CREF) grants (totaling \$508,000).

Alignment with Board Strategic Plan: The recommendation primarily aligns with Goal No. 5.A High Quality of Life for All Residents.

Executive Summary and Discussion: During the 2000 and 2002 CREF funding cycles, the Board of Supervisors conceptually approved two grants, in the amounts of \$303,268 and \$330,000 respectively, for use by the Land Trust for Santa Barbara County to acquire conservation easements along the Gaviota coast. The County also received two grants from the California Resource Agency's AB 1431 Coastal Grant Program in 2000 and 2001 for \$250,000 each to acquire conservation easements along the Gaviota coast, working through the Land Trust. In all cases, the location, terms and conditions of the specific easements require final approval by the Board of Supervisors before these public funds are released. The Resources Agency also holds right of approval prior to release of the two Coastal Resource Program grants.

The Land Trust has recently culminated negotiations with landowners to acquire two easements for \$1,198,000.00: one over the 745-acre La Paloma Ranch and a separate easement over a 5.66-acre parcel on the south-facing mountainside of the Gaviota coast. Both sites are located in the Venadito canyon area, on the north side of U.S. 101 near Refugio State Beach.

The Land Trust has secured a \$200,000 grant from the California Coastal Conservancy to use towards the acquisition of the two easements. It requests the remaining funds necessary to acquire the two easements, plus \$10,000 in administrative and legal costs, from the foregoing grants as follows:

2000 Coastal Grant Program (AB 1431)	\$ 250,000
2001 Coastal Grant Program (AB 1431)	\$ 250,000
2000 CREF cycle	\$ 303,268
2002 CREF cycle	<u>\$ 204,732</u>
Total	\$1,008,000

The following lists summarizes what development rights are retained and which ones are prohibited or restricted by the two easements.

745-acre La Paloma Ranch
(consists of four legal parcels)

- Emphasizes protection of agricultural resources and natural resources.
- Prohibits division, subdivision, or *de facto* subdivision of the Property; retains right to lease a portion or all of the Property.
- Permits landowner to engage in any and all agricultural uses in accordance with sound, generally accepted agricultural management practices, including:
 - Breeding, raising, pasturing, and grazing livestock of every nature and description.
 - Planting, raising, harvesting and producing agricultural, aquacultural, horticultural and forestry crops and products of every nature and description (including vineyards).
 - Processing, storage, and sale (including direct retail sale to public) of crops and products harvested and produced on Property or on surrounding or nearby ranches owned, operated or leased by landowner.
 - Greenhouses, livestock feedlots, and animal or plant processing facilities that provide support of animals or plants grown or raised on the Property or on nearby ranches owned, operated or leased by landowner.
- Restricts placement of greenhouses and livestock feed lots to areas of 10% or less average slope.
- Designates Natural Resource Areas for protection that include riparian habitat, coast live oak riparian woodland, coastal sage scrub, chaparral and coast live oak woodland, and three cultural sites. Prohibits the placement of any buildings within such areas.
- Permits total of three, single primary residences on the four-parcel property. The three residences may also include a single, separate guest house or artist studio or a single detached second residential unit. Restricts location of existing and new residential structures and accessory structures to three 2-acre development envelopes. Also restricts location of these structures to minimize the impact on productive agricultural soils and to minimize environmental impacts on Natural Resource Areas. Permits all residential accessory structures as allowed under zoning regulations within development envelopes.
- Permits employee housing for *bona fide* employees of landowner, or employees of tenant(s), sharecrop tenant(s) or other farm employees. Restricts location to two 2-acre development envelopes.
- Permits one telecommunication facility, including transmission towers and unoccupied ground support equipment. Restricts location of such facility to areas outside of Natural Resource Areas.
- Restricts buildings not constructed within development envelopes to 2% of total land.
- Prohibits non-agricultural commercial or industrial uses.
- Permits oil and gas development that does not materially damage, impair, or endanger the Agricultural Resources or Conservation Values of the Property.

- Prohibits alteration of the general topography or natural drainage of the Property, including excavation or removal of soil, sand, gravel or rock, except as may be required for agricultural production, maintenance of roadways, construction or maintenance of buildings or other uses with the Property.
- Permits joint projects for identifying and promoting ecological improvements or enhanced management techniques which may restore or enhance Natural Resource Areas.
- Retains right of Land Trust to conduct one educational field trip or similar event on site once annually.
- Extends Land Trust the right to monitor and enforce compliance with easement's restrictions.

5.66-acre Hvolboll Property

(consists of one legal parcel, located on south-facing mountainside)

- Emphasizes protection of agricultural resources and scenic resources.
- Prohibits division, subdivision, or *de facto* subdivision of the Property; retains right to lease a portion or all of the Property.
- Prohibits residential, commercial or industrial uses, including placement of commercial signs or billboards, but not including agriculture or production or processing of food and fiber products.
- Prohibits structures, except for fences, one water well, one water tank, associated electric and water lines, and a single, unpaved agricultural access road (maximum 12 feet in width). Prohibition applies to the construction of any building, barn or shed for processing of food and fiber, or storage of crops, supplies or equipment, or sale of agricultural products; otherwise, additional improvements to accommodate the raising of livestock, bees, poultry or other fowl, such as pens, corrals, and bee boxes.
- Permits landowner to engage in any and all agricultural uses in accordance with sound, generally accepted agricultural management practices, including:
 - Breeding, raising, pasturing, and grazing livestock of every nature and description.
 - Planting, raising, harvesting and producing agricultural, aquacultural, horticultural and forestry crops and products of every nature and description (including vineyards).Such uses shall not result in significant soil degradation, significant pollution or degradation of any surface or subsurface waters or significant impairment of open space vistas.
- Prohibits alteration of the general topography or natural drainage of the Property, including excavation or removal of soil, sand, gravel or rock, except as may be required for agricultural production, maintenance of roadways, construction or maintenance of buildings or other uses with the Property.
- Extends Land Trust the right to monitor and enforce compliance with easement's restrictions.

Mandates and Service Levels: Mitigation of impacts to coastal resources from offshore oil and gas development is required as a condition of permits on five projects. Mitigation is provided through the Coastal Resource Enhancement Fund. There are no changes in service level as a result of this contract.

Fiscal and Facilities Impacts: No fiscal and facilities impacts. Staff costs to process the contract for services are offset by interest accrued to the Coastal Resource Enhancement Fund (Fund No. 0063). The payment of \$1,008,000 to the Land Trust for acquisition of the two easements includes a combined \$508,000 in CREF awards and a passthrough of \$500,000 in AB 1431 grants awarded to the County. Revenue and expenditures for this project appear on page D-276 of the County's FY 02-03 budget. In the table titled *Sources of Funds*, AB 1431 revenues are included under the line-item *Grants* and CREF revenues appear in the line item *Offshore Oil & Gas Mitigation*. Expenditures for both AB 1431 and CREF funds appear in the table titled *Use of Funds Summary*, under the line-item *Mitigation Programs*.

Special Instructions: Send one copy of the executed agreement to Doug Anthony, Energy Division.

Concurrence: County Counsel, Auditor-Controller, Risk Management.