



Midpeninsula Regional
Open Space District

R-16-151
Meeting 16-31
December 14, 2016

AGENDA ITEM 3

AGENDA ITEM

Annual Dedication Report of Certain District Lands

GENERAL MANAGER'S RECOMMENDATION

Accept the annual report on the status of dedicated interests in District lands held for public open space purposes.

SUMMARY

In accordance with the Midpeninsula Regional Open Space District's (District) Dedicated Lands Policy as amended January 22, 1986, an annual report of the status of District lands as dedicated or undedicated is presented each December. At that time, the Board of Directors (Board) may dedicate by resolution any lands it deems appropriate. As part of the annual report, a summary of lands acquired by the District in 2016 is also provided.

DISCUSSION

In accordance with the Dedicated Lands Policy, the Board receives an annual report indicating the status of District lands as dedicated or undedicated. The annual report may also contain recommendations for additional dedication of specific District properties or interests in lands. Upon dedication, those properties will effectively be permanently protected, and the District voluntarily eliminates its ability to sell or otherwise convey those dedicated properties without voter consent, except under narrow statutory exceptions. The exceptions are referenced in the District's enabling legislation within Public Resources Code Section 5540. The statutory exceptions only permit exchanges of dedicated land of equal or greater open space value not to exceed 40 acres in a calendar year, or the transfer of land to another government agency upon the condition that the land will continue to be protected as open space in perpetuity.

Undedicated lands within the District's boundaries are often indicated for future dedication to park and/or open space purposes, but only after the necessary planning, boundary adjustments, provision for permanent access, and other changes in configuration, which may involve the disposal or exchange of interests in all or portions of such lands, have been completed. Retaining certain lands in an undedicated status affords maximum flexibility to achieve these modifications. In the interim, undedicated District lands may be used for park or open space purposes within the meaning of Section 5540 of the Public Resources Code.

When considering the adoption of any Use and Management Plan, the Board determines whether the underlying land is intended to be dedicated at the time of the annual report or to be withheld

until a later time, such as when more comprehensive planning has been completed. Dedication status is also reviewed as part of the regular land use and management planning process, such as approval of a Site Plan, Preserve Plan or Master Plan. When approving such plans, the Board may adopt a motion of intention to dedicate at the time of the annual report or to withhold dedication until a future time. Another factor for consideration is whether a granting agency, such as the California Coastal Conservancy, requires dedication of a grant-funded property as a condition of funding.

Dedication Status Summary

The Dedication Status Summary Report (Attachment 1) provides the total acres held within each District preserve and their dedication status. Only those parcels for which title has passed to the District on or before December 1, 2016 are included in the acreage totals. The interests in land that the District holds, i.e., fee title, easement, or other (lease, management agreement, etc.), are listed for each category. Rights of first refusal and/or reversions to the District are not included. The table below provides a summary dedication status of District lands.

<i>Land Interests of District</i>		<i>Acres</i>
Fee Title Interests		57,812.01
Lesser Interests		5,212.62
Total District Interests		63,024.63
Lands with lesser interest that prevent dedication		-1,919.55
Total acres of lands with marketable interests		61,105.08
<i>Dedication status of lands with marketable interests</i>		<i>%</i>
Dedicated lands		67.39
Undedicated lands		32.61
Total acres of lands with marketable interests		100.00
		Acres
		41,178.31
		19,926.77
Total acres of lands with marketable interests		61,105.08

Lands Acquired since December 9, 2015

The last annual report was presented to the Board on December 9, 2015 (R-15-158). The table below reports total lands acquired since that date that closed escrow by December 1, 2016.

<i>Year</i>	<i>Interest Type</i>	<i>Acres</i>	<i>Appraised Value</i>	<i>District Expenditure</i>	<i>Partner funds, exchanges, grants or gifts</i>
2016	Fee	85.88	\$5,170,000	\$4,663,683	\$506,317
2016	Easement	8.19	95,000	\$95,000	0
Total		94.07	\$5,265,000	\$4,758,683	\$506,317

Dedication Recommendations for 2016

A parcel-specific analysis is conducted annually to provide recommendations for land dedications. The analysis includes consideration of the criteria identified in the governing policy. Additionally, staff considers preserve boundary configuration, surrounding land use, pending negotiations for adjacent acquisitions, project coordination with partner agencies, and other relevant factors. As a result of the analysis conducted in 2016, staff concluded that there are no undedicated lands suitable for dedication at this time and the 2016 annual report contains no recommendations for dedication.

Recommendations for Later Dedication

Pockets of undedicated lands are found throughout the District, but the majority of the District's undedicated land lies within La Honda Creek and Sierra Azul Open Space Preserves (OSP).

At La Honda Creek OSP, 46% (2,848.87 acres) is undedicated. Development of public access improvements are underway in the lower area of the Preserve. When the 2012 Master Plan is amended to include additional properties acquired since 2012, and the public access improvements are completed, the status of remaining undedicated lands will be reevaluated.

At Sierra Azul OSP, 71% (13,467.12 acres) is undedicated. Completion of the Sierra Azul OSP Master Plan has been deferred to allow for a focused implementation of the Mt. Umunhum Public Access and Environmental Restoration Project. Future opening of Mt. Umunhum, completion of the Sierra Azul OSP Master Plan, and planning of other preserve areas could potentially affect dedication preferences. When the long term management goals of the entire preserve are approved, the status of remaining undedicated lands will be reevaluated.

FISCAL IMPACT

There are no costs and no fiscal impact associated with acceptance of this report.

BOARD COMMITTEE REVIEW

No Board Committee review is required for this item.

PUBLIC NOTICE

Public notice was provided pursuant to the Brown Act. Notice was also given to the California Coastal Conservancy, County of Santa Clara, Santa Clara Valley Water District, and Peninsula Open Space Trust. No additional notice is necessary.

CEQA COMPLIANCE

No compliance is required as this action is not a project under CEQA.

NEXT STEPS

None.

Attachments:

1. Dedication Status Summary Report

Responsible Department Head:
Michael Williams, Real Property Manager

Prepared by:
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Dedication Status Summary Report

Preserve	Fee , Easements and Other			Fee Acreage			Easements on Private Land			Easements on Public Land			Lease and Management	Contribution Only	Other Interest
	Dedicated Acres	Undedicated Acres	Total Acres	Dedicated	Undedicated	Intended	Dedicated	Undedicated	Intended	Dedicated	Undedicated	Intended			
Bear Creek Redwoods	1,355.15	82.05	1,437.20	1,355.15	80.12	74.30	0.00	1.93	1.20	0.00	0.00	0.00	0.00	0.00	0.00
Briggs Creek	0.00	1.00	1.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coal Creek	507.18	1.20	508.38	507.18	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20
Costanoan Way	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Edgewood County Park	468.00	0.00	468.00	0.00	0.00	0.00	0.00	0.00	0.00	468.00	0.00	0.00	0.00	0.00	0.00
El Corte de Madera Cre	2,902.27	4.10	2,906.37	2,902.27	3.80	0.00	0.00	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00
El Sereno	1,392.95	25.76	1,418.71	1,392.83	20.63	0.00	0.12	4.44	0.00	0.00	0.00	0.00	0.00	0.00	0.69
Felton Station	0.00	43.21	43.21	0.00	43.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Foothills	211.28	0.40	211.68	211.28	0.00	0.00	0.00	0.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fremont Older	735.09	4.00	739.09	735.09	0.00	0.00	0.00	4.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
G.G.N.R.A.	0.00	1,227.26	1,227.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,227.26	0.00
La Honda Creek	3,295.09	2,848.87	6,143.96	3,294.92	2,845.49	2,397.35	0.17	3.00	0.00	0.00	0.38	0.00	0.00	0.00	0.00
Long Ridge	1,941.56	93.13	2,034.69	1,928.41	39.79	0.00	13.15	0.00	0.00	0.00	0.00	0.00	39.33	0.00	14.01
Los Trancos	274.31	0.00	274.31	274.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Miramontes Ridge	991.63	724.00	1,715.63	991.63	724.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Monte Bello	3,422.73	114.02	3,536.75	3,388.70	-11.34	0.00	34.03	28.10	24.90	0.00	0.00	0.00	85.37	0.00	11.89

Preserve	Fee , Easements and Other			Fee Acreage			Easements on Private Land			Easements on Public Land			Lease and Management	Contribution Only	Other Interest
	Dedicated Acres	Undedicated Acres	Total Acres	Dedicated	Undedicated	Intended	Dedicated	Undedicated	Intended	Dedicated	Undedicated	Intended			
Moody Gulch	0.00	163.86	163.86	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	163.86	0.00
Other	0.00	5.19	5.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.19	0.00	0.00	0.00	0.00
Picchetti	307.89	0.00	307.89	307.89	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pulgas Ridge	365.78	0.10	365.88	365.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.10
Purisima Creek	3,742.23	1,010.28	4,752.51	3,742.23	1,010.18	84.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.10
Rancho San Antonio	3,693.89	294.55	3,988.44	2,178.53	1.20	0.00	1,515.36	0.50	0.00	0.00	0.00	0.00	292.85	0.00	0.00
Ravenswood	371.67	4.33	376.00	273.67	0.00	0.00	0.00	1.45	0.00	0.00	2.88	0.00	98.00	0.00	0.00
Russian Ridge	3,013.33	477.19	3,490.52	3,013.33	118.19	0.39	0.00	353.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00
Saratoga Gap	1,411.57	196.62	1,608.19	1,345.57	196.62	0.00	0.00	0.00	0.00	66.00	0.00	0.00	0.00	0.00	0.00
Sierra Azul	5,498.55	13,467.12	18,965.67	5,058.13	13,359.80	1,634.41	68.42	30.44	20.25	372.00	0.00	0.00	75.65	0.00	1.24
Skyline Ridge	2,132.50	10.00	2,142.50	2,051.53	10.00	0.00	80.97	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
St. Joseph's Hill	267.64	2.50	270.14	173.64	0.00	0.00	94.00	2.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Steven's Creek Shoreline	54.74	0.00	54.74	53.74	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Teague Hill	623.76	2.38	626.14	623.76	2.38	2.38	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Thornewood	156.77	10.00	166.77	152.22	0.00	0.00	4.55	10.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tunitas Creek	707.48	952.49	1,659.97	707.48	952.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Windy Hill	1,333.28	80.71	1,413.99	1,304.49	80.71	78.71	5.79	0.00	0.00	23.00	0.00	0.00	0.00	0.00	0.00

Preserve	Fee , Easements and Other			Fee Acreage			Easements on Private Land			Easements on Public Land			Lease and Management	Contribution Only	Other Interest
	Dedicated Acres	Undedicated Acres	Total Acres	Dedicated	Undedicated	Intended	Dedicated	Undedicated	Intended	Dedicated	Undedicated	Intended			
All Preserves	41,178.31	21,846.31	63,024.63	38,333.75	19,478.26	4,271.69	1,817.56	440.06	46.35	929.00	8.45	0.00	591.20	1,391.12	35.23

Note: Excludes acreage where "Interest Held By Other"