



Midpeninsula Regional  
Open Space District

R-17-110  
Meeting 17-23  
September 27, 2017

## AGENDA ITEM 6

### AGENDA ITEM

Approval of a Resolution for Application to the Habitat Conservation Fund Program for grant funds to assist with the future purchase of the Peninsula Open Space Trust's Johnston Ranch Uplands property as an addition to Miramontes Ridge Open Space Preserve.

### GENERAL MANAGER'S RECOMMENDATIONS

1. Determine that the recommended action is exempt from the California Environmental Quality Act (CEQA) as set out in the staff report.
2. Adopt a Resolution of the Board of Directors approving an application for grant funds from the Habitat Conservation Fund Program to assist with the future purchase of the Johnston Ranch Uplands as an addition to Miramontes Ridge Open Space Preserve.

### SUMMARY

The Habitat Conservation Fund (HCF) is a competitive grant program administered by the California Department of Parks and Recreation under the California Wildlife Protection Act of 1990. The program funds local agency acquisition of wildlife corridors and urban trails, as well as nature interpretation and other programs that bring urban residents into parks and wildlife areas. The District proposes submitting a grant application for \$500,000 in the upcoming HCF funding cycle to assist in the acquisition of 650 acres of the Johnston Ranch Uplands (Attachment 1), located just south of the City of Half Moon Bay and owned by Peninsula Open Space Trust (POST). This property, identified as a new acquisition opportunity in the District's Fiscal Year 2017-2018 Action Plan and Budget in support of *Measure AA Portfolio 1 - Miramontes Ridge Land Conservation*, is considered to be highly competitive under the HCF's Trails grant category.

Approval of this Resolution by the Board of Directors (Board) is required for application submittal and will commit the District to provide matching funds for this grant request at the future time of acquisition, if and when the purchase is approved by the Board. If the grant is awarded, the Board may consider use of Measure AA funds as the funding match requirement to complete the purchase. The grant allows the District up to five years to complete the transaction. The grant requires that a 20-year deed restriction for future parks and recreation use of the property to be placed on the property when purchased. However, this application does not commit the District to pursuing this purchase. If the grant application is successful but the acquisition does not proceed as scheduled, the District would communicate the change to the California Department of Parks and Recreation to void the agreement.

## DISCUSSION

The HCF Program was established by the State of California to provide matching grants to local agencies for the acquisition of open space lands for wildlife corridors and urban trails, nature interpretation programs, and other programs that bring urban residents into parks and wildlife areas. To date, the District has successfully completed 13 HCF grant acquisitions, which have resulted in 15 property additions to six open space preserves. Since the HCF's inception, the amount of program funding has fluctuated, but more recently just over \$2 million has been available each year. However, this program is set to sunset, with only two more years of available funding remaining. Consequently, more than \$2 million will be available this funding cycle as the program seeks to distribute remaining funds from projects that were unable to proceed as scheduled.

Johnston Ranch Uplands is a critical acquisition in the District's effort to implement *Measure AA Portfolio 1 – Miramontes Ridge* and facilitates a future public opening of Miramontes Ridge Open Space Preserve (OSP). This acquisition is also a highly competitive project for an HCF grant under the Trails funding category. POST originally purchased the larger 880-acre Johnston Ranch property in the late 1990s in response to a development threat from a golf course and high-end housing. Its location in Half Moon Bay (Attachment 1) is particularly attractive for open space and wildlife corridor protection given its proximity to an urban center, potential connection to coastal and regional trails, and its proximity to both Miramontes Ridge OSP and Burleigh H. Murray State Park.

The property is a mixture of grazed and ungrazed coastal uplands. Arroyo Leon, a tributary of Pilarcitos Creek, runs through the property. The land has habitat for at least three threatened or endangered species (San Francisco garter snake, California red-legged frog, and steelhead trout). It is adjacent to Highway 1, a state-designated scenic corridor that is a conduit for recreational visitors, and to Higgins Road, a county-designated scenic corridor. The City of Half Moon Bay owns the Johnston House along the western edge of the property, which has significant historical value and is a growing focal point for tourism in the region. The City property is also improved with a small public parking lot, picnic tables, restroom, and meeting space.

The District is working with POST to bring the potential purchase to the full Board for consideration after the completion of a Lot Line Adjustment process that will separate out approximately 650 acres of upland from approximately 30 acres of working farmlands. The 30 acres would be sold to the current farm tenant and remain as agricultural land. This potential acquisition is well-matched for an HCF application due to its recreational, cultural, scenic, and natural resource value. The timing of the potential acquisition within the next two to five years is conducive to the timeframe of this grant.

After acquisition, public access planning for Miramontes Ridge OSP will be considered in the District's future Action Plan and Budget cycles. Trail planning would complement the City of Half Moon Bay's efforts to improve cycling and pedestrian access to open space within and surrounding their city, and may implement a portion of the County's 2001 Draft Trails Master Plan. Long-range public access goals as outlined in *Measure AA Portfolio 1 – Miramontes Ridge* are highly integrated into trail connectivity goals for the region and the goals of the HCF Program. Both the County of San Mateo and the City of Half Moon Bay have been consulted during pre-acquisition planning by the District and POST, and are in support of this grant.

application. District staff has met with HCF program staff about this grant. They have encouraged the District to request \$500,000 given the fit with the HCF program goals. Applications are due October 2, 2017. The State Office of Grants Administration will notify applicants of a project award before July 1, 2018. If awarded, the District must commit to providing a dollar-for-dollar match from non-state sources for the remainder of the purchase price at the time of acquisition. Additionally, owners of property that receive HCF grant funds are required to record a deed restriction restricting the future use of the property to parks and recreation purposes for a period of 10 to 20 years, depending on the award amount (above \$100,000 is a 20 year restriction). This restriction is not in conflict with the District's goals and objectives for this property. Further, this application does not commit the District to pursuing this purchase. No determination is being made at this time about possible future use and management of the property. Such determination shall be made at the actual time of acquisition.

The attached Resolution (Attachment 2) authorizes the General Manager to approve the filing of the application and certifies that the required match has been committed and sufficient funds are available to execute this project.

### **FISCAL IMPACT**

If successful, this grant, for which the District is requesting \$500,000, will represent a positive fiscal impact for the District beginning in FY18-19. Matching funds are a requirement of this grant, and the District would cover the remainder of the acquisition costs. District funding would be through Measure AA1-003, Miramontes Ridge *Land Conservation*, which focuses on pursuing land purchase opportunities that grow the District's contiguous greenbelt at Miramontes Ridge.

### **BOARD COMMITTEE REVIEW**

This report was not previously reviewed by a committee.

### **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

### **CEQA COMPLIANCE**

#### **CEQA Determination**

The District has concluded that the action being recommended in this Report is exempt from the CEQA. The proposed action seeks a funding mechanism. Approval of this funding mechanism has no possible significant physical impact on the environment under CEQA Guidelines Section 15061 (b) (3) and Section 15378 (b) (4).

Section 15061 (b) (3) exempts the recommended action as the activity is covered by the general rule that CEQA only applies to projects which have the potential for causing a significant effort on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Sections 15378 (b) (4) exempts the recommended action because the creation of government funding mechanisms or other governmental fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

## **NEXT STEPS**

With Board approval, the District will adopt the proposed Resolution. Near-term next steps for the project include:

- Finalize the HCF application and submit by October 2, 2017.
- Continue POST Johnston Ranch Uplands project investigation per tasks outlined in District's FY2017-18 Action Plan and Budget for Miramontes Ridge Land Conservation.
- POST, in consultation with the District, will submit a Lot Line Adjustment application to the County of San Mateo.

### **Attachment:**

1. Project Location Map
2. Resolution approving a grant application for funds from the Habitat Conservation Fund Program

### **Responsible Department Heads:**

Stefan Jaskulak, CFO/Director of Administrative Services

Mike Williams, Real Property Manager

### **Prepared by:**

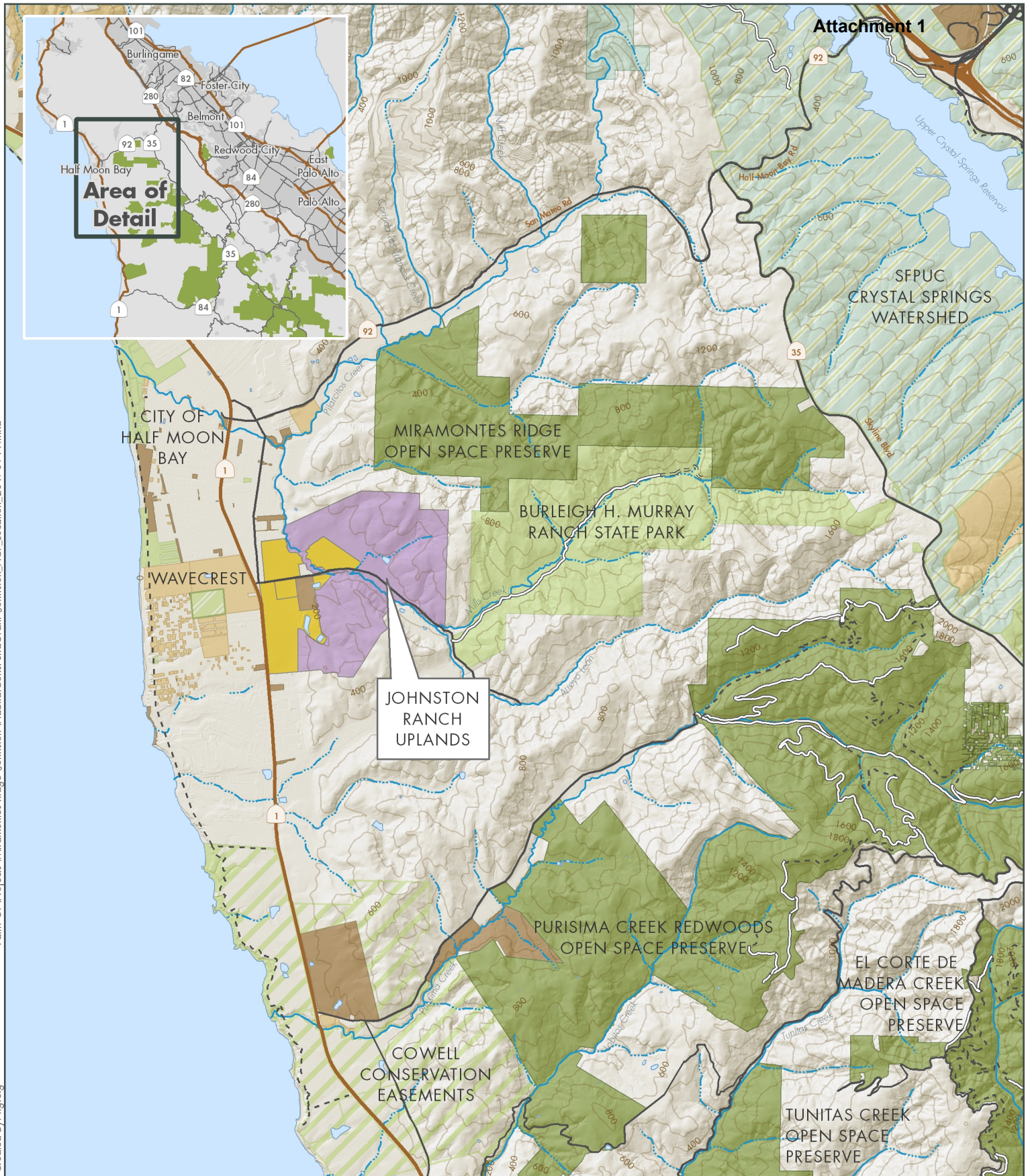
Melanie Askay, Grants Specialist, Administrative Services

Elish Ryan, Real Property Planner III









### **Contact person:**

Melanie Askay, Grants Specialist, Administrative Services





## Location Map - Johnston Ranch Uplands Acquisition

	POST Johnston Ranch To Be Retained by POST		Other Protected Lands		Land Trust
	POST Johnston Ranch To Be Purchased by MROSD		Private Property		Other Public Agency
	MROSD Preserves		Watershed Land		

Midpeninsula Regional  
Open Space District  
(MROSD)  
September 2017



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**RESOLUTION 17-\_\_**

**RESOLUTION OF THE BOARD OF DIRECTORS OF MIDPENINSULA  
REGIONAL OPEN SPACE DISTRICT APPROVING THE APPLICATION  
FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND  
PROGRAM**

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**WHEREAS**, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the HCF Program, setting up necessary procedures governing project application under the HCF Program; and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

**WHEREAS**, the applicant will enter into a contract with the State of California to complete the project(s);

The Board of Directors of Midpeninsula Regional Open Space District does hereby resolve as follows:

1. Approves the filing of an application for the Habitat Conservation Fund Program; and
2. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and
3. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that the applicant has reviewed, understands, and agrees to the provisions contained in the contract shown in the Grant Administration Guide; and
5. Delegates the authority to the General Manager to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

\* \* \* \* \*

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional  
Open Space District on \_\_\_\_\_, 2017, at a regular meeting thereof, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary  
Board of Directors

\_\_\_\_\_  
President  
Board of Directors

**APPROVED AS TO FORM:**

\_\_\_\_\_  
General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify  
that the above is a true and correct copy of a resolution duly adopted by the Board of Directors  
of the Midpeninsula Regional Open Space District by the above roll call vote at a meeting  
thereof duly held and called on the above day.

\_\_\_\_\_  
District Clerk