



Midpeninsula Regional
Open Space District

R-19-79
Meeting 19-15
June 12, 2019

AGENDA ITEM 6

AGENDA ITEM

Proposed purchase of the Folger Trust (Woodruff Redwoods) Property as an addition to La Honda Creek Open Space Preserve, in unincorporated San Mateo County (Assessor Parcel Number 078-190-030)

GENERAL MANAGER'S RECOMMENDATIONS

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the staff report.
2. Adopt a Resolution authorizing the purchase of the Folger Trust (Woodruff Redwoods) property for \$2,150,000 with a corresponding authorization for a Fiscal Year 2018-19 budget increase of the same amount.
3. Adopt a Preliminary Use and Management Plan for the Folger Trust (Woodruff Redwoods) property, as set out in the staff report.
4. Withhold dedication of the Folger Trust (Woodruff Redwoods) property as public open space at this time.

SUMMARY

The General Manager recommends purchase of the 190-acre Folger Trust (Woodruff Redwoods) property (Property) at a purchase price of \$2,150,000 as an addition to La Honda Creek Open Space Preserve. As part of the purchase approval, a line item budget increase of \$2,150,000 to the Fiscal Year (FY) 2018-19 budget is required to proceed with the acquisition. This Report contains a description of the Property, a Preliminary Use and Management Plan, findings of the environmental review, the purchase terms and conditions, and financial considerations.

DISCUSSION

The proposed 190-acre Property is located east of La Honda Road (Highway 84), 1 mile north of the Town of La Honda and approximately 2.5 miles south of Skyline Boulevard (Highway 35). The Midpeninsula Regional Open Space District's (District) La Honda Creek Open Space Preserve (Preserve) is located on the west side of Highway 84, and Russian Ridge Open Space

Preserve is located 1 mile to the east. The Property abuts the Audubon Society property on a portion of its northern boundary and is surrounded by other large rural residential parcels.

This purchase advances land conservation opportunities in Measure AA Portfolio #8 to Preserve Upper San Gregorio Creek Watershed and in Portfolio #15 for Redwood Forest Protection and Salmon Fisheries Conservation.

Property Description (see Attachment 2 - Location Map)

The Property is visible from upper areas in the Preserve and from the Highway 84 scenic corridor. Access to the Property from Highway 84 is via a deeded access easement on a road and bridge crossing Woodruff Creek to an unimproved road through an adjacent private property. Overgrown ranch and logging roads travel along the south and east portions of the Property. On a permissive basis, access may be possible from Highway 35 on unpaved private roads at the end of Rapley Ranch Road.

Land Use and Improvements

The Property is vacant and unimproved. The Property terrain is generally north facing and moderately steep, ranging from 600 feet near Highway 84, to 1,200 feet on its eastern boundary. The Property was last logged over 75 years ago and a limited network of overgrown logging roads remain. Some limited cattle grazing occurred in the 1950s and 1960s. No evidence of hazardous materials has been detected.

Habitat and Natural Resources Value

Significant stands of old and second growth redwoods, younger redwoods, and Douglas fir cover about 51-acres of the Property. Denser stands occur in the drainages of Woodruff Creek and Whistle Creek. A timber harvest analysis conducted in 1998 estimated that the Property contained almost 2 million board feet of redwood and 1 million board feet of Douglas fir. The understory consists of young trees, sword ferns, and redwood sorrel. Shrubs and grasses associated with coastal forest communities fill small clearings. The remainder is comprised of coastal scrub and some grassland. The mix vegetation types provides habitat for animal species associated with the upper elevations of the San Gregorio Creek watershed, including deer, coyotes, bobcats, and mountain lions. A wide variety of small mammals, birds, and other species occupy or migrate through the area.

Water Resources and Rights

The Property is within the headwaters of the San Gregorio Creek watershed, which has its water rights adjudicated. The majority of the Property drains to Woodruff Creek, a perennial blue line stream that runs along the Property's northern boundary and flows to La Honda Creek, a major tributary of San Gregorio Creek. Whistle Creek traverses the southwestern portion of the Property and joins up to Woodruff Creek before it flows into La Honda Creek. The San Gregorio Creek watershed supports spawning habitat for the endangered Coho salmon and threatened steelhead trout, and is listed under the federal Clean Water Act as an impaired water body for sediment. There are no adjudicated water rights associated with the property. A water license predating the adjudication has been lost due to non-use. A small pond is located on the Property. The pond is spring fed and received water from surface runoff.

COASTAL ANNEXATION AREA SERVICE PLAN COMPLIANCE

The Property is within the boundaries of the District's Service Plan for the San Mateo County Coastal Annexation Area (Service Plan), adopted June 2003. The Service Plan and subsequent conditions approved by San Mateo Local Agency Formation Commission (LAFCo) established policies and procedures for conducting the District's Coastsides Protection Program (Program). The Program guides the District's coastal purchases, as well as the use and management of open space land within the Service Plan Area.

The Service Plan requires solicitation of public input prior to Board consideration of an acquisition. On April 26, 2019, the District notified contiguous property owners and interested parties in writing of the intent to acquire the Property and opportunities to provide comment. On April 30, 2019, the District's Real Property Committee held a publically noticed meeting to review the proposed purchase (refer to section on Board Committee Review).

The District's coastal land purchases are subject to a Memorandum of Understanding between the San Mateo County Farm Bureau and the District. In accordance with the memorandum, District staff presented information and solicited comments on the proposed property purchase at a regularly scheduled Farm Bureau meeting on May 6, 2019. The Farm Bureau had no comment.

USE AND MANAGEMENT

Planning Considerations

The Property consists of one parcel, located in an unincorporated area of San Mateo County. The parcel has a General Plan designation of Timber Production Rural, with a zoning designation of Timberland Preserve Zone (TPZ). Natural resource management, habitat preservation, and low intensity recreation are allowable uses within this land use designation. On May 22, 2019, the San Mateo County Planning Commission confirmed that the acquisition of the Property for open space complies with the County's General Plan.

If purchased, the Property will be incorporated into the Preserve and a Preliminary Use and Management Plan will be implemented. When undertaken, a future planning process would analyze opportunities for compatible public use. Further environmental review would be prepared as needed. Subsequent planning would be in accordance with the District's Service Plan, including consultation with appropriate agencies and organizations.

Preliminary Use and Management Plan

The Preliminary Use and Management Plan (PUMP) establishes a status quo land management approach in the interim between the purchase and the completion of a future long-term plan. The PUMP includes site security and maintenance of the Property in its natural condition, as described below. The PUMP takes effect at the close of escrow and remains effective until changes warrant an amendment or the Preserve Master Plan is amended to include this Property. If changes to land use or the physical environment were proposed in the future, the plan would be subject to further environmental review and public input.

Public Access:	Designate the property as closed to public use at this time. Issue hiking permits to the former owner and neighbors on a case-by-case basis, allowing use consistent with historical use patterns.
Signs and Site Security:	Install Preserve boundary and closed area signs, where appropriate.
Fences and Gates:	Install gates and fencing as necessary to prevent unauthorized entry.
Roads and Trails:	Work with the adjoining private property owner to maintain deeded access easement though their property into the site in a usable condition. Work with the private owner to modernize the terms of the deeded access easement for patrol and maintenance use to access the Property. Implement maintenance, and minor erosion and sediment control measures for access roads in accordance with District standards.
Patrol:	Routinely patrol property using deeded access easement.
Resource Management:	Maintain the property in its natural condition. Conduct plant and animal management activities consistent with the District's adopted Resource Management Policies and Integrated Pest Management Policies as needed.
Water Resources:	Protect creeks, pond, springs and seeps on the property as needed.
Wildfire Fuel Management:	Implement standard District-wide fuel management and defensible space practices.
Coastal Service Plan:	Operate and manage the property in conformity with the District's Service Plan for the Coastal Annexation Area and the mitigation measures adopted pursuant to the Service Plan's Environmental Impact Report.
Name:	Name the property as an addition to La Honda Creek Open Space Preserve.
Dedication:	Indicate your intention to withhold dedication of the subject property as open space at this time.

CEQA COMPLIANCE

Project Description

The project consists of the purchase of the 190-acre Property as an addition to the District's open space preserve system and concurrent adoption of a PUMP. Minor erosion and sediment control measures in accordance with District standards will be conducted along existing access routes to prevent water quality degradation. Minor resource management activities may be conducted to control invasive plants. The land will be preserved as open space and maintained in a natural condition.

The Property is within the boundaries of the District's Service Plan for the San Mateo County Coastal Annexation Area. The Service Plan and Final Environmental Impact Report (FEIR) incorporated policies, guidelines, and mitigations to ensure compatibility with the County

General Plan and Local Coastal Plan. Actions proposed to purchase the Property and implement the PUMP comply with the Service Plan and the Service Plan FEIR.

CEQA Determination

The District concludes that this project will not have a significant effect on the environment. It is categorically exempt from the California Environmental Quality Act (CEQA) under Article 19, Sections 15301, 15316, and 15325 of the CEQA Guidelines as follows:

Section 15301 exempts the repair, maintenance, or minor alteration of existing public or private structures, facilities, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The PUMP for the Property includes minor erosion control work as necessary along existing roads and minor restoration activities to maintain the Property in a natural condition.

Section 15316 exempts the acquisition of land in order to create parks if the land is in a natural condition and the management plan proposes to keep the area in a natural condition. The PUMP for the Property specifies that the land will remain in a natural condition.

Section 15325 exempts transfers of ownership of interests in land to preserve open space. This acquisition will transfer fee ownership of the Property to the District to ensure that the open space will be preserved and incorporated into La Honda Creek Open Space Preserve.

TERMS AND CONDITIONS

The 190-acre Woodruff Creek property has a purchase price of \$2,150,000, which includes a recoverable timber value of \$747,000 and a land value of \$1,403,000. The fair market value of the Property is based on an independent appraisal. The Property would be purchased “as-is” and on an all cash basis.

FISCAL IMPACT

Land acquisitions brought before the Board for approval include a budget adjustment/increase to the adopted budget. If approved, a budget adjustment/increase of \$2,150,000 to the FY2018-19 budget is required.

Folger Trust (Woodruff Redwoods) Property Purchase <i>(including \$10,000 option Deposit)</i>	\$2,150,000
Total Land purchases approved to date for FY2018-19	\$31,599,000
Total FY2018-19 Land Purchases <i>(if approved)</i>	\$33,749,000

The following table outlines Measure AA Portfolio #08 budget, costs to date, and the fiscal impact related to the Property.

MAA 08 - La Honda Creek/Russian Ridge: Preservation of Upper San Gregorio Watershed and Ridge Trail Portfolio Allocation	\$15,347,000
<i>Life-to-Date Spent (as of 05/13/2019) option deposit:</i>	(\$10,000)
<i>Encumbrances:</i>	\$0
<i>Folger Trust (Woodruff Redwoods) Land Acquisition:</i>	(\$2,140,000)
<i>Projected Title, Escrow, Survey, and Misc. Expenses:</i>	(\$20,000)
Portfolio Remaining (Proposed):	\$13,177,000

Coastside Protection Area Fiscal Considerations

The Property is located within the service area of San Mateo County Fire. Under the terms of the District and County Fire agreement, the District would pay \$92.99, which would increase annually by 2%.

The Property is located within the service area of the La Honda-Pescadero Unified School District. Under the terms of the District and School agreement, the District would pay \$563.91, which would increase annually by 2%.

BOARD COMMITTEE RECOMMENDATIONS

The District's Real Property Committee held a meeting on April 30, 2019 to review information about the Property and receive public input on the proposed purchase. The District distributed a notice of the Real Property Committee meeting on April 26, 2019 to property owners located adjacent to or surrounding the subject property and to interested parties. Staff provided a presentation of the Property, reviewed the purchase terms, and described how the Property would remain closed and managed as an extension of the surrounding Preserve. No members of the public attended. The Real Property Committee recommended forwarding the proposed purchase to the District Board of Directors in a vote of 3-0.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act and a copy of this agenda was mailed to property owners of land located adjacent to or surrounding the Property, and the Coastside Protection Area mailing list.

NEXT STEPS

Upon approval, the General Manager will direct staff to proceed with the close of escrow for the purchase of the Property and implement the PUMP. Staff will work the neighboring private property owner to modernize the terms of the deeded access easement for patrol and maintenance access to the Property. The District's Skyline Field Office will manage the Property as an addition to La Honda Creek Open Space Preserve.

Attachments:

1. Resolution Authorizing Acceptance of Purchase and Sale Agreement, Authorizing the General Manager or Other Officer to Execute Certificate of Acceptance of Grant to District, and Authorizing General Manager to Execute any and all Other Documents Necessary or Appropriate to Closing of the Transaction (La Honda Creek Open Space Preserve - Lands of Folger Trust)
2. Woodruff Redwoods Property Location Map

Prepared by:

Michael Williams, Real Property Manager
Elish Ryan, Real Property Planner

Contact person:

Michael Williams, Real Property Manager

Graphics prepared by:

Nathan Greig, GIS Technician

RESOLUTION 19-__

RESOLUTION OF THE BOARD OF DIRECTORS OF MIDPENINSULA REGIONAL OPEN SPACE DISTRICT AUTHORIZING ACCEPTANCE OF PURCHASE AND SALE AGREEMENT, AMENDING THE FISCAL YEAR 2018-19 GENERAL FUND CAPITAL BUDGET, AUTHORIZING GENERAL MANAGER OR OTHER APPROPRIATE OFFICER TO EXECUTE CERTIFICATE OF ACCEPTANCE AND GRANT TO DISTRICT, AUTHORIZING GENERAL MANAGER TO EXECUTE ANY AND ALL OTHER DOCUMENTS NECESSARY OR APPROPRIATE TO CLOSING OF THE TRANSACTION (LA HONDA CREEK OPEN SPACE PRESERVE - LANDS OF FOLGER TRUST, AND AMEND THE BUDGET FOR FISCAL YEAR 2018-19.

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

SECTION ONE. The Board of Directors of Midpeninsula Regional Open Space District (District) does hereby accept the offer contained in that certain Purchase and Sale Agreement between Peter M. Folger and Barbara W. Folger, Co-Trustees of the Peter and Barbara Folger Revocable Trust dated April 8, 1992 as amended, and the Midpeninsula Regional Open Space District, a copy of which purchase agreement is attached hereto and by reference made a part hereof, and authorizes the President of the Board of Directors, General Manager, or other appropriate officer to execute the Agreement and all related transactional documents on behalf of the District to acquire the real property described therein (“the Folger Trust Property”).

SECTION TWO. The Board of Directors of Midpeninsula Regional Open Space District authorizes the expenditure of \$2,150,000.00 covering the purchase of the Folger Trust Property, including a deposit of \$10,000.00.

SECTION THREE. The Board of Directors of Midpeninsula Regional Open Space District authorizes amending the Budget and Action Plan for the Midpeninsula Regional Open Space District for Fiscal Year 2018-19 by increasing the Measure AA Fund Capital budget in the amount of \$2,150,000.00. Except as herein modified, the FY 2018-19 Budget and Action Plan, Resolution No. 16-25 as amended, shall remain in full force and effect.

SECTION FOUR. The General Manager, President of the Board of Directors, or other appropriate officer is authorized to execute a Certificate of Acceptance and the Grant Deed on behalf of the District.

SECTION FIVE. The General Manager or the General Manager’s designee is authorized to provide notice of acceptance to the seller and to extend escrow if necessary.

SECTION SIX. The General Manager or the General Manager’s designee is authorized to expend up to \$20,000.00 to cover the cost of title insurance, escrow fees, survey and miscellaneous costs related to this transaction.

SECTION SEVEN. The General Manager and General Counsel are further authorized to approve any technical revisions to the attached Agreement and documents, which do not involve any material change to any term of the Agreement or documents, which are necessary or appropriate to the closing or implementation of this transaction.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2019, 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

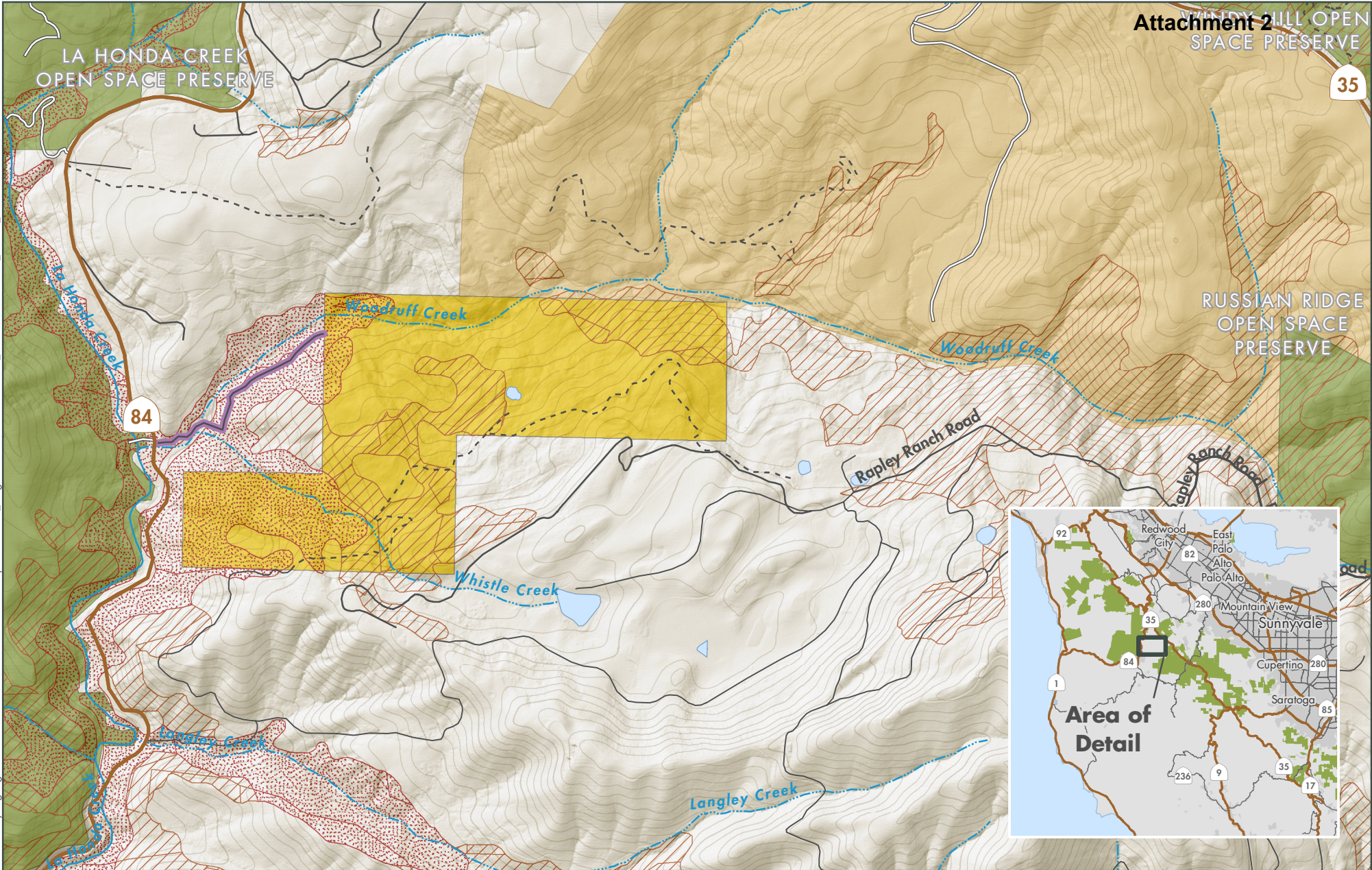
I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above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

District Clerk








LA HONDA CREEK
OPEN SPACE PRESERVE

RUSSIAN RIDGE
OPEN SPACE
PRESERVE

Path: G:\Projects\Russian_Ridge\WoodruffRedwoods\RR_WoodruffRedwoods_Access_20190513.mxd
Created By: ngreig



Woodruff Redwoods Property

- | | | | | | |
|---|--------------------|---|----------------------------|--|--------------------|
|  | La Honda Creek OSP |  | Woodruff Redwoods Property |  | Redwood Forest |
|  | Audubon Society |  | Access Easment |  | Douglas-fir Forest |
|  | Private Property | | | | |

Midpeninsula Regional
Open Space District
(Midpen)
5/13/2019



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.