

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200
 FAX (415) 904-5400



W23a

January 26, 2007

TO: Coastal Commissioners and Interested Parties

FROM: Elizabeth A. Fuchs, Manager, Madeline Cavalieri, Allyson Hitt, Bill Van Beckum, Analysts

RE: ANNUAL REPORT ON PROTECTING CONSERVATION/OPEN SPACE OTDS

There are approximately 875¹ Offers to Dedicate conservation/open space easements (OTDs) throughout the coastal zone required as development mitigation through Commission permit conditions. This report summarizes progress made during 2006 in achieving permanent protection of these easements.

2006 Acceptances

This year staff **successfully negotiated acceptance of 45 OTDs (a 32% increase over 2005)**; accepting entities included two state agencies, seven local governments, and four non-profit entities. Entities accepting for the first time this year included the Cities of Monterey and Oxnard, Santa Barbara County and the Jacoby Creek Land Trust. Notable acceptances in 2006 include a 30-acre easement in the Santa Monica Mountains, more than 30 acres in the Moro Cojo Slough area, 22 acres in the City of Monterey, nearly eight acres of sandy beach in Oxnard, as well as two wetland easements in Eureka totaling 78 acres.

The Coastal Commission maintains a strong working relationship with the Mountains Recreation and Conservation Authority (MRCA) and the Elkhorn Slough Foundation. Both entities continue to accept all Open Space OTDs in their respective areas (the Santa Monica Mountains in Southern California and the Moro Cojo and Elkhorn Slough areas in Monterey County).

Two offers expired, both due to unresolvable errors in the recorded legal documents. No new Open Space OTDs required by the Commission were recorded in 2006, though three direct dedications were recorded (to MRCA, Santa Barbara County and the City of Monterey).

Attachment A illustrates some of the variety of resources protected through acceptance of these easements. **Attachment B** includes the entire list of 2006 acceptances.

The table below summarizes the status of the conservation/open-space OTDs to date:

	Total to Date	Total Percentage
Accepted	393	45%
Expired/Allowed to Lapse	20	2%
Status to be Confirmed	6	<1%
Remain to be Accepted	456	52%
Total OTDs	875	100%²

¹ This number is subject to change as more OTDs are recorded and if ongoing research confirms no valid OTD.

² Numbers do not add up to 100% because of rounding.

Case Research

In addition to negotiating 45 acceptances, **staff devoted substantial time completing the research on the remaining 103 cases where the status of the recorded documents was unconfirmed.** For all but six of these cases, staff either confirmed the status of the documents or exhausted all research efforts. Staff’s research tasks included legal file review, archive permit file review, assessor data research, as well as online searches of county recorder data.

Data Development

Staff generally must focus its efforts on OTDs due to expire in the upcoming year. Nonetheless, our efforts to gain ground and stay further ahead of OTD expiration dates are becoming increasingly successful. For example, during 2006, staff was able not only to analyze, document, and begin negotiating several other case files for future acceptance, but also was able to secure the acceptances of several OTDs with expiration dates later than 2006 (18 of 45 acceptances).

Acceptances to Date

As the following table indicates, to date, public agencies have accepted 325, or 83% of the OSE OTDs. Non-profit entities have accepted 68, or 17% of the OSE OTDs.

	Managing Entity	OSE OTDs Accepted
	<i>Government Agencies</i>	
North Coast	Del Norte County	13
	Humboldt County	3
	City of Point Arena	1
North Central Coast	Marin County	2
	Sonoma County Open Space District	1
	San Mateo County	1
Central Coast	Santa Cruz County	13
	City of Santa Cruz	2
	City of Capitola	1
	Monterey County	26
	City of Marina	2
	City of Monterey	2
	San Luis Obispo County	1
	City of Morro Bay	2
South Central Coast	Santa Barbara County	1
	City of Oxnard	1
	Los Angeles County Flood Control District	1
	Mountains Recreation and Conservation Authority	113
	Santa Monica Mountains Conservancy	2
South Coast	City of Los Angeles	1
	Orange County	4
	City of Huntington Beach	1
	City of Laguna Beach	1
San Diego Coast	San Diego County	5
	City of Carlsbad	8
	City of Encinitas	6
	City of San Diego	2
	City of Imperial Beach	1
	<i>Table continued on next page</i>	

ANNUAL REPORT ON PROTECTING CONSERVATION/OPEN SPACE OTDS, JANUARY 26, 2007

	Managing Entity	OSE OTDs Accepted
	<i>Government Agencies (cont.)</i>	
Statewide	Coastal Conservancy	65
	State Dept of Fish and Game	37
	State Dept of Parks & Recreation	4
	State Lands Commission	1
Federal	U.S. Army Corps of Engineers	1
	<i>Non-Profit Entities</i>	
North Coast	North Coast Land Trust	1
	Jacoby Creek Land Trust	1
North Central Coast	Marin Agricultural Land Trust	1
	Half Moon Bay Open Space Trust	3
Central Coast	Land Trust of Santa Cruz County	4
	Elkhorn Slough Foundation	4
	Monterey Peninsula Foundation	1
	Del Monte Forest Foundation	22
	Big Sur Land Trust	4
	Santa Lucia Conservancy	1
	Environmental Center of San Luis Obispo County	1
	San Luis Obispo Land Conservancy	1
	Greenspace Cambria	1
South Central Coast	Mountains Restoration Trust	12
South Coast	Laguna Greenbelt	2
San Diego Coast	San Elijo Lagoon Conservancy	4
	Los Penasquitos Lagoon Foundation	1
	Friends of Los Penasquitos Canyon Preserve, Inc.	1
Statewide	Sierra Club	2
	The Nature Conservancy	1
	Total	393

Highlights of 2006 Open Space OTD Acceptances

The highlighted acceptances on these two pages protect approximately 106 acres total.

McKinleyville, Humboldt County

Protection of northern coastal bluff scrub vegetation on a 37-lot residential subdivision's western 5.9 acres, to **minimize geologic hazards** (potential slope failure), above the adjacent mid-slope Hammond Trail.



OTD accepted by the County of Humboldt

CDP A-1-HUM-96-070 Moser

Arcata, Humboldt County

Protection of 3.5 acres of restored **wetland and stream (Campbell Creek) resources**, adjacent to the Arcata Community Park project site, for nature study, wildlife and fisheries management, and passive recreation.



OTD accepted by the Jacoby Creek Land Trust (JCLT)

CDP 1-84-201 City of Arcata

Eureka, Humboldt County

Protection by two OTDs of 78 acres of **tidal and seasonal freshwater marsh habitat** for restoration, resource conservation, and public recreation uses, east and south of the Eureka sewage treatment plant project site.



OTDs accepted by the California Coastal Conservancy

CDP 80-P-039 City of Eureka

Half Moon Bay, San Mateo County

Protection of **riparian (Pilarcitos Creek) habitat** and adjacent buffer areas, with provisions for resource conservation use and public trail use, in the southern 5.1 acres of a 23.7-acre mixed-use project site.



OTD accepted by the Half Moon Bay Open Space Trust (HOST)

CDP 3-86-108/3-89-123 Crowell et al.

Highlights of 2006 Open Space OTD Acceptances

North Monterey County

Protection of an environmentally sensitive lake habitat (Tarpey Lake) and adjacent buffer areas, in the lower 3.5 acres of a 6.9-acre site for a single-family residence project.

OTD accepted by the Ekhorn Slough Foundation (ESF)



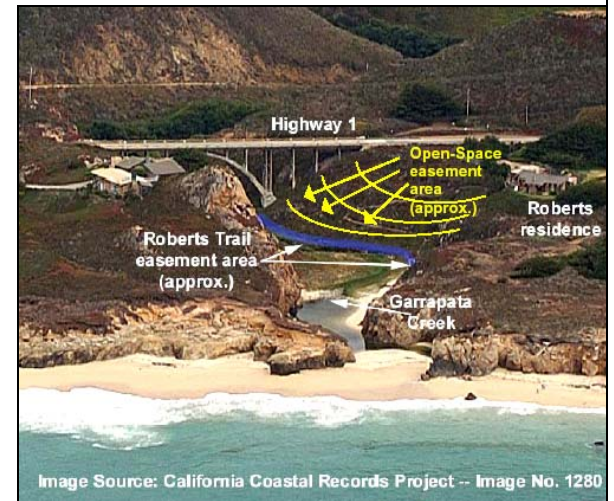
CDP 3-85-005 Watts

Big Sur, Monterey County

Protection of native northern coastal scrub vegetation, and scenic resources, on the northern 1.4 acres of a 2.1-acre site for a single-family residence project at Garrapata Creek.

OTD accepted by the County of Monterey

Photo © 2002 Kenneth & Gabrielle Adelman



CDP 3-85-106 Roberts

Oxnard, Ventura County

Protection of the dune and sandy beach resources, with provisions for public access, on the western 7.9 acres of a fifteen-lot residential subdivision.

OTD accepted by the City of Oxnard

Photo © 2006 Kenneth & Gabrielle Adelman



CDP 216-016 Andrews

Solana Beach, San Diego County

Protection of coastal sage scrub habitat on a ¼-acre bluff face adjacent to San Elijo Lagoon, at the north end of a 3.4-acre site for a hotel project.

OTD accepted by the San Elijo Lagoon Conservancy (SELC)

Photo © 2004 Kenneth & Gabrielle Adelman



CDP 6-85-589 Solana Beach Inn Suites

2006 Conservation OTD Acceptances

CDP #	Applicant	Purpose of OTD	Expiration Date	Accepting Agency	Acres	OTD Location	County
North Coast							
A-1-HUM-96-070	Steve Moser	OSE	3/7/2022	Humboldt County	0.1	N side Murray Rd, nr Mad River, McKinleyville	Humboldt
A-1-HUM-96-070	Steve Moser	OSE	3/7/2022	Humboldt County	5.9	N side Murray Rd, nr Mad River, McKinleyville	Humboldt
1-84-201	Arcata Public Improvement Corp	OSE-wetlands	4/25/2007	Jacoby Creek Land Trust	3.5	Samoa Blvd, E of Hwy 101, west of Union St, Arcata	Humboldt
P-80-39	City of Eureka	OSE	4/1/2006	Coastal Conservancy	49	wetlands south and east of sewage treatment plant, Eureka	Humboldt
P-80-39	City of Eureka	OSE	4/1/2006	Coastal Conservancy	29	wetlands south and east of sewage treatment plant, Eureka	Humboldt
North Central Coast							
3-86-108	William & Eleanore Crowell	OSE	8/22/2007	Half Moon Bay Open Space Trust	5.1	275 Main St, Half Moon Bay	San Mateo
3-93-032	Keet Nerhan	OSE	10/29/2014	Half Moon Bay Open Space Trust	2.9	north side of Frenchmans Creek, Half Moon Bay	San Mateo
Central Coast							
3-85-131	Gilbert Neill	OSE	6/25/2007	Elkhorn Slough Foundation	7	Castroville Blvd & Meridian Rd; Moro Cojo Slough	Monterey
3-85-131	Gilbert Neill	OSE	3/11/2007	Elkhorn Slough Foundation	23	Castroville Blvd & Meridian Rd; Moro Cojo Slough	Monterey
3-84-228	Warren Dean Campoli	OSE	2/21/2006	Coastal Conservancy	2	immediately adjacent to Elkhorn Slough NERR	Monterey
3-85-005	Buford Watts	OSE	5/8/2006	Elkhorn Slough Foundation	3.5	Tarpey Lake, Aromas	Monterey
3-94-023	Community Hospital of Monterey Peninsula	open space	n/a (direct dedication)	City of Monterey	21.6	near intersection of Hwy 1 and Hwy 68	Monterey
3-82-150-A2	Joanne Reddick	OSE	10/14/2006	Monterey County	1.3	west of Hwy One, Big Sur	Monterey
3-85-106	Sara Roberts	OSE	9/9/2007	Monterey County	1.2	W of Hwy 1, S of Garrapata Creek, Big Sur	Monterey
South Central Coast							
A-4-STB-05-037	Jack Maxwell	open space	n/a (direct dedication)	Santa Barbara County		Easement on Wetland and 100 foot wetland buffer area, adjacent to More Mesa	Santa Barbara
216-16	Ralph Andrews	open space	3/25/2006	City of Oxnard	7.9	on the beach at Oxnard Shores	Ventura
5-83-004	Quaker Corporation	TDC	4/10/2008	MRCA		Santa Monica Mountains	Los Angeles
5-83-004	Quaker Corporation	TDC	10/28/2007	MRCA		Santa Monica Mountains	Los Angeles

2006 Conservation OTD Acceptances

CDP #	Applicant	Purpose of OTD	Expiration Date	Accepting Agency	Acres	OTD Location	County
5-83-004	Quaker Corporation	TDC	10/27/2007	MRCA		Santa Monica Mountains	Los Angeles
5-83-879	Eckleyton Investments	TDC	6/20/2007	MRCA		Santa Monica Mountains	Los Angeles
5-83-879	Eckleyton Investments	TDC	6/20/2007	MRCA		Santa Monica Mountains	Los Angeles
5-83-879	Eckleyton Investments	TDC	6/20/2007	MRCA		Santa Monica Mountains	Los Angeles
5-83-879	Eckleyton Investments	TDC	6/20/2007	MRCA		Santa Monica Mountains	Los Angeles
5-87-684	Eckleyton Investments	OSE	11/23/2009	MRCA		Pacific Coast Hwy, Malibu	Los Angeles
4-05-039	Corral CanyonDev. LLC	open space	n/a (direct dedication)	MRCA	3.3	chaparral and riparian ESHA, Corral Canyon Rd, Santa Monica Mountains	Los Angeles
5-83-004	Quaker Corporation	riparian and buffer	7/22/2006	MRCA		Little Dark Creek, near Piuma Rd, Santa Monica Mountains	Los Angeles
5-83-004	Quaker Corporation	fee title	7/23/2006	Los Angeles County Flood Control District		near Piuma Road, Santa Monica Mountains	Los Angeles
5-85-309	Barbara Harris	TDC	9/12/2006	MRCA		Santa Monica Mountains	Los Angeles
5-84-813	Betka Lankouska & Wanda Lynch	habitat protection	1/15/2007	MRCA	30	Vera Canyon Dr, Santa Monica Mountains	Los Angeles
5-85-309	Barbara Harris	TDC	12/9/2006	MRCA		Santa Monica Mountains	Los Angeles
5-84-284	Newman-Ragland	TDC	11/27/2006	MRCA	0.9	El Nido; intersection of Sequit Dr and Corral Glen Rd	Los Angeles
5-85-309	Barbara Harris	TDC	12/9/2006	MRCA		Santa Monica Mountains	Los Angeles
5-85-288	California Fuji International Inc	OSE-riparian	7/19/2006	MRCA		Encinal Canyon Road, Santa Monica Mountains	Los Angeles
5-85-309	Barbara Harris	TDC	9/12/2006	MRCA		Santa Monica Mountains	Los Angeles
5-84-805	Ghassemieh Trust	TDC	4/15/2006	MRCA		Santa Monica Mountains	Los Angeles
5-84-805	Ghassemieh Trust	TDC	4/15/2006	MRCA		Santa Monica Mountains	Los Angeles
5-82-427	Douglas & Judith Pace	OSE	4/12/2006	MRCA	0.1	Malibu	Los Angeles
5-83-506	Paul & Carin Wendland	OSE	3/28/2006	MRCA	7.3	Santa Monica Mountains	Los Angeles

2006 Conservation OTD Acceptances

CDP #	Applicant	Purpose of OTD	Expiration Date	Accepting Agency	Acres	OTD Location	County
5-84-467	Brewer, G.R.	TDC	3/29/2006	MRCA	1	Santa Monica Mountains	Los Angeles
5-82-401	De Angelis, M. et al	OSE	5/2/2006	MRCA		Pacific Coast Hwy, Malibu	Los Angeles
5-83-663-A	Christian Whittaker	OSE	2/8/2006	MRCA		West Palm Canyon Lane, Malibu	Los Angeles
San Diego Coast							
6-84-518	Grupe Development Co., Inc.	OSE	7/15/2006	Coastal Conservancy	13	Canyon de las Encinas, Carlsbad	San Diego
F9617	Kenneth & Karen Olson	open space	6/12/2006	San Elijo Lagoon Conservancy	0.1	Rancho Santa Fe; unincorporated area	San Diego
6-85-589	Solana Beach Inn Suites	OSE	6/10/2007	San Elijo Lagoon Conservancy	0.25	bluff area above San Elijo Lagoon, Solana Beach	San Diego
6-84-487	Carlsberg Construction Co	OSE	7/24/2006	City of San Diego		Carmel Valley, San Diego	San Diego