



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER

File #: 16-494

Board Meeting Date: 9/12/2017

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: John L. Maltbie, County Manager
Subject: Agreement with the Peninsula Open Space Trust for the management of the V Trust Property located at Tunitas Creek Beach

RECOMMENDATION:

Adopt a resolution authorizing the President of the Board of Supervisors to execute a License and Management Agreement with the Peninsula Open Space Trust to enable the County to manage and improve the V Trust Property located at Tunitas Creek Beach.

BACKGROUND:

The V Trust Property is an approximately 57.5 acre, privately-owned property located 12 miles south of Half Moon Bay in Unincorporated San Mateo County ("Property"). Situated south of Tunitas Creek and west of State Route 1, the Property contains significant coastal, natural, and cultural resources including the San Francisco Garter Snake, California Red-Legged Frog, California Giant Salamander, and habitat for the critically listed Snowy Plover. Further, the abutting Tunitas Creek has been identified as historic California Central Coast Steelhead habitat.

In an attempt to preserve these resources for the immediate term, the County has made several efforts to mitigate the impacts of unauthorized and illegal activities. Part of these efforts include the adoption of San Mateo County Ordinance Code 3.69, which prohibits camping, fires, alcoholic beverages, fireworks, amplified music, littering, and dogs from being present or occurring on the Property.

In order to ensure the permanent protection of the coastal, natural, and cultural resources, the Peninsula Open Space Trust ("POST") is under contract to acquire the Property. POST is currently in the midst of their due diligence period, which expires on September 30, 2017. To date, POST has completed an appraisal, property boundary survey, Phase 1 Environmental Site Assessment, cultural and biological resource assessment, and a Geotechnical Investigation and Geologic Feasibility Study. The biological and cultural resource assessment confirmed the presence of nine special status species and 24 special status plants. The Phase 1 Environmental Site Assessment found no evidence of Recognized Environmental Conditions on Property.

There are still two outstanding matters that are being investigated: the presence of groundwater at the Property and the existing geologic composition of the Property. POST was issued a Coastal Development Permit to drill a series of test wells in an effort to locate groundwater in a capacity that could support recreational activities on the Property. If adequate groundwater is not located, the County would have to evaluate alternatives for supplying water to the Property. Additionally, the County is preparing to conduct further geotechnical investigations to better understand locations that could support a permanent access trail over the Property to the Beach. The initial geotechnical investigation conducted by POST showed that much of the Property is located in either dormant or active landslide areas. For this reason, the County must fully investigate and document the geologic composition of the Property before designing any improvements; especially the access trail.

DISCUSSION:

Through conversations between County and POST, it was determined that the most efficient and effective way to protect the coastal, natural, and cultural resources on the Property, while supporting coastal recreation, is for the County or POST to own and manage the Property. POST agreed to acquire the Property with the understanding that the parties would enter into a License and Management Agreement (“LMA”) authorizing the County to manage, improve, and protect the Property. Should the County decide not to execute the LMA, POST will have no obligation to acquire the Property.

The LMA that has been negotiated is for a term that will expire upon the Property being transferred to the County or termination by either party with 180 days written notice. The LMA authorizes the County to use, manage, improve, operate, and maintain the Property for the purpose of open space and natural resource preservation so the Property may eventually become part of the recreational and scenic resources of the County Park system. It also grants County authority to design, permit, and construct improvements that the County deems necessary or appropriate for the safe management of the Property. Further, County will assume all liability for events that occur on the Property while the LMA is in effect.

In order to improve the Property in a manner that would allow it to potentially serve as a County Park, the County is authorized, through the LMA, to plan, permit, design, and construct an access trail, ranger station, restrooms, well, septic system, and gates and fences. County is also authorized to determine, in the County’s reasonable judgement, which improvements should be implemented and the timing in which improvements will occur.

In order to effectively manage and patrol the Property, County Parks Department will need to purchase additional materials and supplies. These include trucks, RTVs, radios, computers, and trash receptacles. It has been estimated that to permit, design, and construct the improvements and purchase the necessary materials and supplies to manage the Property, there will be a one-time cost of approximately \$1,700,000. Further, annual operation of the Property is estimated to cost approximately \$1,000,000. Depending on the results of POST’s test wells and County’s geotechnical investigations, this number is subject to change.

County Counsel has review and approved the resolution and amendment as to form.

Approval of this resolution contributes to the Shared Vision 2025 outcome of an Environmentally Conscious Community by restoring and preserving valuable coastal, natural, and cultural resources.

FISCAL IMPACT:

Funds for the management and improvement of the Property have been included in the Fiscal Year

2017-2018 Parks Department September Revisions.