



Midpeninsula Regional  
Open Space District

Report 18-106  
Meeting 18-34  
September 26, 2018

### AGENDA ITEM 3

#### AGENDA ITEM

Approval of Two Resolutions for Grant Applications to the Habitat Conservation Fund Program

#### GENERAL MANAGER'S RECOMMENDATIONS

1. Adopt a grant application Resolution to the Habitat Conservation Fund Program for funding support to purchase the Johnston Ranch Uplands property as an addition to Miramontes Ridge Open Space Preserve.
2. Adopt a grant application Resolution to the Habitat Conservation Fund Program for funding support to restore the Mindego Ponds at Russian Ridge Open Space Preserve.

#### SUMMARY

The Habitat Conservation Fund (HCF) is a competitive grant program administered by the California Department of Parks and Recreation (CDPR) 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. This is the last year that funding is available through this grant opportunity.

The General Manager recommends submitting two grant applications in this final HCF funding cycle. One application is to assist in the acquisition of 650 acres of the Johnston Ranch Uplands property (Attachment 1), located just south of the City of Half Moon Bay and owned by Peninsula Open Space Trust (POST). This acquisition opportunity is included in the Fiscal Year 2018-19 Capital Improvement and Action Plan, and Budget and is part of *Measure AA Portfolio #01 Miramontes Ridge*. The second application is for restoration of the Mindego Ponds (Attachment 2) to improve habitat conditions for listed and special status species, reduce downstream erosion, and protect the necessary water supply to support the conservation grazing program. This project is also eligible for Measure AA funding under *Measure AA Portfolio #09 Russian Ridge*.

Board of Directors (Board) approval of these Resolutions, which commits matching agency funds, is required for application submittal. In addition, the grant program requires recipients to place a 20-year deed restriction for future parks and recreation use on the land. If awarded, the Midpeninsula Regional Open Space District (District) will have up to five years to complete each project. However, this application does not commit the District to purchase the Johnston Ranch Uplands property. If the grant application is successful and the acquisition does not proceed, the District would communicate the change to CDPR 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, resulting in 15 property additions to six open space preserves. Since the HCF's inception, the amount of program funding has fluctuated. More recently, just over \$2 million has been available each year. However, this program is set to sunset and this is the last year of available funding. 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. This is a highly competitive grant, with a 3:1 ratio of grant acceptance.

### *Johnston Ranch*

Johnston Ranch Uplands is a critical acquisition under *Measure AA Portfolio #01 Miramontes Ridge* and facilitates a future public opening of Miramontes Ridge Open Space Preserve (OSP). This acquisition is eligible 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 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 grazed upland from approximately 230 acres of working farmlands, containing both irrigated row crops and dry farmed lands. The 230 acres would be sold to the current farm tenant and remain as agricultural land. This potential acquisition is well-matched for an HCF grant due to its recreational, cultural, scenic, and natural resource value. The timing of the potential acquisition, planned within the next one to five years, is conducive to the timeframe of this grant.

After acquisition, public access planning will be considered in future Action Plan and Budget cycles. Long-range public access goals under *Measure AA Portfolio #01* are consistent with regional trail connectivity goals 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.

The District submitted an application for this acquisition in the 2017 HCF grant cycle and received a site visit but was ultimately unsuccessful in obtaining funding. However, because the funding ask has been lowered to \$200,000 (down from \$500,000 in the last round), and because successful applications partially depend on how the project scores against other applicants, the application may be successful in this round.

### *Mindego Ponds*

Mindego Ponds within Russian Ridge Open Space Preserve provide important habitat for the endangered San Francisco garter snake, threatened California red-legged frog, and western pond turtle, a species of special concern. Restoration is planned at two ponds, Kneudler Lake and

Upper Spring, to improve the habitat for these and other species. Restoration activities will include sediment excavation and pond deepening to provide appropriate habitat, as well as vegetation removal and pond shaping to provide shallows for breeding habitat and ensure structural stability. Additional cattle exclusion fencing will also be erected. Ultimately, the goal is to improve habitat for the species present, reduce downstream erosion, and ensure continued water supply for conservation grazing. Restoration at Mindego Ponds is a competitive project under the Wetlands category of the HCF Grant Program, which focuses on acquisition, enhancement, or restoration of wetlands habitat.

This project is included in the FY2019-20 Capital Improvement and Action Plan and will use Design-Build for delivery. The Board approved a not-to-exceed contract amount of \$466,119 for Hanford ARC and CBEC Inc Eco Engineering to complete this work. Design will be complete in November 2018 and permitting is expected to be completed by May 2019, with construction anticipated from August 1 through October 31, 2019, with the possibility of shifting to 2020 if permitting or other unanticipated delays occur. Because grant funding can only be applied for work completed after a grant agreement is signed, only costs incurred after August 1, 2019 would be eligible for reimbursement. Consequently, the District is seeking grant funding for only the construction portion of this project, which also makes the application more competitive. The District is applying for \$200,000 in grant funds for construction and related staff time.

#### *Grant Requirements*

Applications are due October 1, 2018 and the State Office of Grants Administration will notify applicants of a project award before July 1, 2019. If awarded, the District must commit a dollar-for-dollar match from non-state sources to complete each grant-funded portion of the project. Additionally, grant recipients are required to record a deed restriction to ensure future use of the property for park 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 each property.

The Resolutions (Attachments 3 and 4) 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 each project.

#### **FISCAL IMPACT**

Grant application submittal has no direct fiscal impact. If successful, the two grants will represent a positive fiscal impact for the District beginning in FY2019-20. The District is requesting \$200,000 for the Johnston Ranch Uplands property and \$200,000 for Mindego Ponds from the HCF Program. Matching funds are a requirement of both grants, and Measure AA funds are available to meet this requirement.

The Johnston Ranch Uplands property acquisition is eligible for Measure AA funds under *Measure AA Portfolio #01 Miramontes Ridge: Gateway to the Coast Public Access, Stream Restoration and Agriculture Enhancement*.

Mindego Ponds Improvement Project is eligible for Measure AA funds under *Measure AA Portfolio #09 Russian Ridge: Pubic Recreation, Grazing and Wildlife Protection Projects*.

**BOARD COMMITTEE REVIEW**

This report was not previously reviewed by a Board Committee.

**PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

**CEQA COMPLIANCE**

This item is not subject to the California Environmental Quality Act.

**NEXT STEPS**

Near-term next steps for the project include:

- Finalize the HCF application and submit by October 1, 2018.
- Continue the Johnston Ranch Uplands project investigations per tasks outlined in the FY2018-19 Capital Improvement and Action Plan (CIAP).
- Continue with conceptual design and planning for Mindego Ponds, per tasks outlined in the FY2018-19 CIAP.
- Receive notice about HCF funding by July 1, 2019.

Attachment:

1. Johnston Ranch Uplands location map
2. Mindego Ponds location map
3. Resolution approving a grant application for funds from the Habitat Conservation Fund Program for Johnston Ranch Uplands acquisition
4. Resolution approving a grant application for funds from the Habitat Conservation Fund for Mindego Pond restoration

Responsible Department Heads:

Stefan Jaskulak, CFO/Director of Administrative Services

Mike Williams, Real Property Manager

Kirk Lenington, Natural Resources Manager

Prepared by:

Melanie Askay, Grants Specialist, Administrative Services

Elish Ryan, Real Property Planner III

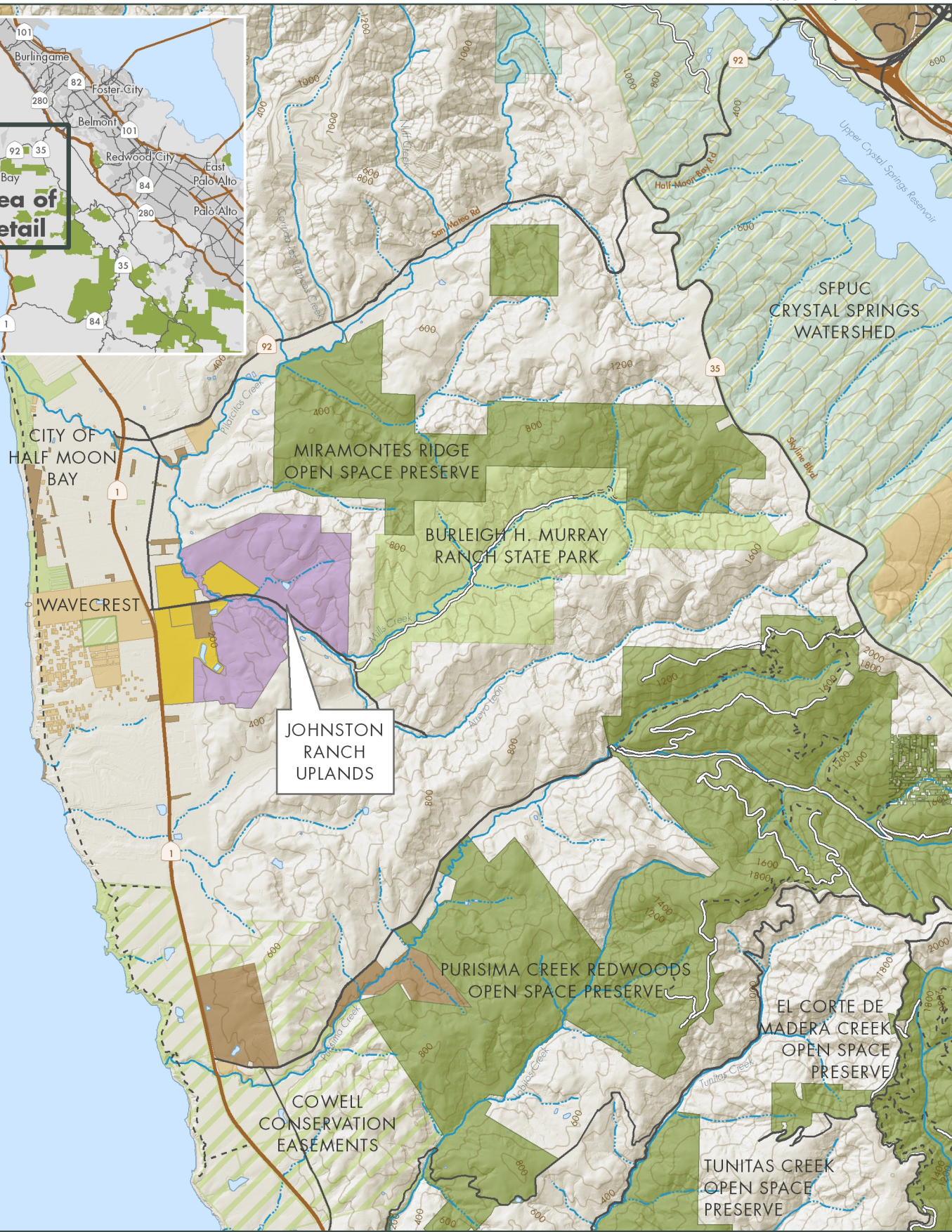
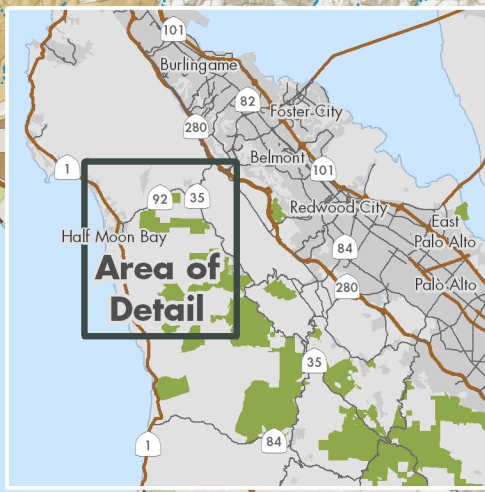
Julie Andersen, Resource Management Specialist III

Contact person:

Melanie Askay, Grants Specialist, Administrative Services

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Created By: ngreig



### Location Map - Johnston Ranch Uplands Acquisition

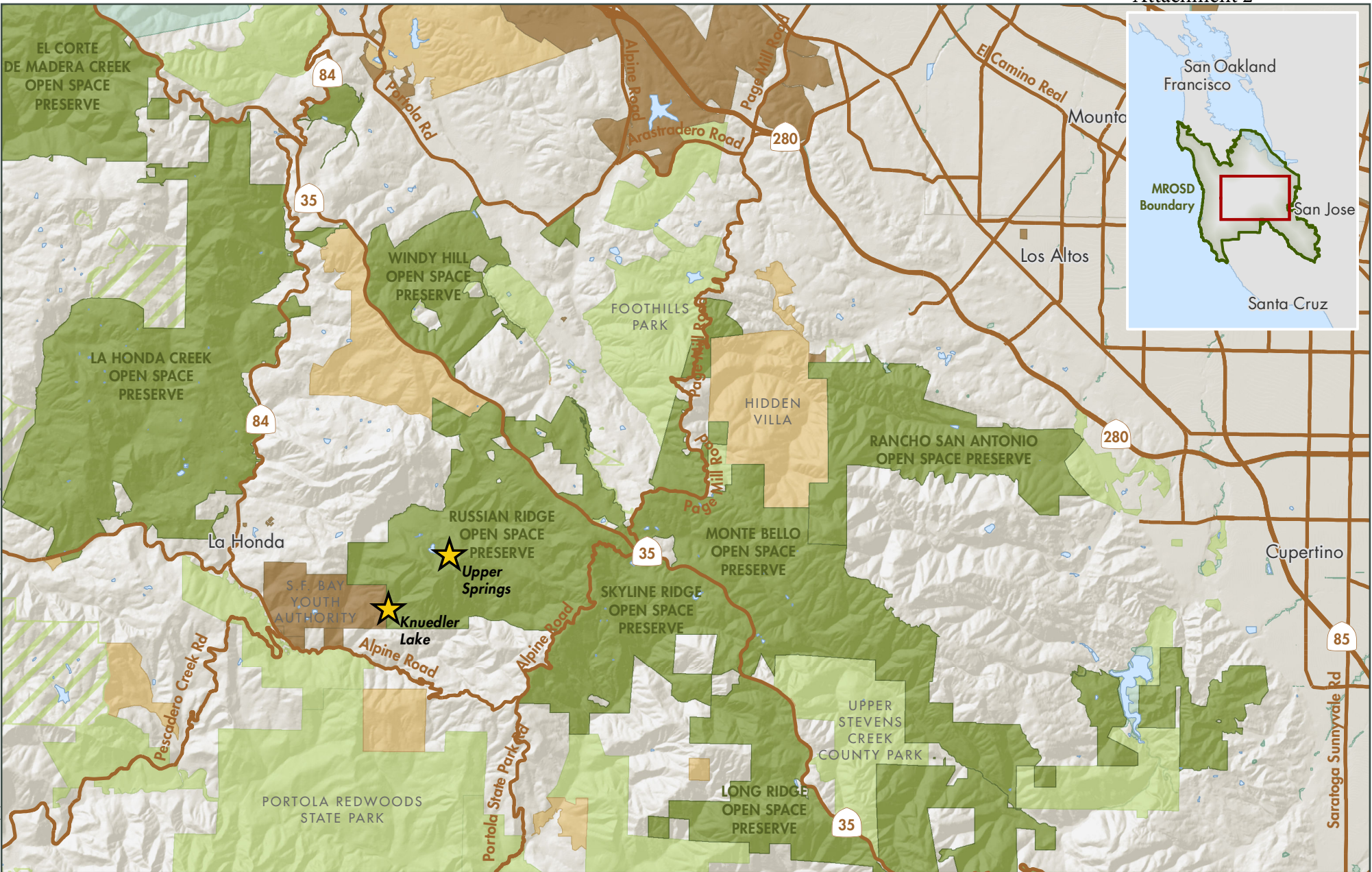
- |   |   |   |
|---|---|---|
|  POST Johnston Ranch To Be Retained by POST   |  Other Protected Lands |  Land Trust          |
|  POST Johnston Ranch To Be Purchased by MROSD |  Private Property      |  Other Public Agency |
|  MROSD Preserves                              |  Watershed Land        |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

Midpeninsula Regional  
Open Space District  
(MROSD)  
September 2017



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.

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 Created By: ihawk



**Project Location**

- Midpen Preserve
- Watershed Land
- Project Location
- Other Protected Land
- Land Trust
- Private Property
- Other Public Agency

Midpeninsula Regional  
 Open Space District  
 (MROSD)  
 August 2018



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.

**RESOLUTION 18-\_\_**

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

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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 for the Johnston Ranch Uplands Project; 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 \_\_\_\_\_, 2018, at a regular meeting thereof, by the following vote:

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

**ATTEST:**

**APPROVED:**

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Secretary  
Board of Directors

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President  
Board of Directors

**APPROVED AS TO FORM:**

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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.

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District Clerk



**RESOLUTION 18-\_\_**

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

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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 for the Mindego Pond Restoration Project; 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 \_\_\_\_\_, 2018, at a regular meeting thereof, by the following vote:

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

**ATTEST:**

**APPROVED:**

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Secretary  
Board of Directors

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President  
Board of Directors

**APPROVED AS TO FORM:**

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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.

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District Clerk