

August 28, 2001

Honorable Rodney S. Melville  
Presiding Judge, Santa Barbara Superior Court  
312-C East Cook Street  
Santa Maria, CA 93456-5369

Grand Jury Foreperson  
1100 Anacapa Street  
Santa Barbara, CA 93101

RE: Response to 2000-2001 Grand Jury Report:  
*Natural Resources in the Santa Maria Valley*

The Santa Barbara County Parks Department respectfully submits the following responses to findings and recommendations contained within the 2000-2001 Grand Jury Report on the Natural Resources in the Santa Maria Valley.

Finding 1a: The Santa Maria Valley seashores and beaches have been neglected by the local government for years.

**Response:** The County Parks Department disagrees with the finding. Both County Parks and Planning and Development (P&D) Departments have led efforts to protect and improve both the environment of and access to the Santa Maria Valley's seashore and beaches. The Parks Department coordinated efforts to acquire the 600-acre Rancho Guadalupe Dunes Park. P&D led efforts to acquire the 300-acre seashore Point Sal reserve parcel. The Parks Department is preparing master plans to facilitate public access to both sites, while protecting sensitive resources. However, most of the Santa Maria Valley coast remains in either private ownership or that of Vandenberg Air Force Base (VAFB).

Finding 1b: Vehicular access to these beaches is either non-existent or across private land. Hiking access to these beaches also traverses private land.

**Response:** The County Parks Department partially agrees with the finding. Access to Santa Maria Valley seashore and beaches is limited by the lack of public roads leading to the coast, steep terrain, and the extent of relatively large private land holdings and those of VAFB. The lack of historic public roads and damage to the existing Point Sal Road has further limited such access. The management plan for Rancho Guadalupe Dunes and the County Point Sal parcel will partially address these concerns. However, opening up either new areas for coastal access or improving access to Point Sal would require significant funds, cooperation by Vandenberg AFB, and probably purchase and/or condemnation of easements across private property.

Finding 1c: Point Sal Beach State Park has been neglected for years and has no parking places or toilet facilities, and lacks even a safe footpath to the beach.

**Response:** The County Parks Department agrees with the finding and has discussed coastal access with State Parks recently and in the past. Representatives of State Parks, Channel Coast District maintain they have been unsuccessful in allocating resources to improve facilities and access to the beach at Pt. Sal State Park due to the inability to meet certain justifying criteria. Mainly, the lack of ability for the park to generate revenue to support staffing resources and the lack of significant visitor counts to justify investment in improvements.

Historically, vehicle access to Pt. Sal State Park was enabled via Brown Road, a county maintained road up to the point that it extends over private property and Vandenberg Air Force Base approximately 3 miles from the park. Brown Road is no longer passable by vehicle on VAFB or the portion on private property due to severe erosion washing out sections of the roadway. VAFB has continued to monitor and measure earth movement in the eroded areas and has concluded that the soils are too unstable to make rebuilding feasible. VAFB officials have informally reported to County Parks they are considering abandoning Brown Road in place due to cost estimates in the multi-millions of dollars to repair and stabilize. Further, any future public access over VAFB property would require a formal agreement addressing all security issues.

Currently, Santa Barbara County Parks has taken a lead role in facilitating an interagency task force group comprised of public land owners (VAFB, BLM, State Parks, County Parks) to update an access plan within the 1993 Pt. Sal Management Plan with a goal to identify public access to County and State Park coastal properties.

Finding 1d: An estimated 5% of coastal property has been placed into various types of government preserves, and efforts are underway to place more into dedicated use, with little input offered by the local jurisdictions in the valley.

**Response:** The County Parks Department partially agrees. Approximately one-third of the Santa Maria Valley coastline is in public ownership. The County is not currently involved in any additional acquisition efforts. However, where such efforts occur, county policy and the Coastal Act strongly encourage increased public access consistent with sound resource management. In addition, County procedures would also support substantial public input into coastal property acquisition and management by any agency or non-profit organization.

Finding 1e: Non-local organizations may give little consideration for beach access and benefits for local residents.

**Response:** The County Parks Department partially agrees with the finding. Although the County, the Coastal Commission, Coastal Conservancy, and State Parks all support improved

public access, some private non-profit conservation groups may not have access as part of their mission. However, the County and Coastal Commission would likely attempt to review any

private conservation group acquisitions to encourage or require public access consistent with reasonable protection of sensitive resources.

Finding 4a: There is a growing need for more public recreational facilities in the Santa Maria Valley as the population continues to grow.

**Response:** The County Parks Department agrees with this finding.

Finding 4b: There is a significant potential to redevelop part of Betteravia Lake as a protected preserve for endangered species of water-related wildlife. This could allow the concentration of endangered species in a suitable habitat that could serve as a mitigation trade-off of other more valuable prime farmlands.

Response: The County Parks Department agrees in part. The historic Betteravia Lake has the potential to be converted into a premiere central coast wildlife habitat. However, mitigation trade-off proposals would require more investigation, which is not funded at this time, so no timetable can be given. Restoration of the lakes could allow habitat enhancement and mitigation for certain endangered species. The issue of costs of such a project cannot be taken lightly. Although there is a potential to find grant funds to acquire property, most grant sources require friendly acquisition of property. In addition, most grant funds require a local match. For such a project to become successful, the project must have the support of the agricultural community and the affected property owners.

Recommendation 4: The County's Laguna Sanitation District, which already owns a significant amount of Betteravia Lake, is a potential and early direct beneficiary of a multipurpose tertiary treatment pond and water storage in the Lake, and should play a leading role in trying to get the Lake restoration project started.

Response: The recommendation will not be implemented because the project costs are not reasonable. Laguna County Sanitation District owns just 67 acres of the approximate 725 acres lake surface area, which represents less than 10% of the total. Currently Laguna discharges treated effluent to pastureland. In order to change the method of discharge to include discharge to a water body, a significantly greater regulatory and monitoring effort would be required. In addition, several land and water rights issues would have to be addressed. While some grants may be available, the project could easily cost in the tens of millions of dollars. Additional study of the technical and financial feasibility of such proposals would be required. Any such proposal would require support from property owners, local citizens and government and the agricultural community in order to assemble the approvals and funding required.

Finding 5a: It appears that the owners of the Betteravia Lake bottom are likely to face increasing production costs in the future as well as diminished growing seasons, thus less income and profit.

**Response:** The County Parks Department agrees with the finding. The Department understands that landowners pump the Lake during wet periods. There is thus a significant energy component to pumping the Lake dry. With increased energy costs, it can be expected that the pumping costs will correspondingly increase.

**Finding 5b:** There may be significant incentive for some of the landowners to sell their land and use the proceeds to make more profitable investments.

**Response:** The County Parks Department disagrees with the finding based on the fact that Parks has no information to suggest that the finding is correct or incorrect.

**Finding 5c:** At least one Betteravia Lake landowner is in bankruptcy and may need to sell much, if not all, of his land around the Lake.

**Response:** The County Parks Department disagrees with the finding based on the fact that Parks has no information to suggest that the finding is correct or incorrect.

**Finding 5d:** The public is unaware of the recreational and conservation potential of Betteravia Lake.

**Response:** The County Parks Department agrees with the finding. Local education and public outreach will be essential if support and funding for restoration of Betteravia Lake is to proceed. Collaborative discussions with, and support by, landowners, local government and the agricultural community will be required.

**Finding 5e:** There is insufficient local funding available for the restoration of Betteravia Lake.

**Response:** The County Parks Department agrees with this finding. Implementing a project of this magnitude would require a combination of local, state and federal funds.

**Recommendation 5a:** The leadership of Santa Maria, Orcutt, Guadalupe, and Santa Barbara County should form a coalition of experts to study the potential benefits and feasibility of restoring some or all of Betteravia Lake.

**Response:** The recommendation will be implemented if the cities of Santa Maria and Guadalupe, the Cachuma Resource Conservation District, the Santa Maria Valley Water Conservation District, local citizens, property owners and agricultural interest groups request county participation in such a program. An earlier unilateral attempt by P&D to promote Betteravia Lake acquisition and restoration failed for lack of apparent local support.

**Recommendation 5b:** After a reasonable amount of preliminary research has been completed, participating entities should schedule a series of public meetings at locations in Santa Maria,

Orcutt, and Guadalupe, including ample visual aid material, to ensure that the public is well informed about this long-hidden natural lake in Santa Maria Valley.

**Response:** The recommendation will be implemented if requested as described in 5a above and upon direction of the Board of Supervisors.

**Recommendation 5c:** Participating government entities should collaborate in identifying, and preparing applications for, both public and private grants for which this project qualifies.

**Response:** The recommendation will be implemented if requested as described in 5a above and upon direction of the Board of Supervisors.

**Finding 15:** City leaders are working on plans and negotiating with adjacent property owners to develop the Guadalupe City Slough into an attractive multi-purpose City Park with numerous amenities.

**Response:** The County Parks Department assumes the finding is correct, but has no direct information about the City's plans and negotiations.

**Finding 16:** The Nature Conservancy, manager of the Guadalupe Dunes, has improved Oso Flaco Lakes just north of the County border with amenities, but it has done nothing to provide similar recreational facilities at the Santa Maria rivermouth estuary.

**Response:** The County Parks Department disagrees with the finding. The County Board of Supervisors executed a lease agreement with The Center for Natural Lands Management (CNLM) on June 20, 2000 to manage and maintain Rancho Guadalupe Dunes County Park. The lease agreement with The Nature Conservancy (TNC) to manage the Park was voluntarily terminated by both parties at this time and transition of management included transferring endowment funds and one-time management and operation funds in the amount of \$1,100,000 for Rancho Guadalupe Dunes Park from TNC to CNLM.

From 1989 until management transition to CNLM, TNC raised and dedicated significant funding and staffing in the development of the Management Program for the Guadalupe-Nipomo Dunes Preserve and the Rancho Guadalupe Dunes County Park Final Master Plan. Both these study and planning documents represent the blueprint for future conservation and recreational activities at the park.

Over a period of years, The Nature Conservancy held extensive public workshops, circulated public opinion surveys and worked closely with County Parks to develop park management and development plans to balance demand for coastal recreational opportunities with resource protection as mandated by the Federal Endangered Species Act.

County Parks has received continued support to further the progress towards implementation of the park master plan from the new management entity, CNLM. This park master plan provides for reconstruction of a protected parking area, public restroom facilities, picnic tables, trails and

scenic overlooks. County Parks has been successful in securing grant funds from a number of mitigation programs sufficient to permit and construct the improvements. The master plan has

progressed through the County Planning Commission where approvals were received in March 2001. The California Coastal Commission is currently reviewing the plan and is waiting on U.S. Fish and Wildlife Service to complete their review and recommendations for the Habitat Conservation Plan prepared by County Parks and required in order to address impacts from park development on existing endangered species.

The Habitat Conservation Plan (HCP) was submitted to U.S. Fish and Wildlife Service (USFWS) in October 1999. To date, USFWS has not been forthcoming with their signoff of the plan. Repeated efforts by County staff, County Parks Commission and interested public officials to elevate Rancho Guadalupe Dunes Park HCP as a priority in the USFWS review process have been slow. General preliminary comments from USFWS on the HCP were received in April 2001 with promise of formal comments following additional detailed review. In the meantime, the master plan has been submitted by County Parks to the California Coastal Commission. The Coastal Commission has extended permit processing of the master plan an additional 90 days as of August 2001 while USFWS completes their review of the HCP.

Recommendation 16: Guadalupe should continue with its requests to the County and the Nature Conservancy to expedite the improvement of public recreational facilities at Guadalupe Beach Park as the Conservancy has done at its facility at Oso Flaco.

**Response:** This recommendation has been implemented. The County of Santa Barbara has completed a park master plan to facilitate recreational improvements and resource conservation at Rancho Guadalupe Dunes County Park. Funding to permit and construct the master plan have been secured through grant sources. The City of Guadalupe was afforded the opportunity to review the master plan and has approved the proposed development.

Implementation of the master plan now awaits permit determination by US Fish and Wildlife Service and the California Coastal Commission. It is anticipated that the Coastal Commission will consider the County's permit application at their November 2001 pending USFWS formal position on the HCP.

It should be noted that The Nature Conservancy no longer manages or maintains Rancho Guadalupe Dune Parks on behalf of Santa Barbara County. The County has entered into an management agreement with The Center for Natural Lands Management. Additionally, The Nature Conservancy has transitioned management and operation of Oso Flaco Lake Natural Area to California State Parks.

Finding 17: The City has done a commendable job to redevelop a blighted area (the City Slough) into a multi-purpose park.

**Response:** The County Parks Department assumes the finding is correct, but has no direct information about the City's project.

Recommendation 17: Guadalupe officials should continue plans to develop the Guadalupe City Slough into an attractive multi-purpose park featuring a general cleanup conservation of nature species, children's educational facilities, boating, fishing, picnicking, etc.

**Response:** The recommendation will not be implemented by the County because it is not warranted. This recommendation should be responded to by the City of Guadalupe.

Finding 18: Paradise Beach has the potential to be improved to become a multi-purpose County/City recreational and conservation park.

**Response:** The County Parks Department disagrees with the finding. Vehicular access to Paradise Beach would require major road construction across private rangeland. Such road construction would need to address very steep terrain, sand dunes, and environmentally sensitive habitat, and probably the need to condemn property.

Recommendation 18: Paradise Beach (through efforts of the City of Santa Maria, Orcutt, and the County) should be developed into a County park similar to the beach at the base of the cliff at Summerland on the South Coast. Additionally, the County, the City of Santa Maria, and Orcutt in combination with input from the city of Guadalupe should encourage the State legislature and the local representatives to bring Point Sal Beach State Park up to a reasonable standard (regarding access, parking, and sanitation facilities) for safer and enhanced public use.

**Response:** The recommendation will not be implemented because it is not reasonable. The remoteness of Paradise Beach makes it a different proposition than Summerland, which is immediately adjacent to an urbanized area and existing roads. As explained in response to Finding 18, vehicular access is infeasible at this time.

Finding 19: Restoration of Betteravia Lake could provide recreational and educational benefits for Guadalupe, its residents, and visitors.

**Response:** The County Parks Department agrees with the finding.

Recommendation 19: Guadalupe officials should participate in planning and promoting restoration of Betteravia Lake, or portions thereof, into a multipurpose park.

**Response:** The recommendation will not be implemented by the County because it is not warranted. The recommendation is directed to, and should be responded to, by Guadalupe officials.

Sincerely,

Jennifer Briggs

Director of Parks