



SUMMARY REPORT

Agenda Date: 10/7/2025

To: Board of Directors of the Sonoma County Agricultural Preservation and Open Space District
Department or Agency Name(s): Sonoma County Agricultural Preservation and Open Space District
Staff Name and Phone Number: Misti Arias, General Manager; Leslie Lew, 707-565-7367
Vote Requirement: Majority
Supervisory District(s): 5th

Title:

Estero Americano Initial Public Access, Operations and Maintenance (IPAOM) Agreement Extension and Additional Funding (Property Number 0523)

Recommended Action:

Adopt a Resolution:

- A. Authorizing Ag + Open Space's General Manager to execute a second amendment to a funding agreement with The Wildlands Conservancy extending the availability of Initial Public Access and Operations and Maintenance (IPAOM) funding to June 30, 2027, and providing an additional \$287,100, for a total funding amount of \$586,600; and
- B. Making findings as a responsible agency under the California Environmental Quality Act and directing the filing of a Notice of Determination.

Executive Summary:

The Sonoma County Agricultural Preservation and Open Space District (Ag + Open Space) acquired a conservation easement and recreation covenant over the 547-acre Estero Americano Coast Preserve property (Preserve) on December 24, 2015, concurrent with The Wildlands Conservancy's (TWC) fee acquisition of the Preserve. Ag + Open Space's funding of \$1.95 million was used as a contribution towards the \$3.8 million purchase price of the property, which was also funded by the State Coastal Conservancy and the Gordon and Betty Moore Foundation. TWC owns and operates the Preserve, which is located just south of Doran Beach.

TWC has requested \$287,100 to be added to the original Ag + Open Space funding amount of \$299,500, for a total funding amount of \$586,600. The funding will be used for initial public access and operation and maintenance (IPAOM) activities, as discussed below and in the Work Plan submitted by TWC to Ag + Open Space (on file). TWC has also requested additional time to expend these funds from its current deadline of March 31, 2026, to June 30, 2027. The extension and additional funding will enable TWC to implement the requirements of the Coastal Development Permit (CDP), ensure smooth operations, further collaborate with the neighbors at the Bodega Harbor Homeowners HOA, and address unanticipated issues as they establish public access on the Preserve.

Discussion:

The Estero Americano Coast Preserve (Preserve) is located at the west end of Estero Lane and just north of the mouth of the Estero Americano. The Wildlands Conservancy (TWC) is currently providing low-intensity public

outdoor recreation and coastal access, consistent with the conservation easement and recreation covenant held by Ag + Open Space. The Preserve is currently open three days a week with a plan to open the Preserve seven days a week in November 2025.

TWC has created a network of five miles of public access trails across the Preserve with access to the Estero Americano, a tidal estuary reaching some nine miles inland defining the border between Marin and Sonoma Counties. The Estero Americano area is almost entirely undeveloped, surrounded by agricultural lands. The 547-acre Preserve is a former cattle ranch that was acquired by TWC in 2015.

The Estero Americano and barrier beach represent a unique and incredibly scenic area of the Northern California coast where there are currently no other formalized public access facilities or public trails. The nearest public access is to the north (Shorttail Gulch Trail), which provides access to the beach just up-coast, but only under certain tidal conditions can one reach the Estero from that direction. Boats and kayaks can also reach the Estero via the sea or the Estero; however, boating can be difficult and too far for most casual boaters. Thus, the Preserve has the potential to be a public access gem in this area, and the trail and related improvements significantly improve coastal public access to the Estero Americano and its beach along this section of the Sonoma Coast.

Pursuant to the recreation covenant, the Preserve will be open to the public daily. Until the property becomes open to the public daily, TWC will provide unguided pedestrian access to the Preserve three days a week and regularly scheduled guided hikes. IPAOM funding has been used to permit trails and facilitate guided hikes and will continue to fund the mitigation and construction of infrastructure that is needed to facilitate public access. In addition, these funds will be used to provide appropriate staffing and services for operations and maintenance for the Preserve during initial use.

The IPAOM Policy, which governs the provision of IPAOM funding for recreational properties purchased with the Ag + Open Space's Measure F sales tax revenue allows for payments to recreational partners for longer than three years from the date of acquisition if extraordinary circumstances can be demonstrated. TWC has experienced extraordinary circumstances and associated delays in fully implementing access improvements, including impacts from extreme weather events such as wildfire and floods, the COVID-19 pandemic, and legal challenges, which have made it difficult to open the Preserve to the public within the specified timeframe of the IPAOM agreement. Specifically, TWC faced legal challenges from neighbors shortly after the Preserve property was acquired. A settlement was reached with neighbors on Estero Lane, and TWC has proactively enhanced communication with their neighbors at the adjacent Bodega Harbor Homeowners Association (HOA), delaying access implementation as TWC works to address community concerns.

Lastly, improvement of the Preserve's network of public access trails leading to overlooks, kayak access points to the Estero Americano, and a restroom on the Preserve required a Coastal Development Permit (CDP) from the California Coastal Commission. Permit approval required demolition of buildings and additional habitat restoration as a condition of approval, which will take additional time and funding.

Given these unexpected challenges and extraordinary circumstances, TWC has requested to extend the IPAOM agreement to June 30, 2027, and has asked Ag + Open Space to provide additional funding of \$287,100. The extension and additional funding will enable TWC to implement the requirements of the CDP, ensure smooth operations, further collaboration with the neighbors at the HOA, and address unanticipated issues as they

establish public access on the Preserve.

Funding Agreement

On February 9, 2021, the Board authorized Ag + Open Space to execute an IPAOM Funding Agreement with TWC, authorizing up to \$299,500 to be used by TWC exclusively for the following tasks directly related to initial public access to the Preserve:

- Trail design resource surveys
- Coastal Permit application preparation, fees, tracking, public hearings
- Public access amenities (including gates, fencing, signs, kiosks, portable restroom rental, and picnic tables)
- Road/trail repairs, upgrades, and erosion control
- Project management and implementation
- Visitor safety and patrols (operations)
- Trail maintenance
- Community engagement and public outings

On February 27, 2024, the Board authorized Ag + Open Space to execute a first amendment to the agreement, extending funding access for an additional two years to March 31, 2026.

An extension until June 30, 2027, along with \$287,100 in additional funding, is needed so that TWC can implement the remainder of the Work Plan, and the additional unanticipated mitigation measures required by the California Coastal Commission through the CDP for the Estero Americano access improvements.

California Environmental Quality Act

On November 14, 2024, the California Coastal Commission, as lead agency, approved a Coastal Development Permit (the “CDP”) for the public access improvements on the Property, including improvement of a network of approximately five miles of public access trails leading to overlooks, kayak access points to the Estero Americano, and a restroom (the “Project”), and made findings pursuant to the California Environmental Quality Act (CEQA) and pursuant to the Commission’s certified regulatory program pursuant to 14 CCR 15251, Pub. Res. Code Section 21080.5(d)(2)(A). Under the current facts, 14 CCR 15253 requires that Ag + Open Space, as a responsible agency, rely on the CDP for CEQA review for approval of funding for the Project, absent circumstances in 14 CCR 15162 that are not present.

Prior to reaching its funding decision, the Board reviews and considers the information contained in the CDP prepared by the California Coastal Commission, and the exhibits and appendices thereto, which are attached to this item in part and on file with the Clerk of the Board in part, and the Board considers the environmental effects of the Project. The Board then reaches its own independent conclusions on whether and under what conditions to approve funding for the Project. The attached resolution provides responsible agency findings for the Board, provides concurrence in the California Coastal Commission’s findings of the CDP with respect to mitigation measures, alternatives, and environmental effects, and further provides findings that the Project, as mitigated, will have no significant environmental impacts.

The resolution also directs the General Manager to file with the County Clerk and the Office of Planning and Research a notice of determination pursuant to Public Resources Code Section 21152.

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Prior Board Actions:

On February 27, 2024, the Board approved an amendment to a funding agreement with The Wildlands Conservancy extending the availability of Initial Public Access and Operations and Maintenance funding for two years to March 31, 2026.

On February 9, 2021, the Board approved a funding agreement to provide \$299,500 to The Wildlands Conservancy for initial public access and operation and maintenance of the Estero Americano Coast Preserve property.

On November 17, 2015, by Resolution No. 15-0465, the Board approved the acquisition of a conservation easement and recreation covenant over the Estero Americano Coast Preserve property.

FISCAL SUMMARY

Expenditures	FY 25-26 Adopted	FY 26-27 Projected	FY 27-28 Projected
Budgeted Expenses	\$184,100	\$103,000	0
Additional Appropriation Requested	0	0	0
Total Expenditures	\$184,100	\$103,000	0
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other (Ag + Open Space, Measure F)	\$184,100	\$103,000	0
Use of Fund Balance			
Contingencies			
Total Sources	\$184,100	\$103,000	0

Narrative Explanation of Fiscal Impacts:

Adequate appropriations exist in Ag + Open Space's FY 25-26 budget for the remaining Work Plan balance of \$137,506 and the additional \$184,100 requested to be expended in FY 25-26. Ag + Open Space will recommend \$103,000 in the FY 26-27 budget. The Ag + Open Space Board of Directors approved Initial Public Access, Operations & Maintenance funding on 2/9/2021.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

1. Second Amendment to Funding Agreement
2. Resolution
3. Coastal Development Permit Report
4. Coastal Development Permit Exhibits
5. Coastal Development Permit Correspondence
6. Coastal Development Permit Correspondence 2
7. Coastal Development Permit Addendum

Related Items “On File” with the Clerk of the Board:

1. Funding Agreement
2. First Amendment
3. Estero Revised Workplan 2025.7.30
4. Coastal Development Permit Report 2-24-0867
5. Bodega-Harbour-1977-Settlement-Agreement
6. Permit Sonoma Application CPH23-0011
7. Cal Trans Staff Report Estero Americano Bridge
8. CDP waiver application 2-24-0346