
R-22-45
Meeting 22-07
April 14, 2022

CONSENT ITEM #C1

To: Board of Directors
Open Space Authority

From: Andrea Mackenzie
General Manager

SUBJECT

Approve License and Management Agreement with Peninsula Open Space Trust for the Former Dong Property, Assessor's Parcel Numbers 712-03-008, -081

REVENUE/COST

The Authority will cover the costs of routine management activities on the Property, which may include patrols, vegetation management, installation of appropriate signage and fencing, baseline data collection for future restoration planning, and potential staff or docent-led activities with members of the public and conservation partners.

Management costs for the Property are estimated to be approximately \$4,000 per year due to the relatively small property size.

BACKGROUND

The 13.64-acre property, formerly owned by the Dong family (APNs 712-03-008 and 712-03-081) (Property), connects the North Coyote Valley Conservation Area with Mid-Coyote Valley Conservation Area, creating a contiguous network of protected valley floor along Fisher Creek that totals over 1,500 acres and spans from Coyote Valley Open Space Preserve to the confluence of Fisher Creek and Coyote Creek (Exhibit A). Starting with the 63-acre Fisher's Bend property in 2017, Peninsula Open Space Trust (POST) has acquired over 400 acres in mid-Coyote Valley, all of which intended to be transferred to the Authority in the future, subject to approval by the Authority's Board of Directors, and managed by the Authority under License and Management Agreements alongside properties owned by the Authority. Acquired at the end of March 2022, this Property is POST's latest purchase and is also intended to be transferred to the Authority at a future date, subject to the approval by the Authority's Board.

Fisher Creek flows south to north along the western boundary of the Property. This key location on Fisher Creek provides opportunities to protect and restore habitat conditions for many wildlife species that reside in the valley and utilize the creek as a movement corridor. This area has been known to flood during the wet seasons and is a hotspot for birds along the Pacific flyway. The Property provides opportunities to restore and expand the floodplain in conjunction with the surrounding protected properties, building upon the restoration work that is underway on Fisher's Bend.

DISCUSSION

Under the License and Management Agreement (Exhibit B), the Authority would be responsible for managing the Property for open space purposes and conservation as part of the Authority's system of preserves. Management would be at the Authority's cost except for one-time major stewardship costs or unforeseen significant expenditures, which will be evaluated with POST on case-by-case basis.

RECOMMENDATION

It is recommended that the Board approve the License and Management Agreement attached hereto with the Peninsula Open Space Trust for the former Dong Property, Assessor's Parcel Numbers 712-03-008, -081.

Prepared by:

Isabella Kressman, Real Property Coordinator

Attachment(s): Resolution 22-34 -- A Resolution of the Governing Board of the Santa Clara Valley Open Space Authority Approving a License and Management Agreement with Peninsula Open Space Trust for the Former Dong Property – Coyote Valley Conservation Focus Area – Santa Clara County Assessor's Parcel Numbers 712-03-008, -081

Exhibit A – Map of Dong Property

Exhibit B – DRAFT License and Management Agreement re Dong 13 Acres