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THIRD READING

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Bill No: SB 714  
Author: Newman (D), et al.  
Amended: 9/12/17  
Vote: 27 - Urgency

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SENATE NATURAL RES. & WATER COMMITTEE: 7-2, 6/13/17  
AYES: Hertzberg, Allen, Atkins, Hueso, Jackson, Monning, Stern  
NOES: Stone, Vidak

SENATE APPROPRIATIONS COMMITTEE: 5-2, 7/10/17  
AYES: Lara, Beall, Bradford, Hill, Wiener  
NOES: Bates, Nielsen

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**SUBJECT:** State Coastal Conservancy: West Coyote Hills Conservancy Program

**SOURCE:** Author

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**DIGEST:** This bill establishes the West Coyote Hills program at the State Coastal Conservancy (SCC) and declares legislative intent regarding the \$15 million for this project that was included in the 2017 Budget Act.

*Senate Floor Amendments* of 9/8/17 declare that the \$15 million for this program that was included in the 2017 Budget Act shall be used to improve public access, restore natural habitats, establish an endowment for the management of the property, and, with \$250,000 of this money, open up the Robert E. Ward Nature Preserve provided an agreement is entered into with the City of Fullerton.

**ANALYSIS:**

Existing law:

- 1) Establishes the SCC to work with state and federal agencies, local governments and nonprofits to preserve, protect, and restore the resources of

the California coast, ocean, and the San Francisco Bay Area. The SCC is a non-regulatory agency that supports projects to protect coastal resources and increase opportunities for the public to enjoy the coast. It works along the entire length of California's coast and within the watersheds of rivers and streams that extend inland from the coast. Two programs, one serving the San Francisco Bay area and the other serving the entire Santa Ana River watershed, exist within the SCC. Each of these programs has received bond funding from water and resources bonds.

- 2) Establishes that the SCC may work in watersheds that drain into the ocean. The Coyote Creek watershed is a sub-watershed of the San Gabriel River which is a river that drains into the ocean, which is the key to establishing the jurisdiction of the SCC.

This bill:

- 1) Establishes the West Coyote Hills Conservancy Program in the SCC.
- 2) Contains findings and declarations regarding the unique natural resources in the West Coyote Hills and the outdoor recreational needs of this Orange County region.
- 3) Defines the West Coyote Hills as the area surrounding these hills bounded by the Cities of La Habra, Buena Park, and Fullerton.
- 4) Establishes that the conservancy may undertake projects and award grants in the defined region to improve public access consistent with the rights of private landowners and without having an adverse impact on agricultural operations or environmentally sensitive areas. Other authorized objectives include protection and restoration of natural habitat, connecting corridors, and other open-space resources of regional significance, as well as promoting projects that provide nearby urban populations with recreational and educational opportunities.
- 5) Requires compliance with all laws regarding appraisals and purchases of land by state agencies at fair market value, the clean up of contaminated property, and the preparation of environmental studies and analyses.
- 6) Requires the conservancy to give priority to projects, to the extent feasible, that are supported by local or regional plans, are multijurisdictional or serve a regional constituency, can be implemented in a timely way, provide opportunities for benefits that could be lost if the project is not quickly implemented, and which includes matching funds from other sources.

- 7) Provides that the SCC is the lead agency for the projects undertaken pursuant to this program and shall develop a plan for this program, based on collaboration with the public, local and regional public agencies, nonprofits, and other interested parties.
- 8) Provides that the California Environmental Quality Act applies, where applicable.
- 9) Creates the West Coyote Hills Conservancy Program Account within the Coastal Trust Fund and allows the fund to receive state, federal, and private funds as well as local government contributions, all of which are subject to appropriation by the Legislature.
- 10) Authorizes the SCC to award grants that include natural resource and wildlife education, local history, or the development of amenities and infrastructure consistent with this chapter.
- 11) Requires the SCC, by December 31, 2026, to arrange for the transition and transfer of its responsibilities for the development and implementation of projects within the program to local and regional public agencies and nonprofit land management organizations.
- 12) Declares that the \$15 million for this program that was included in the 2017 Budget Act shall be used to improve public access, restore natural habitats, establish an endowment for the management of the property, and, with \$250,000 of this money, open up the Robert E. Ward Nature Preserve provided an agreement is entered into with the City of Fullerton.
- 13) Sunsets the program on January 1, 2028.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, unknown, likely in the low hundreds of thousands of dollars (special fund) to the SCC to develop and administer the program.

**SUPPORT:** (Verified 1/26/18)

Audubon California  
California Native Plant Society Orange County Chapter  
Center for Biological Diversity  
Defenders of Wildlife  
Environmental Defense Fund

Friends of Harbors, Beaches, and Parks  
The Trust for Public Land

**OPPOSITION:** (Verified 1/26/18)

None received

**ARGUMENTS IN SUPPORT:** According to the author, the 510 acres of West Coyote Hills is one of the last large tracts of open space in North Orange County, which he describes as “vitaly underserved” with inadequate parks and open space. It is adjacent to the Robert E. Ward Nature Preserve. Supporters point out that North Orange County has one acre of park land per 246 people compared to one acre of park land per six people in South Orange County. The National Recreation and Parks Association standard for parkland is one acre per 100 people. Additionally, this disparity extends well beyond West Coyote Hills. According to the supporters, within seven miles of West Coyote Hills, there is only one acre of park land per 356 people.

The land currently provides the public with scenic views, hiking, biking, horseback riding, and bird-watching opportunities. It is home to 15 protected, threatened, or endangered species, many of them birds. The ecosystem is generally sage chaparral where one of the largest breeding populations of endangered California gnatcatchers lives.

Supporters argue that the Chevron development plan will further fragment this diverse habitat, creating more “urban edge” which will make it difficult if not impossible to sustain the chaparral ecosystem.

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