

RESOLUTION NO. \_\_\_\_\_ (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE ACKNOWLEDGMENT OF ACCEPTANCE OF IRREVOCABLE OFFER TO DEDICATE CALIFORNIA DEPARTMENT OF FISH & GAME BUFFER HABITAT CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIONS AT PAJARO VALLEY HIGH SCHOOL (APN 18-281-63)**

**WHEREAS**, the California Coastal Commission (CCC) has requested that the City of Watsonville execute an acknowledgment of acceptance of irrevocable offer to dedicate (OTD) California Department of Fish & Game Buffer Habitat conservation easement and declaration of restrictions on property owned by the Pajaro Valley Unified School District (PVUSD) at Pajaro Valley High School (PVHS); and

**WHEREAS**, the OTD is an Irrevocable Offer to Dedicate California Department of Fish and Game Buffer Habitat Conservation Easement and Declaration of Restrictions by the PVUSD and was signed by Terry McHenry, PVUSD Superintendent, on August 30, 2002, and recorded on August 30, 2002, as instrument number 2002—0061825 of the Official Records in the Office of the Recorder of Santa Cruz County; and

**WHEREAS**, the OTD was a condition of Coastal Development Permit (CDP) 00-28 issued by the City and the CCC for development of PVHS. The intent of the easement and restrictions is to prevent the adverse direct and cumulative effects on coastal resources which could occur if the Property were not restricted in accordance therewith; and

**WHEREAS**, The CDP calls for the PVUSD (Grantor) to create a California Department of Fish & Game buffer and Habitat Conservation Easement along Harkins Slough Road and the easterly 727 feet of the south side of Assessor Parcel Number 18-281-63. The OTD is to be accepted by a Grantee that is a public agency, political

subdivision of the State of California, or a private association acceptable to the City Council; and

**WHEREAS**, Watsonville Wetlands Watch (WWW), under the direction of Executive Director Jonathan Pilch, has agreed to be Grantee. WWW is capable of acting as Grantee. They currently are under contract with PVUSD to maintain other existing conservation easements in and around PVHS; and

**WHEREAS**, staff recommends that Council acknowledge that Watsonville Wetlands Watch (WWW) is acceptable as Grantee and direct the City Manager to execute and notarize an Acknowledgement of Acceptance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. This action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378 as this is not a “project” that may cause a direct, or reasonably foreseeable indirect, physical change in the environment and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. Additionally, even if a “project,” the action would be exempt under the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. The City Manager is hereby authorized and directed to execute and notarize the Acknowledgement of Acceptance of Irrevocable Offer to Dedicate California Department of Fish & Game Buffer Habitat Conservation Easement and Declaration of Restrictions at Pajaro Valley High School (APN 18-281-63), a copy of which is attached hereto and incorporated herein by this reference.

3. The City Clerk is hereby authorized and directed to attach a copy to this resolution, the Acknowledgment of Acceptance of Irrevocable Offer to Dedicate California Department of Fish & Game Buffer Habitat Conservation Easement and Declaration of Restrictions, once recorded by the California Coastal Commission.

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