



# COUNTY OF SAN DIEGO

## LAND USE AGENDA ITEM

### BOARD OF SUPERVISORS

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**DATE:** March 4, 2026

**04**

**TO:** Board of Supervisors

### **SUBJECT**

**APPROVAL OF A REVISED JOINT POWERS AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR THE PLANNING, OPERATION AND MAINTENANCE OF THE OTAY RANCH PRESERVE AND RELATED CEQA EXEMPTION (DISTRICTS: 1 & 2)**

### **OVERVIEW**

The County of San Diego (County) Board of Supervisors (Board) and the City of Chula Vista (City) City Council adopted the Otay Ranch General Development Plan/Subregional Plan (Subregional Plan) on October 28, 1993 (1). The Subregional Plan contemplated development within a series of villages that would be located within the City's and the County's land use jurisdictions in an area known as Otay Ranch, which is within the southwestern San Diego region, in the area generally surrounding the Lower Otay Reservoir. To mitigate impacts from development, the Subregional Plan also conceptualized an approximately 11,000-acre preserve system (Otay Ranch Preserve) that would be jointly managed by the County and the City in perpetuity as an entity referred to as the Preserve Owner/Manager (POM). In 1993, along with the adoption of the Subregional Plan, the Board also adopted Phase 1 of the Resource Management Plan (RMP) for the Otay Ranch Preserve (Preserve), which established a comprehensive program for the long-term protection and management of sensitive resources located within the Preserve.

Due to the joint nature of planning and development for Otay Ranch, on March 6, 1996 (6), the Board approved a 30-year Joint Powers Agreement (JPA) between the City and County. The JPA described the roles and responsibilities for the planning, operation and maintenance of Otay Ranch Preserve by the POM. Since 1996, the County and City have partnered collectively to operate and manage the Otay Ranch Preserve as the POM. The 1996 JPA is set to expire on March 6, 2026, and allows for a 30-year extension. The County and City worked together to update and revise the JPA to further define operational responsibilities and memorialize a variety of regulatory changes that have taken place since the adoption of the original JPA in 1996.

The main revision to the JPA is an administrative update that adds references to relevant efforts, such as the Multiple Species Conservation Program and Phase 2 Resource Management Plan that were not in place in 1996. It also updates staff roles and clarifies duties for managing the Otay Ranch Preserve. These changes do not alter the core partnership or make any major substantive changes and are intended to memorialize the current partnership and structure of the POM. The

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City of Chula Vista will be bringing the revised JPA to their City Council for adoption on March 3, 2026. The revised JPA will extend for 30 years until March 2056.

Today's requested action will authorize the Director of the County Department of Parks and Recreation to execute a revised JPA between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve. This request to authorize the revised JPA would result in no increase to annual costs and no additional staff years.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed Joint Powers Agreement is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
2. Authorize the Director of the Department of Parks and Recreation to execute a revised Joint Powers Agreement between the City of Chula Vista and the County of San Diego for the Planning, Operation and Maintenance of the Otay Ranch Preserve.

**EQUITY IMPACT STATEMENT**

The Department of Parks and Recreation's continued efforts to maintain the natural habitat in Otay Ranch Preserve will benefit threatened plant and animal species and cultural resources. The revised JPA between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve will have a positive impact on all San Diego County residents and visitors by continuing to protect water and air quality and continuing to conserve the region's sensitive resources.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed action to execute the revised JPA between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve will continue to conserve natural habitat in Otay Ranch Preserve and contribute to the County of San Diego Sustainability Goal No. 6 to protect ecosystems, habitats, and biodiversity.

**FISCAL IMPACT**

There is no fiscal impact associated with the Board of Supervisors' authorization of the revised Joint Powers Agreement between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve. Annual operating costs for the Otay Ranch Preserve are provided by Community Facilities Districts that were established as conditions of development within Otay Ranch. If approved, there would be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

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## **ADVISORY BOARD STATEMENT**

N/A

## **BACKGROUND**

The County of San Diego (County) Board of Supervisors (Board) and the City of Chula Vista (City) City Council adopted the Otay Ranch General Development Plan/Subregional Plan (Subregional Plan) on October 28, 1993 (1). The Subregional Plan guides the development and preservation of lands within Otay Ranch, located in the southwestern San Diego region, in the area generally surrounding the Lower Otay Reservoir. The Subregional Plan contemplated development within a series of villages that would be located within the City's and the County's land use jurisdictions. To mitigate impacts from development, the Subregional Plan also planned for an approximately 11,000-acre preserve system (Otay Ranch Preserve) that would be jointly managed by the County and the City in perpetuity as an entity referred to as the Preserve Owner/Manager (POM).

The Subregional Plan requires a Resource Management Plan (RMP) to guide the monitoring and management of sensitive resources within the Otay Ranch Preserve. The RMP was required to be prepared in two phases, adopted separately as development in Otay Ranch progressed. The Phase 1 RMP was adopted with the Subregional Plan and comprehensively planned for the long-term protection and management of the sensitive natural, cultural, and scenic resources located within the Preserve. The Phase 2 RMP was adopted on September 12, 2018 (2) and outlined the plan to implement the resource objectives in the Subregional Plan and the Phase 1 RMP.

In 1997, to protect the County's biodiversity, the County partnered with 11 other jurisdictions (partnering agencies), community stakeholders, the United States Fish and Wildlife Service, and the California Department of Fish and Wildlife (Wildlife Agencies) to develop the Multiple Species Conservation Program (MSCP). The MSCP is a long-term regional habitat conservation program focused on balancing the protection of plant and animal species with recreation, development, and agricultural activities within the San Diego region. On October 22, 1997 (1), the Board adopted the 50-year MSCP South County Subarea Plan, which includes the unincorporated areas in the southwestern portion of the region and the Otay Ranch area. The South County Subarea Plan requires the County, Wildlife Agencies, and partnering agencies to conserve 98,379 acres (MSCP Preserve) to successfully protect populations of MSCP-covered species, associated high-quality (intact and undisturbed) habitats, and the wildlife linkages between large, preserved areas. The Otay Ranch Preserve is part of the required preserve system that will be established for the South County Subarea Plan.

### **Otay Ranch Preserve Joint Powers Agreement**

The Subregional Plan established a land conservation program so that, as development proceeded in Otay Ranch, lands would be conveyed into the Otay Ranch Preserve. On March 6, 1996 (6), the Board authorized the formation of the POM through a Joint Powers Agreement (JPA) between the City and the County. As a condition of development in Otay Ranch, ownership of Preserve lands

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is required to be conveyed to the POM, which is then responsible for the management of resources, restoration of habitat, and enforcement of open space restrictions within the Preserve. Management of the Otay Ranch Preserve is funded by Community Facilities Districts (CFDs) that are established as individual developments in Otay Ranch are implemented.

In addition to the formation of the POM and administrative roles, the JPA also includes the duties and responsibilities of the POM for planning, management, monitoring, and operation of the Preserve. Environmental education and outreach, enforcement activities, maintenance operation, resource protection and management, monitoring, and the selection of an outside biologist to implement the biological monitoring and management activities were included in the JPA. The 1996 JPA was a 30-year agreement that expires in March 2026.

Given that the current JPA is expiring, the County and the City have worked collaboratively to update and revise the JPA. Revisions include updating references to the MSCP South County Subarea Plan and Otay Ranch Phase 2 RMP, which were adopted after the JPA was executed, updates to the County and City staff positions for the administrative functions of the POM, and clarification of the duties to be performed by the POM to reflect current conditions. The revisions are administrative in nature with no prominent or substantive changes that would alter the current partnership. The revised JPA is a 30-year agreement and includes an option to extend an additional 30 years. Once the County and the City have approved the revised JPA and the JPA goes into effect, the prior agreement from 1996 will be terminated and replaced by the revised JPA.

Today's requested action will authorize the Director of the Department of Parks and Recreation to execute a revised JPA between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve. The request to authorize the revised JPA would result in no increase to annual costs and no additional staff years.

#### **ENVIRONMENTAL STATEMENT**

Today's action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines. Section 15061(b)(3) of the CEQA Guidelines provides that a project is exempt from CEQA review where "it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment...". The proposed action seeks to authorize the Director of the Department of Parks and Recreation to execute a revised Joint Powers Agreement between the City of Chula Vista and the County of San Diego (County) for the Planning, Operation and Maintenance of the Otay Ranch Preserve to further define operational responsibilities for actions related to Otay Ranch Preserve. Since the action involves delegation of authority to execute a revised agreement between the City of Chula Vista and the County to manage and operate Otay Ranch Preserve without a commitment to implement any particular project, the action is exempt from CEQA review because it can be seen with certainty that the activity will not have a significant effect on the environment. Any future projects will be subject to further environmental review as necessary.

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**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

Today's proposed action to execute the Otay Ranch Open Space Preserve Joint Powers Agreement supports the Sustainability Initiative in the County of San Diego's 2026-2031 Strategic Plan by promoting natural resource management strategies that ensure environmental preservation and cultivating a natural environment for residents, visitors, and future generations to enjoy.

Respectfully submitted,



DAHVIA LYNCH

Deputy Chief Administrative Officer

**ATTACHMENT(S)**

Attachment A – Vicinity Map – Otay Ranch Preserve

Attachment B – Joint Powers Agreement Between the City of Chula Vista and the County of San Diego for the Planning, Operation and Maintenance of the Otay Ranch Preserve