

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, APRIL 10, 2024**

MINUTE ORDER NO. 7

SUBJECT: EL CAPITAN COUNTY PRESERVE - AUTHORIZATION FOR THE AMENDMENT OF AGRICULTURAL LAND CONSERVATION CONTRACT NUMBER 5152-4900, ACCEPTANCE OF REAL PROPERTY DONATION OF APPROXIMATELY 75 ACRES OF OPEN SPACE LAND, RELATED CEQA EXEMPTION, AND ADOPTION OF RESOLUTION (LAKESIDE'S RIVER PARK CONSERVANCY) (4/10/2024 - HOLD HEARING) (DISTRICT: 2)

OVERVIEW

The Department of Parks and Recreation (DPR) enhances the quality of life in San Diego County by providing exceptional parks and recreation experiences and preserving natural resources. A core aspect of DPR's conservation program is the acquisition of open space lands that support sensitive species and habitats. Lakeside's River Park Conservancy, a 501(c)(3) nonprofit organization, has offered to donate to the County of San Diego (County) approximately 75 acres of vacant land, further identified as Assessor's Parcel Number (APN) 390-071-01-00 (Property) located on El Monte Road in Lakeside. If accepted, the Property would connect existing DPR facilities El Capitan County Preserve, the Historic Flume Corridor, and El Monte County Park, enhancing regional trail opportunities and conserving native habitat. The Property is subject to an Agricultural Land Conservation Contract (also known as a Williamson Act Contract) (El Monte Agricultural Preserve #7) which, among other things, restricts dividing the property into parcels smaller than 160 acres. This contract requires an amendment to allow the County's acceptance of this 75-acre Property.

This acquisition enhances conservation under the Multiple Species Conservation Program (MSCP) set by federal and State requirements for special status species conservation and supports multiple County sustainability goals, habitat and biodiversity, biological connectivity, greenhouse gas reductions, and benefits to water and air quality.

Through the County's MSCP Program, the County has acquired over 46,200 acres of open space land for conservation within the three MSCP Subareas. The acreage of preserve lands within the three MSCP Plan Areas include approximately: 14,000 acres within the South County Plan Area, 25,000 acres within the draft North County Plan Area, and 7,200 acres within the proposed East County Plan Area. This acquisition would add 75 acres to the draft North County Plan Area and reduce greenhouse gas emissions by approximately 95 metric tons of carbon dioxide equivalent per year. Additionally, conservation of the property provides flood control benefits and protection of water quality.

The County entered into an Option Agreement with Lakeside's River Park Conservancy for the land donation of approximately 75 acres, which appraised at \$1,500,000 (\$20,000/acre). The Option Agreement is typical for all acquisitions to confirm all details needed as part of the proposed transfer of property from Lakeside's River Park Conservancy to the County. Lakeside's River Park Conservancy has secured grant funding from the California Natural Resources Agency (CNRA) and Wildlife Conservation Board (WCB) to fund the purchase of the property.

Once Lakeside's River Park Conservancy acquires it from the current owner using grant funding, Lakeside's River Park Conservancy will donate it to the County for ongoing ownership and management as conservation land. As a condition of the grant funding, CNRA will require a deed restriction and WCB will require a Board Resolution to ensure the County's use and management of the Property will protect conservation values in perpetuity while allowing passive recreation such as trails.

Today's request is for the Board of Supervisors (Board) to authorize the Director, Department of General Services (DGS), to amend the Agricultural Land Conservation Contract to allow the creation of a parcel of not less than 70 acres, provided the parcel is adjacent to and included within the El Capitan County Preserve, to adopt a resolution declaring the Property will be used for conservation purposes in perpetuity, and to approve the acceptance of the donation of the Property.

The total one-time County cost, including staff time and initial stewardship, is \$453,000. Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Multiple Species Conservation Program Acquisition Fund. The annual costs to manage the Property are \$129,071, including ongoing stewardship, fire abatement, and supervision of the preserve. These ongoing costs will be included in the FY 2024-25 Operational Plan in the Department of Parks and Recreation (DPR).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed acquisition of APN 390-071-01-00 is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15311, 15313, 15316 and 15325 of the State CEQA Guidelines.
2. Authorize the Director, DGS, or designee, to execute an amendment to the County of San Diego Agricultural Land Conservation Contract 5152-4900 to allow for the creation of a parcel of not less than 70 acres provided the divided parcel is adjacent to and included within the El Capitan County Preserve.
3. Authorize the Director, DGS, or designee, to exercise the Option Agreement to accept the donation to acquire the real property interest identified as APN 390-071-01-00 (Property) and execute all related documents necessary to complete the acquisition process.
4. Authorize the Director, Department of Parks and Recreation, or designee as agent of the County of San Diego, to conduct negotiations and submit all documents, including but not limited to, grant contracts, grant agreements, including any extensions or amendments thereof that do not materially impact or alter the conditions of the donation.
5. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE CALIFORNIA WILDLIFE CONSERVATION BOARD AND THE CALIFORNIA NATURAL RESOURCES AGENCY AND AUTHORIZING THE ACQUISITION OF ASSESSOR'S PARCEL NUMBER 390-071-01 TOTALING APPROXIMATELY 75 ACRES IN SAN DIEGO COUNTY.

EQUITY IMPACT STATEMENT

The Department of Parks and Recreation conservation program's acquisition of properties with high-quality habitat is anticipated to result in positive public health impacts by improving water and air quality for all residents. The acquisition of the Property is within the Lakeside community areas and will contribute acreage to multiple sustainability efforts, including expanding the adopted South County Multiple Species Conservation Plan preserve area by approximately 75 acres and reducing greenhouse gas emissions by approximately 95 metric tons of carbon dioxide equivalent per year. Acquisition of conservation land reduces emissions that would have occurred if the land were developed and prevents the loss of critical habitat.

SUSTAINABILITY IMPACT STATEMENT

The proposed acquisition supports multiple County of San Diego (County) Sustainability Goals. Acquisition of the approximately 75-acre property supports County Sustainability Goal No. 3 and the County's Climate Action Plan by contributing to greenhouse gas reductions by approximately 95 metric tons of carbon dioxide equivalent per year through preservation of open space. The proposed acquisition site supports County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and nature and County Sustainability Goal No. 6 by expanding open space adjacent to native ecosystems and habitats.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved, this will result in total one-time project costs for the Property of \$453,000 in FY 2023-24, itemized as follows: \$40,000 for staff time and appraisal reports to complete the transaction; \$8,000 for closing and title costs; \$405,000 in one-time land improvement costs (which includes \$330,000 for the preparation of a preserve-specific Resource Management Plan and initial species monitoring, and \$75,000 to conduct initial stewardship that features signage, access control, vegetation management, land surveying, other supplies and services, and ongoing management). The funding source is available prior year General Fund fund balance (\$453,000).

Total annual ongoing costs for assessments, monitoring, and operations and management of the Property are estimated at \$129,071, itemized as follows: approximately \$10,000 for adaptive management and biological monitoring, \$25,000 for annual total operating costs for managing the site, and \$94,071 for the addition of one full-time equivalent position. Ongoing costs and funding sources will be included in the FY 2024-25 Operational Plan in the Department of Parks and Recreation (DPR). The funding source is existing DPR General Purpose Revenue.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-026, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE CALIFORNIA WILDLIFE CONSERVATION BOARD AND THE CALIFORNIA NATURAL RESOURCES AGENCY AND AUTHORIZING THE ACQUISITION OF ASSESSOR'S PARCEL NUMBER 390-071-01 TOTALING APPROXIMATELY 75 ACRES IN SAN DIEGO COUNTY.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

State of California)
County of San Diego)

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter

