



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 12/12/2023

To: Board of Directors of the Sonoma County Agricultural Preservation and Open Space District

Department or Agency Name(s): Agricultural Preservation and Open Space District, Sonoma County Regional Parks

Staff Name and Phone Number: Curtis Kendall, 565-7351; Steve Ehret 565-1107

Vote Requirement: Majority

Supervisory District(s): First

Title:

Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition Fee Title Acquisition

Recommended Action:

Adopt a resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District (Ag + Open Space) and the Board of Supervisors for the Sonoma County Regional Parks Department (Parks) to:

A) On behalf of Ag + Open Space

- i. Approve an amendment to the Weeks Ranch North Conservation Easement to confirm the allowance of shared water use between Weeks Ranch North and the property encumbered by the Weeks Ranch South Conservation Easement and 1700 Los Alamos Road;
- ii. Authorize the President of the Board of Directors to execute an amendment to the Weeks Ranch North conservation easement, and associated certificate of acceptance;
- iii. Authorize the General Manager to enter into a Purchase and Sale Agreement with John M. Rasmason, as Trustee under the John M. Rasmason 2006 Trust dated January 6, 2006, as to an undivided 50% interest; and Barbara L. Mix and Alfred C. Mix, as Trustees of The Barbara L. Mix and Alfred C. Mix Revocable Living Trust dated February 17, 2009, as to an undivided 50% interest in a form approved by County Counsel for the acquisition of the fee interest in the Week's Ranch North property (Sellers);
- iv. Authorize up to \$4,490,000 and escrow costs for Ag + Open Space purchase of fee interest in the Weeks Ranch North Property, which is encumbered by the Ag + Open Space Weeks Ranch North Conservation Easement;
- v. Determine that the acquisition is consistent with the Sonoma County Agricultural Preservation and Open Space District's Expenditure Plan and the 2020 Sonoma County General Plan;
- vi. Authorize the President of the Board of Directors to execute a certificate of acceptance for the acquisition of the fee interest in Weeks Ranch North,
- vii. Approve transfer of fee interest in the Weeks Ranch North Property to the County of Sonoma as Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition, encumbered with the amended Weeks Ranch North conservation easement and recreation covenant over the property, authorize the President of the Board of Directors to execute a transfer agreement effectuating same.
- viii. Authorize the President of the Board of Directors to execute a Recreation Covenant over Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition and associated certificate of

acceptance;

- ix. Authorize the President of the Board of Directors to execute a water well use easement for the benefit of Seller-owned parcels over Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition;
- x. Make certain determinations pursuant to the California Environmental Quality Act and direct the filing of a notice of exemption; and
- xi. Authorize recordation of all instruments necessary to accomplish the transaction, and directing the General Manager, in consultation with County Counsel, to take all other actions necessary or appropriate to complete this transaction and establish a permanent Conservation Easement and Recreation Conservation Covenant.

B) On behalf of Regional Parks:

- i. Accept fee title and execute certificate of acceptance of fee interest, authorize the Chair of the Board of Supervisors to execute a transfer agreement effectuating same;
- ii. Execute a Recreation Conservation Covenant and Irrevocable Offer of Dedication benefiting the Agricultural Preservation and Open Space District pursuant to Public Resources Code §5565.5;
- iii. Authorize the Director of Regional Parks to enter into a grazing agreement for use of a portion of Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition with Sellers or their designees for a term of six (5) years;
- iv. Authorize the Director of Regional Parks, in consultation with County Counsel, to make technical, non-substantive changes in the Conservation Easement, Recreation Conservation Covenant, Offers of Dedication and other closing documents and to execute any other documents necessary to complete this transaction;
- v. Authorize recordation of all instruments necessary to accomplish the transaction, and directing the Director of Regional Parks, in consultation with County Counsel, to take all other actions necessary or appropriate to accept fee title to the Property and to establish a permanent conservation easement and recreation covenant over the property;
- vi. Consent to the recordation of an irrevocable offer of dedication in favor of the Ag + Open Space;

C) Authorize all other actions to complete this transaction.

(First District)

Executive Summary:

The Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition project is fee acquisition of the 888-acre Weeks Ranch North property, located at 2300 Los Alamos Road northeast of Santa Rosa, California. The Sonoma County Agricultural Preservation and Open Space District ("Ag + Open Space") acquired the Weeks Ranch North Conservation Easement in 2019. Ag + Open Space, in collaboration with Sonoma County Regional Parks, is proposing to purchase fee title to the property that will be known as the Hood Mountain Regional Park & Open Space Preserve Salt Creek Addition ("Salt Creek Addition" or "Property"). Sonoma County Regional Parks will assume ownership of the property as encumbered by the amended Weeks Ranch North conservation easement as well as a recreation covenant.

To facilitate this acquisition, the Ag + Open Space and the landowner need to correct the existing Weeks Ranch North Conservation Easements, through an amendment, to confirm the existing shared water use between the properties.

Discussion:

Property Characteristics/Project Significance

The Weeks Ranch North property is adjacent to the northwest portion of Hood Mountain Regional Park & Open Space Preserve, near to the Los Alamos Road parking lot and trailhead. Regional Parks also intends to acquire an additional property, the 100 Acre Ranch ("100 Acre Ranch"), owned by these same landowners but not encumbered by an Ag + Open Space conservation easement in a later separate transaction not involving Ag + Open Space. The 100 Acre Ranch Property forms a connection between this Property and Saddle Mountain Open Space Preserve. The Weeks Ranch North property, along with the 100 Acre Ranch acquisition, would establish a string of connected publicly owned properties, totaling more than 8,000 acres, from northeast Santa Rosa, through Saddle Mountain to the Napa County line along the eastern edge of Sugarloaf Ridge State Park.

Project Structure

Ag + Open Space will acquire fee title interest in the Property and in a simultaneous transaction will transfer that interest to the County of Sonoma, subject to the amended Weeks Ranch North Conservation Easement and recreation covenant. The conservation easement allows recreational and educational opportunities consistent with protection and preservation of the Property's natural resources, scenic, open space, and agricultural values. Seller will continue grazing cattle on the property pursuant to the Vegetation Management Plan to minimize the risk of wildfire for up to one (1) year, under a license agreement, during which time a five (5) year grazing lease will be negotiated with the seller. The County of Sonoma will also convey to Ag + Open Space a recreation conservation covenant together with an offer to dedicate. The provisions of the recreation conservation covenant require the Salt Creek Addition to remain open to the public for recreational and education purposes in perpetuity, which recreational requirements will take effect eight (8) years after close of escrow. The existing project structure includes three (3) Building Envelopes as follows: (1) a 1.5-acre Building Envelope with a residence and workshop/storage building, in the west-central part of the Property, (2) a vacant 4-acre Building Envelope, in the southwest corner of the property adjacent to Los Alamos Road, within which a residence and/or visitor services could be developed; (3) a vacant 0.25-acre Agricultural Building Envelope just east of the southwestern building envelope and adjacent to a livestock corral facility. The project structure also includes Riparian Area buffers along Salt Creek and Van Buren Creek.

Conservation Easement Amendments

An amendment to the Weeks Ranch North Conservation Easement will confirm the allowance of water sharing from the Salt Creek Addition to the property encumbered by the Weeks Ranch South Conservation Easement may continue after transfer of ownership of the Salt Creek Addition to the County of Sonoma. The Weeks Ranch South property is currently under common ownership as the Weeks Ranch North property. Both properties were encumbered by an Ag + Open Space conservation easement at the same time. □

Conformance with Adopted Plans

Vital Lands Initiative

Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition is identified in the Vital Lands Initiative as being essential for the conservation of biodiversity by accomplishing the **Wildlands** Goals as described in the Vital Lands Initiative:

- Protect the highest priority oak woodlands, shrublands, grassland and other non-woody vegetation.
- Protect rare, unique, or particularly diverse vegetation communities.
- Protect the highest priority habitats for rare, unique, or special-status terrestrial plants and animals.
- Protect lands critical for supporting high native biodiversity.
- Protect critical wildlife movement corridors and intact habitat areas.

The conserving of Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition would complement and expand existing public access and recreation within the area and thus meets the following Vital Lands Initiative **Healthy Communities** Goals:

- Pursue partnerships for future acquisitions that expand, create, or connect new parks and open space preserves and trails.
- Partner with public agencies and non-profit organizations to ensure that all communities have open space to enjoy.
- Prioritize projects that increase passive or low-intensity recreational opportunities using easements and recreation covenants.

Finally, in terms of groundwater and riparian habitat, conservation of Hood Mountain Regional Park & Open Space Preserve - Salt Creek Addition is essential to the following Vital Lands Initiative **Water** Goals:

- Protect the highest priority riparian corridors and headwater streams.
- Protect the highest priority aquatic habitats and associated upland areas that support rare, unique, or special-status aquatic plants and animals.
- Protect connect aquatic habitats and the lands that support this connectivity.

Sonoma County General Plan 2020

In addition to the many General Plan 2020 goals and policies the original Weeks Ranch North Conservation Easement acquisition furthered, the amended conservation easement and park expansion project furthers additional Open Space and Resource Conservation goals and policies relative to recreation:

- Preserve, sustain and restore forestry resources for their economic, conservation, recreation, and open space values. (Goal OSRC-12)
- Establish a countywide park and trail system that meets future recreational needs of the County's residents while protecting agricultural uses. The emphasis of the trail system should be near urban areas and on public lands. (Goal OSRC-17)
- Provide for adequate parklands and trails primarily in locations that are convenient to urban areas to meet the outdoor recreation needs of the population, while not negatively impacting agricultural uses. (Objective OSRC-17.1) Hood Mountain Trail North. (Policy OSRC-17d)

Ag + Open Space's Expenditure Plan

The project is consistent with Ag + Open Space's Expenditure Plan because it preserves biotic habitat areas and scenic landscape units, while offering opportunities for public recreation. □

Fiscal Oversight Commission Approval

On November 2, 2023, The Fiscal Oversight Commission, in approving Resolution No. 2023-xx, concluded that Ag + Open Space is not paying more or receiving less than the fair market value for acquisition of the Property by the County of Sonoma, subject to the existing conservation easement and the recreation covenant that will be received by Ag + Open Space.

CEQA

Pursuant to Public Resources Code Section 21080.28(a)(1)(A), (B) & (F) and Section 15325(a), (c) & (f) of Title 14 of the California Code of Regulations, the acquisition is exempt from CEQA because the purpose of the acquisition is to preserve the natural condition of the Property, including plant and animal habitats; the restoration of natural conditions including plant and animal habitats; and the preservation of open space or lands for park purposes. This acquisition is also exempt from CEQA pursuant to Section 15317 of Title 14 of the California Code of Regulations, because the purpose of the acquisition is to maintain the open space character of the area. Repair and replacement of existing fences and similar property maintenance is exempt per §15301: Existing Facilities.

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Prior Board Actions:

September 12, 2023: the Board of Supervisors accepted the County of Sonoma Capital Project Plan 2023-2028, including subject Hood Mountain Expansion.

December 11, 2018: the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District passed resolution 10-0505 to approve acquisition of the Weeks Ranch North and Weeks Ranch South Conservation Easements at a cost of \$4,200,000.

FISCAL SUMMARY

Expenditures	FY 23-24 Adopted	FY 24-25 Projected	FY 25-26 Projected
Budgeted Expenses	\$4,490,000		
Additional Appropriation Requested			
Total Expenditures	\$4,490,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$4,490,000		
Use of Fund Balance			
Contingencies			
Total Sources	\$4,490,000		

Narrative Explanation of Fiscal Impacts:

Ag + Open Space has adequate appropriations in its FY 23-24 budget for the \$4,490,000 contribution to fee and amended conservation easement and recreation conservation covenant acquisition, which is funded by Sonoma County voter approved Measure F. Adequate appropriations exist in FY 23-24 budget for escrow and closing costs, which are not included in the fiscal summary table.

Narrative Explanation of Staffing Impacts (If Required):

n/a

Attachments:

1. General Plan Map 2020
2. Location Map
3. Site Map
4. Project Structure Map
5. Resolution of Agricultural Preservation and Open Space District Board of Directors
6. Resolution of County of Sonoma Board of Supervisors

Related Items "On File" with the Clerk of the Board:

1. Certificates of Acceptance for Ag + Open Space
2. Notice of Exemption
3. Conservation Easement
4. Recreation Conservation Covenant

5. Irrevocable Offer of Dedication
6. Transfer Agreement between Parks and Ag + Open Space
7. Purchase and Sale Agreement
8. Certificate of Acceptance for Parks