



SUMMARY REPORT

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**Agenda Date:** 12/5/2023

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**To:** Board of Directors of the Sonoma County Agricultural Preservation and Open Space District  
**Department or Agency Name(s):** Sonoma County Agricultural Preservation and Open Space District  
**Staff Name and Phone Number:** Olivia Fiori, 707-565-7349  
**Vote Requirement:** Majority  
**Supervisorial District(s):** 5<sup>th</sup>

**Title:**

Lafranchi (Laguna) (0590) Conservation Easement Acquisition

**Recommended Action:**

Adopt a resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District to:

- A) Authorize up to \$4,370,000 and escrow fees and costs for the purchase of a conservation easement interest in the Lafranchi (Laguna) Property;
- B) 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;
- C) Authorize the President of the Board of Directors to execute a conservation easement interest in a portion of the Property, and associated certificates of acceptance;
- D) Make certain determinations pursuant to the California Environmental Quality Act and direct the filing of a notice of exemption;
- E) Dedicate the conservation easement to open space purposes pursuant to Public Resources Code Section 5540; and
- F) Direct the recordation of the conservation easement and authorize and direct the General Manager to take all other actions necessary to complete the transaction described, including making any technical, non-substantive changes in the easement deed and other closing documents prior to recordation with the prior approval of Ag + Open Space's Counsel, and the drawing of warrants as necessary to pay for the Ag + Open Space's share of the closing costs.

(Fifth District)

**Executive Summary:**

The Sonoma County Agricultural Preservation and Open Space District has negotiated a natural and scenic resources conservation easement ("Easement Area") to preserve a 187-acre portion of the 263-acre property ("Property") owned by Lafranchi Land and Cattle Company, LLC. The future Lafranchi (Laguna) Conservation Easement is contiguous with the Denner Ranches Conservation Easement (approval of easement purchase brought to your Board on July 11, 2023) and is on the opposite side of the Laguna de Santa Rosa from the Sonoma Land Trust-held Laguna de Santa Rosa Wildlife Area Conservation Easement and the Department of Water Resources Laguna Wildlife Area property.

**Discussion:**

**Property Characteristics/ Project Significance**

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The 187-acre Lafranchi (Laguna) Easement is located at the western end of Piner Road, between Santa Rosa and Forestville. Sonoma County Agricultural Preservation and Open Space District (“Ag + Open Space”) is proposing to purchase a conservation easement interest in a portion of the Property to protect the Property’s natural resources and scenic values and to allow for the restoration of wetlands as described in Sonoma Water’s wetlands restoration and flood control plans in the Laguna de Santa Rosa. The planned future restoration project will take place within the Easement Area and includes the establishment of a suite of wetland, marsh, and riparian habitat types that were once dominant in the Laguna de Santa Rosa. The remainder of the Property will not be encumbered with a conservation easement in order for the landowner to retain current agricultural uses. The Easement Area has been historically used for personal recreation, open space, and to grow feed corn for cattle.

The Property is held in one assessor’s parcel and cannot be further subdivided. The only site improvements within the Easement Area are dirt access roads and fencing. All building improvements and all other site improvements are located outside of, and adjacent to, the Easement Area. There are rural residential properties concentrated along the eastern Property boundary that are not immediately adjacent to the Easement Area.

The Property is in the Laguna de Santa Rosa watershed and contains 0.7 miles of Laguna de Santa Rosa, a perennial waterway that flows along the eastern boundary of the Easement Area. There are two intermittent tributaries to the Laguna de Santa Rosa; 0.45 miles of Olivet Creek, that flows across the middle of the Easement Area and Mark West Creek, that flows .09 miles across the northern half of the Easement Area. Additionally, 0.35 miles of Hartman Creek, and intermittent tributary to Mark West Creek, flows across the northeastern corner of the Easement Area. The Easement Area features valley oak woodlands, wetlands, riparian deciduous forest, and flat flood plains that rise gently into slightly higher elevations that feature existing vineyards outside of the conservation easement boundary.

### **Project Structure**

Ag + Open Space staff has negotiated a conservation easement that requires the Easement Area to be held under a single common ownership and protects the property’s natural and scenic resources. The project structure consists of one 187-acre unit, which has the same footprint as the Easement Area, where restoration may occur. Within the restoration area, the landowner may carry out current agricultural uses until restoration is complete.

### **Conformance with Adopted Plans**

#### Vital Lands Initiative

Lafranchi (Laguna) is essential for the Water and Community Identity categories of Ag + Open Space’s Vital Lands Initiative. Conserving this Property meets multiple objectives described in the Vital Lands Initiative as follows:

- 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 connected aquatic habitats and the lands that support this connectivity.
- Protect unique and scenic landscapes.
- Protect lands that provide visual relief from urbanized areas and highly traveled roads, including the most visible ridgelines and mountaintops and valleys.
- Ensure that all Ag + Open Space actions support resiliency to climate change and extreme events and the

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avoidance or reduction of greenhouse gas emissions.

Sonoma County General Plan 2020

The project furthers several goals and policies in Sonoma County’s General Plan 2020, specifically in the Land Use, Open Space and Resource Conservation, and Water Resources Elements as noted in, but not limited to, the following below:

- Identify important open space areas between and around the county’s cities and communities. Maintain them in a largely open or natural character with low intensities of development. (Goal LU-5)
- Preserve the visual identities of communities by maintaining open space areas between cities and communities. (Goal OSRC-1)
- Identify and preserve roadside landscapes that have a high visual quality as they contribute to the living environment of local residents and to the County’s tourism economy. (Goal OSRC-3)
- Preserve the unique rural and natural character of Sonoma County. (OSRC-6)
- Protect and enhance the County’s natural habitats and diverse plant and animal communities. (Goal OSRC-7)
- Protect, restore, and enhance the quality of surface and groundwater resources (Goal WR-1).
- Protect existing groundwater recharge areas. (Objective WR-2.3)

Ag + Open Space’s Expenditure Plan

The project is consistent with Ag + Open Space’s Expenditure Plan because it preserves scenic landscape units, riparian corridors, □ and biotic habitat areas. □

Fiscal Oversight Commission Approval

On August 16, 2023, Ag + Open Space’s Fiscal Oversight Commission, in approving Resolution No. 2023-009, concluded that Ag + Open Space is not paying more or receiving less than the fair market value for acquisition the conservation easement. □

**CEQA**

The acquisition of the Conservation Easement is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*) pursuant to Public Resources Code Section 21080.28(a)(1)(A) & (C) and Cal. Code of Regs. Tit. 14, § 15325(a) & (b)), which exempts from CEQA the acquisition, sale, or other transfer of interest in land by a public agency for the preservation of the natural condition of the property including plant and animal habitats; restoration of natural conditions including plant and animal habitats; for continuing agricultural use of the land; for the prevention of encroachment of development into flood plains; and preservation of open space. Alternatively, it is exempt 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. Immediately upon adoption of this resolution, the General Manager is directed to file with the State Office of Planning and Research and the County Clerk, and the County Clerk is directed to post and to maintain the posting of a notice of exemption pursuant to Public Resources Code Section 21152.

**Dedication**

Consistent with Ag + Open Space practice, the Board is asked to dedicate the conservation easement to open space purposes pursuant to Public Resources Code Section 5540. By taking this action, Ag + Open Space is restricting its ability to convey or relinquish the protections embodied in the conservation easement.

**Prior Board Actions:**

N/A

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 23-24 Adopted</b>	<b>FY24-25 Projected</b>	<b>FY 25-26 Projected</b>

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Budgeted Expenses	\$4,370,000		
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$4,370,000</b>		
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other	\$4,370,000		
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$4,370,000</b>		

**Narrative Explanation of Fiscal Impacts:**

Ag + Open Space has adequate appropriations in its FY 23-24 budget for the \$4,370,000 conservation easement acquisition, which is funded by Sonoma County voter approved Measure F.

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

1. Resolution
2. Location Map
3. Conservation Easement, with Exhibits
4. Project Structure Map

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

1. Certificate of Acceptance
2. Notice of Exemption