



## COUNTY OF SONOMA

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

### SUMMARY REPORT

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**Agenda Date:** 6/3/2025

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**To:** Board of Directors of the Sonoma County Agricultural Preservation and Open Space District and Board of Supervisors for the Regional Parks Department

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

**Staff Name and Phone Number:** Misti Arias, 565-7364; Bert Whitaker, 565-2041; Olivia Fiori, 565-7349; Steve Ehret 565-1107

**Vote Requirement:** Majority

**Supervisory District(s):** Fifth

**Title:**

Monte Rio Redwoods Expansion Fee Title Acquisition and Conservation

**Recommended Action:**

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

- A) Authorize up to \$8,000,000 and escrow costs from Ag + Open Space toward the purchase of the fee interest in the Monte Rio Redwoods Expansion (Property) by Sonoma County Regional Parks, subject to a conservation easement and recreation conservation covenant to be held by Ag + Open Space;
- 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) Make certain findings in accordance with Ag + Open Space's Easement Amendment Policy and authorize an amendment and replacement of the Willow Creek - Northern Tract Conservation Easement, to enable the entirety of the Property to be conserved under a single conservation easement;
- D) Authorize the President of the Board of Directors to Execute a Deed and Agreement by and Between the County of Sonoma and the Sonoma County Agricultural Preservation and Open Space District Amending, Restating and Conveying a Conservation Easement and Assigning Development Rights, and a Recreation Conservation Covenant, and associated certificates of acceptance;
- E) Consent to the recordation of an irrevocable offer of dedication in favor of Ag + Open Space pursuant to Public Resources Code §5565.5;
- F) Make certain determinations pursuant to the California Environmental Quality Act and direct the filing of a notice of exemption;
- G) Authorize the Ag + Open Space General Manager to execute a contribution agreement with Save the Redwoods League for the receipt of \$2,000,000 in funding toward future Ag + Open Space acquisitions;
- H) Authorize the Ag + Open Space General Manager 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, in consultation with County Counsel; and
- I) Authorize recordation of all instruments necessary to accomplish the transaction, and directing the Ag + Open Space General Manager, in consultation with County Counsel, to take all other actions

necessary or appropriate to complete this transaction.

Adopt a resolution of the Board of Supervisors of the County of Sonoma for its Regional Parks Department to:

- A) Accept fee title of the Property and execute certificate of acceptance of fee interest;
- B) Execute an Amended Conservation Easement, Recreation Covenant, and Irrevocable Offer of Dedication benefiting the Agricultural Preservation and Open Space District;
- C) 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; and
- D) 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.

(Fifth District)

**Executive Summary:**

Monte Rio Redwoods Expansion is a 1,517-acre property (Property) located between Monte Rio Redwoods Regional Park & Open Space Preserve and Sonoma Coast State Park. The Sonoma County Agricultural Preservation and Open Space District (Ag + Open Space), in collaboration with Sonoma County Regional Parks (Regional Parks), Save the Redwoods League, Sonoma Land Trust, the Wildlife Conservation Board, and other project funders, is proposing to contribute funds towards Regional Parks' purchase of a fee interest in the Property. As a condition of funding, Regional Parks will convey a conservation easement and recreation conservation covenant to Ag + Open Space at closing. The conservation easement will amend and replace an existing conservation easement on a portion of the Property and protect the natural, scenic, recreational, and educational resources of the Property. The recreation covenant will ensure the Property is open to the public in perpetuity as a park and open space preserve within 5 years of acquisition and after compliance with the California Environmental Quality Act (CEQA).

**Discussion:**

**Property Characteristics/Project Significance**

The majority of the Property is highly visible from multiple public vantage points, including Highway 116, Bohemian Highway, and surrounding neighborhoods in Monte Rio, Duncans Mills, and Occidental. The Property can also be seen from public lands such as Sonoma Coast State Park and Wright Hill Ranch Regional Park & Open Space Preserve, enhancing the region's scenic character. The Property consists of seven (7) assessor's parcels and there are no Administrative Certificates of Compliance associated with the Property. The Property is undeveloped and is currently used for timber production and for private recreational mountain biking by a local club. Existing site improvements include an extensive network of unpaved roads and singletrack trails, reflecting its history of timber harvesting and mountain biking use. These features provide valuable access for future public recreation and conservation management goals.

The Property is steep, forested, and mountainous land, with some rolling hills and narrow valleys. Elevations range from approximately 200 feet to over 1,200 feet above sea level. The Property is predominantly

covered by redwood and Douglas-fir forests, interspersed with hardwood species such as tan oak and California Bay. Portions of the forest exhibit old-growth characteristics, while others have undergone past timber harvesting and are in various stages of regeneration. Almost the entirety of the Property is identified as a headwater source area as it includes the headwaters of Freezeout Creek and tributaries to upper Willow Creek and Dutch Bill Creek, all critical habitats for coho salmon and steelhead trout.

Securing this Property for public access and continued natural resource protection builds upon other significant investments across this sizeable area of western Sonoma County. With its location adjacent to over 10,000 acres of open space and protected lands within easy reach of Monte Rio, Guerneville, Occidental, and Santa Rosa, the opportunity for 20+ miles of trails looping through redwood forest and a variety of habitats will include picturesque ridgetop views. In addition to public access and natural resource restoration, the Property provides critical linkages for wildlife and opportunities for fire defense and vegetation management through grazing, shaded fuel breaks, prescribed fire, and other methods.

This expansion to Monte Rio Redwoods will cause a marginal increase in direct costs to the County to operate, maintain, and steward. The existing road and trail infrastructure is in good condition, and the primary access point for interim public access will be via the existing trailhead for Monte Rio Redwoods Regional Park & Open Space Preserve and the Freezeout Trailhead for Sonoma Coast State Park. Regional Parks will seek grant funding to expand work managing fuels and promoting forest health consistent with county efforts to create shaded fuel breaks, pile burns, and prescribed fires. The Gianni cycling club intends to continue its long-standing partnership with the County to provide ongoing trail workdays and trail monitoring to report trail condition or safety issues for timely resolution.

### **Project Structure**

Mendocino Redwood Company LLC (MRC) is selling the Property for \$24,000,000. The transaction will be funded by \$8,000,000 from Save the Redwoods League (the League), \$8,000,000 from the Wildlife Conservation Board (WCB), and \$8,000,000 from Ag + Open Space. To comply with WCB's funding restrictions, the transaction will happen in two simultaneous steps-first, MRC will transfer title to the League, and then immediately from the League to the County of Sonoma. WCB's funds must be used in the first transaction from MRC to the League. As a result, when Regional Parks takes title to the Property, it will be the Successor Grantee to the League, meaning it will take the Property subject to WCB's grant conditions. We note that originally the County was receiving the WCB funds to pay MRC, but WCB has requested that the funds instead be received by the League to pay MRC.

To support regional conservation efforts, the League has agreed to commit a total of \$2,000,000 to Ag + Open Space in Fiscal Years 2025-26 and 2026-27 to support projects that align with the organizations' mutual conservational goals. These funds can be used for conservation efforts on redwood forested properties that advance shared priorities. Staff and the League have developed a contribution agreement to confirm the League's funding commitment. The League's future contribution may be applied to leverage Ag + Open Space funding for conservation projects that are adjacent to the Property and are suitable for expanding natural resource conservation and public access.

At closing, Regional Parks will convey to Ag + Open Space a conservation easement that requires the Property to be held under a single common ownership and protects the Property's natural and scenic resources. The conservation easement will also allow for recreational and educational opportunities consistent with

protection and preservation of the Property's natural resources. Regional Parks 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 Property to remain open to the public for recreational and education purposes in perpetuity. The deadline to provide initial public recreational access will be 5 years after the acquisition date. Regional Parks will continue limited public recreational access and use commensurate to existing use. Regional Parks will develop a master plan with community engagement following acquisition.

The Project Structure includes: (1) a 210-acre area encompassing the existing Willow Creek - Northern Tract Conservation Easement, retaining all original restrictions and permitted use; (2) a 1.5-acre Floating Building Envelope, subject to Ag + Open Space approval as to location, designated for residential use and associated residential structures and improvements; (3) up to two Floating Staging Areas totaling 4 acres, subject to Ag + Open Space approval as to location, designated for staging area, parking, restrooms, and equipment storage; (4) a 3.0-acre Floating Camping Envelope for camping facilities, subject to Ag + Open Space approval as to location; and (5) a 2.5-acre Camping Envelope. The conservation easement allows for restoration activities to enhance habitat conditions, park development for recreational and educational enhancement, and the creation of trails and park features, subject to Ag + Open Space's approval. Regional Parks has the opportunity to submit a Forest Management Plan to support natural resource preservation, restoration, and enhancement and a Master Plan to govern the Property's recreational development.

### **Proposed Easement Amendment**

In 2005, Ag + Open Space acquired a conservation easement over a 210-acre portion of the Property commonly known as the Willow Creek - Northern Tract Easement. The Willow Creek - Northern Tract Conservation Easement was purchased to preserve the open space, natural, scenic, and recreational values of the Property. It permits vegetation management and recreational uses, including hiking, camping, biking, horseback riding, and nature study.

Conserving the entirety of the 1,517-acre Property under a single conservation easement will facilitate efficient stewardship of the property by both Regional Parks and Ag + Open Space. To facilitate this goal, Ag + Open Space staff are recommending the amendment of the Willow Creek - Northern Tract Conservation Easement to merge it into the new conservation easement that has been designed to protect the remainder of the Property. The new conservation easement will maintain the existing easement protections for this 210-acre portion of the Property. The amended and restated conservation easement (Amended Conservation Easement) maintains the existing restrictions on structures and improvements (allowing only those associated with recreational use, such as trails and benches). Development of the remainder of the larger Property will be limited to Easement Designation Areas that are located outside of the former Willow Creek - Northern Tract Conservation Easement perimeter.

Because the easement amendment does not release any existing restrictions on use or development of the Property, the amendment is not an exchange subject to Public Resources Code section 5540.5. The amended conservation easement will clarify and update older easement language, which will improve both parties' ability to administer and comply with the easement. Because the amended easement has all of these qualities, as further documented in the Board's resolution, the amendment of the Willow Creek - Northern Tract Conservation Easement is consistent with the Ag + Open Space's Conservation Easement Amendment Policy, California Civil Code section 815, *et seq.*, and Public Resources Code section 5540.

### **Conformance with Adopted Plans**

### **Vital Lands Initiative**

Monte Rio Redwoods Expansion is identified in the Vital Lands Initiative as being essential for accomplishing the **Wildlands, Water, Community Identity, and Healthy Communities** Goals as described in the Vital Lands Initiative:

- Protect rare, unique, or particularly diverse vegetation communities;
- Protect the highest priority habitats for rare, unique, or special-status terrestrial plants and animals;
- Protect the highest priority riparian corridors and headwater streams;
- Protect the highest priority aquatic habitats and the lands that support rare, unique, or special-status aquatic plants and animals;
- 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; and
- Prioritize projects that increase passive or low-intensity recreational opportunities using easements and recreation covenants.

### **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 below:

- Maintain important open space areas between and around the county's cities in a largely open or natural character with low intensities of development (Goal LU-5);
- Preservation of important scenic features (Goal LU-10);
- Encourage conservation of undeveloped land, open space, and agricultural lands, protection of water and soil quality, restoration of ecosystems, and minimization or elimination of the disruption of existing natural ecosystems and flood plains (Policy LU-11f);
- 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 for residents, businesses, visitors, and future generations (Goal OSRC-6);
- Protect and enhance the County's natural habitats and diverse plant and animal communities (Goal OSRC-7);
- Identify and protect native vegetation and wildlife, particularly occurrences of special status species, wetlands, sensitive natural communities, woodlands, and areas of essential habitat connectivity (Objective OSRC-7.1);
- Maintain connectivity between natural habitat areas (Objective OSRC-7.5); and
- 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 biotic habitat areas, scenic landscape units, and scenic corridors, while offering opportunities for public recreation.

### **Fiscal Oversight Commission Approval**

On April 3, 2025, The Fiscal Oversight Commission, in approving Resolution No. 2025-001, concluded that the acquisition of the Conservation Easement and Recreation Covenant as a condition of Ag + Open Space's contribution towards the fee purchase of the Property does not result in Ag + Open Space paying more than the fair market value for the acquisition of such interests

**CEQA**

Regional Parks' fee title acquisition, the provision of funding towards the acquisition of fee title by Regional Parks, as well as Ag + Open Space's acquisition of the Conservation Easement and Recreation Covenant, is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Sections 21000 and following) 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 natural conditions existing at the time of acquisition, including plant and animal habitat, even if physical changes to the environment or changes in the use of the land are a reasonably foreseeable consequence of the acquisition, sale, or other transfer of the interests in land, or of the granting or acceptance of funding, provided that environmental review otherwise required by the Public Resources Code occurs before any project approval that would authorize physical changes being made to the land. This project 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. Pursuant to section 21080.28(a) the acquisition of this property is exempt from CEQA because the purpose of the acquisition is to preserve the land for park purposes as specified in subsection (a)(1)(F). Repair and replacement of existing fences and similar property maintenance is categorically exempt per Section 15301: Existing Facilities.

**Prior Board Actions:**

Per resolution 25-0203, Board of Supervisors declared intention to purchase approximately 1,517 acres located south of the community of Monte Rio and northwest of the community of Occidental to incorporate into Monte Rio Redwoods Regional Park and Preserve (April 15, 2025)

Per resolution 25-0123, Board of Supervisors authorized application for the \$8 million Wildlife Conservation Board grant for Monte Rio Redwoods Expansion acquisition (February 25, 2025).

Per Resolution Number 23-0031, Board of Supervisors approved the Conservation Easement Grant Agreement for Willow Creek - Northern Tract between Mendocino Redwood Company, LLC and Sonoma County Agricultural Preservation and Open Space District (December 18, 2003)

Board of Supervisors accepted fee title to the 515-acre Torr Property in the Dutch Bill Creek watershed for a future regional park and open space preserve (August 18, 2020)

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 24-25 Adopted</b>	<b>FY 25-26 Projected</b>	<b>FY 26-27 Projected</b>
Budgeted Expenses	\$8,000,000	\$1,000,000	\$1,000,000
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$8,000,000</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal/			

Fees/Other	\$8,000,000	\$1,000,000	\$1,000,000
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$8,000,000</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>

**Narrative Explanation of Fiscal Impacts:**

Fiscal Impacts to Ag + Open Space Budget: Ag + Open Space has adequate appropriations in its FY 24-25 budget for the \$8,000,000 contribution to fee and conservation easement acquisition, which is funded by Sonoma County voter approved Measure F. Adequate appropriations exist in the FY 24-25 budget for escrow and closing costs, which are not included in the fiscal summary table. Additionally, a contribution agreement with Save the Redwoods League outlines a \$2,000,000 funding commitment to Ag + Open Space in FY 25-26 and 26-27 in support of future conservation projects.

Fiscal impacts to County Regional Parks Budget: Total cost of acquisition is \$8,000,000. The \$8,000,000 Ag + Open Space contribution is included in its FY 24-25 budget. Adequate appropriations exist in the FY 24-25 Dutch Bill Creek Capital Project budget for escrow and closing costs, which are not included in the fiscal summary table.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

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

N/A

**Attachments:**

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

7. Conservation Easement and Exhibits
8. Certificate of Acceptance - Conservation Easement - Agricultural Preservation and Open Space District
9. Recreation Conservation Covenant
10. Certificate of Acceptance - Recreation Conservation Covenant - Agricultural Preservation and Open Space District
11. Irrevocable Offer of Dedication
12. Contribution Agreement
13. Certificate of Acceptance - County of Sonoma Acquisition

**Related Items “On File” with the Clerk of the Board:**

1. Purchase and Sale Agreement
2. License Agreement
3. Wildlife Conservation Board Grant Agreement