



SUMMARY REPORT

Agenda Date: 8/22/2023

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
Supervisory District(s): Second, Fifth

Title:

Gillis Ranch Preserve (0597) Conservation Easement Acquisition

Recommended Action:

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

- A) Determining 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;
- B) Authorizing the purchase of a conservation easement interest in the Gillis Ranch Preserve Property for \$2,250,000;
- C) Authorizing the President of the Board of Directors to execute the conservation easement, and the associated certificate of acceptance;
- D) Making certain determinations pursuant to the California Environmental Quality Act and directing the filing of a notice of exemption;
- E) Dedicating the conservation easement to open space purposes pursuant to Public Resources Code Section 5540; and
- F) Directing the recordation of the conservation easement and authorizing and directing 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.

(Second and Fifth District)

Executive Summary:

The Sonoma County Agricultural Preservation and Open Space District is proposing to purchase a conservation easement over the 139-acre Gillis Ranch Preserve property located at 1610 Cunningham Road, Sebastopol, California ("Property") for the appraised value of \$2,250,000. The conservation easement will protect its natural, agricultural, and recreational and educational resource values.

Discussion:

Property Characteristics/ Project Significance

Gillis Ranch Preserve is a 139-acre property, located along Cunningham Road and southeast of Sebastopol city limits. Sonoma County Agricultural Preservation and Open Space District (Ag + Open

Space) is proposing to purchase a conservation easement over the Property to protect the Property's natural resources, agricultural resources, and recreational and educational resources. The Property is contiguous with lands conserved by the Nahmens Conservation Easement and the California Department of Fish and Wildlife Cunningham Marsh Conservation Easement and is located near the Guardino Conservation Easement. The Property is a former commercial dairy and has also been historically used for grazing, personal recreation, and open space.

The Property is comprised of two assessor's parcels and there are no Certificates of Compliance associated with the Property. Existing infrastructure on the Property such as a shop, equipment shed, multiple barns, and other small agricultural outbuildings will allow for continued use of the property for agricultural purposes and future recreational and educational uses.

The Property is in the Blucher Creek watershed and contains 0.34 miles of Blucher Creek, a perennial tributary to the Laguna de Santa Rosa. Additionally, 0.53 miles of Volkerts Creek, an intermittent tributary to Blucher Creek flows across the Property. The confluence of Volkerts Creek and Blucher Creek is on the Property. The Property features rolling hills, with oak woodlands, riparian hardwoods, grasslands, remnants of Cunningham Marsh, and riparian vegetation surrounding the creeks. Cunningham Marsh is a biologically important site, with rare and unique plant populations, in which a portion is located in the northeastern corner of the Property and on neighboring conservation easements.

Project Structure

The proposed conservation easement requires the Property to be held under a single common ownership and protects the Property's natural and agricultural resources. The acquisition project will also allow for recreational and educational opportunities consistent with protection and preservation of the property's natural resources. The project structure includes up to four "Easement Designation Areas" as follows: (1) a 0.5-acre area for agricultural worker housing ("Agricultural Housing Building Envelope"); (2) a 20-acre area where the Easement permits certain agricultural uses and structures as well as certain residential uses and structures (including the existing primary residence), (3) a 0.5-acre area for educational structures and uses ("Educational Staging Area"); and (4) a buffer extending 200-feet from top of bank on both sides of Volkerts Creek and surrounding the springs documented on the Baseline Site Map, and a buffer extending 400-feet from the top of bank on both sides of Blucher Creek, including Cunningham Marsh ("Natural Area").

Conformance with Adopted Plans

Vital Lands Initiative

- Gillis Ranch Preserve is essential for the Water, Agricultural Lands, and Healthy Communities 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 lands that support diverse, sustainable, and productive agriculture, with an aim of creating a balanced portfolio of protected lands that represents the diverse types of agriculture in Sonoma County.

- Partner to provide funding for a diverse portfolio of community open spaces, supporting the protection of conservation features and the connection of urbanized areas with natural and agricultural landscapes.
- Continue sustainable and climate friendly agriculture where appropriate on recreational lands.

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, Agriculture, and Water Resources Elements as follows:
- 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. (LU-5)
- 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 and enhance Riparian Corridors and functions along streams, balancing the need for agricultural production ... and other land uses within the preservation of riparian vegetation, protection of water resources, flood control, bank stabilization, and other riparian functions and values. (OSRC- 8)
- Encourage conservation of soil resources to protect their long term productivity and economic value. (OSRC- 10)
- Protect, restore, and enhance the quality of surface and groundwater resources (WR-1).
- Protect existing groundwater recharge areas. (Objective WR-2.3)
- Limit intrusion of urban development into agricultural areas. (Objective AR-2.1)
- Encourage farm operators to provide sufficient housing in addition to housing permitted by applicable density for permanent and seasonal agricultural employees and for family members to maintain agricultural productive activities. (Objective AR-7.1)

Ag + Open Space's Expenditure Plan

The project is consistent with Ag + Open Space's Expenditure Plan because it preserves agriculturally productive land, riparian corridors, and biotic habitat areas.

Appraisal and Fiscal Oversight Commission Approval

Wayne Harding, MAI prepared a full narrative appraisal with a date of valuation of January 27, 2023 that concludes that the appraised value of the conservation easement is \$2,250,000. The appraisal was reviewed by Howard Levy, MAI, who concluded it was reasonable. The Sonoma County Open Space Fiscal Oversight Commission also reviewed the appraisal at its July 13, 2023 meeting and determined by its Resolution No. 2023-007 that the proposed acquisition price of the conservation easement (\$2,250,000) does not exceed the fair market value of the conservation easement.

CEQA

Pursuant to California Code of Regulations section 15317, Ag + Open Space’s acquisition of the conservation easement is exempt because it will maintain the open space character of the area. Alternatively, pursuant to Public Resources Code section 21080.28(a), Ag + Open Space’s purchase of the conservation easement is exempt from CEQA because the purpose of the transaction is to preserve 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; prevention of encroachment of development into flood plains; and preservation of open space. The proposed resolution directs the General Manager to file a notice of exemption in accordance with these findings.

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

Expenditures	FY 23-24 Adopted	FY 24-25 Projected	FY 25-26 Projected
Budgeted Expenses	\$2,250,000		
Additional Appropriation Requested			
Total Expenditures	\$2,250,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$2,250,000		
Use of Fund Balance			
Contingencies			
Total Sources	\$2,250,000		

Narrative Explanation of Fiscal Impacts:

Ag + Open Space has adequate appropriations in its FY 23-24 budget for the \$2,250,000 conservation easement acquisition, which is funded by Sonoma County voter approved Measure F.

Narrative Explanation of Staffing Impacts (If Required):

N/A

Agenda Date: 8/22/2023

Attachments:

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

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

1. Certificate of Acceptance
2. Notice of Exemption
3. Exhibit A Memorandum