



## Legislation Text

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**File #:** 2020-0493, **Version:** 1

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**To:** The Board of Directors of Sonoma County Agricultural Preservation and Open Space District, County of Sonoma Board of Supervisors

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

**Staff Name and Phone Number:** Misti Arias, 565-7254; Steve Ehret, 565-1107

**Vote Requirement:** 4/5th

**Supervisorial District(s):** Fifth District

**Title:**

Carrington Coast Ranch Transfer and Funding

**Recommended Action:**

- A) Adopt resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District:
- i. Determining that the transfer of fee title to the Carrington Ranch Property to the County of Sonoma, subject to a conservation easement and recreation covenant, is consistent with Ag + Open Space's Expenditure Plan and the 2020 Sonoma County General Plan;
  - ii. Authorizing the General Manager to execute a transfer agreement with Regional Parks;
  - iii. Authorizing the President to execute a grant deed transferring fee title to the Carrington Coast Ranch Property to the County of Sonoma;
  - iv. Authorizing the President to execute a conservation easement and recreation covenant over the property, and associated certificates of acceptance;
  - v. Consenting to the recordation of an irrevocable offer of dedication in favor of Ag + Open Space pursuant to Public Resources Code §5565.5;
  - vi. Dedicating the Conservation Easement interest to park and open space purposes pursuant to Public Resources Code section 5540;
  - vii. Directing the filing of a notice of exemption in compliance with the California Environmental Quality Act; and
  - viii. Authorizing 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 transfer fee title to the County and to establish a permanent conservation easement and recreation covenant over the property.
- B) Adopt resolution of the Board of Supervisors of Sonoma County Regional Parks:
- i. Authorizing the Director to execute a transfer agreement with Ag + Open Space; and
  - ii. Accepting the fee title to the Carrington Coast Ranch; and
  - iii. Authorizing and directing the Chair to execute a conservation easement, recreation covenant and irrevocable offer of dedication in favor of Ag + Open Space; and
  - iv. Directing the filing of a notice of exemption in compliance with CEQA; and
  - v. Authorizing 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. Approving the grant funds from the State Coastal Conservancy for the Carrington Coast Ranch Master Plan.

(4/5<sup>th</sup> Vote Required)Fifth District)

### **Executive Summary:**

The Sonoma County Agricultural Preservation and Open Space District (Ag + Open Space) acquired the 335 acre Carrington Coast Ranch (“Property”) in 2003. At the time, it was anticipated that the Property would be owned and operated by the California State Parks. However, due to budgetary constraints, State Parks was unable to accept title to the Property. Ag + Open Space has been working with Sonoma County Regional Parks (Regional Parks) to design a project that protects the Property’s scenic and natural resources while providing for public recreation. Ag + Open Space proposes to transfer the Property to the County of Sonoma and to receive, in return, a Conservation Easement and Recreation Covenant. (4/5<sup>th</sup> vote required.) Ag + Open Space also proposes to grant funding to Regional Parks under Ag + Open Space’s Initial Public Access and Operations and Maintenance Policy. (Majority vote required.)

### **Discussion:**

#### **Acquisition and Property Significance**

Ag + Open Space purchased the Carrington Coast Ranch Property in 2003 for \$4.8 million. The Property consists of approximately 335 acres along Highway One north of Bodega Bay. The Property is highly visible from Highway One, which is a designated Scenic Corridor. Coleman Valley Road, also a designated Scenic Corridor, bisects the property heading east from Highway One. The parcel borders Sonoma Coast State Park for its entire 1.42-mile length on the west. The Property is bounded by the Carmet subdivision on the northwest, Salmon Creek on the south and the Colliss property, protected by an Ag + Open Space conservation easement, on the east. The Property is characterized by gently sloping land along Highway One rising to a high point of 425 feet in elevation along the eastern boundary. The parcel immediately south of Coleman Valley Road contains the original homestead which consists of a historic residence, shed, sheep barn, and a ring of Monterey cypress trees.

The Property has a diversity of natural habitats, including coastal prairie, coastal scrub, fresh wetlands distinguished by native sedges and rushes, saline wetlands distinguished by cattails and tule, and tidal marsh. Special status species, such as the Townsend big eared bat, California red-legged frog, and American badger have been identified on the Property. The Property also has the potential to provide for significant public recreational opportunities. The Property is primarily open grassland, which affords spectacular views of the ocean. In addition, the Property will provide a critical segment of the California Coastal Trail and has the potential to link to public lands and trails to the west and east.

### **Transfer Agreement**

With a four-fifths vote of its Board of Directors, Ag + Open Space will transfer the Property to Sonoma County Regional Parks pursuant to California Public Resources Code Section 5540.6, which allows Ag + Open Space to convey property that has been dedicated to park and open space purposes pursuant to the Public Resources Code to another public agency, subject to a recorded agreement that requires that agency to continue to use the property for park and open space purposes not to convey the property without voter approval. Regional Parks intends to accept the Property subject to these restrictions, which are contained in the conservation easement.

To facilitate the transaction, Ag + Open Space and Regional Parks propose to enter into a transfer agreement that commits each agency to the following actions, as further described below:

- Transfer of the Property to the County, to be managed by Regional Parks.
- Recordation of a conservation easement to protect the natural, scenic, agricultural and recreational values of the Property.
- Recordation of a recreation covenant to ensure that the Property remains available for public outdoor recreation and education in perpetuity.
- Ag + Open Space funding to be made available to Regional Parks through reimbursement for operation and maintenance activities and initial public access to the property.

Ag + Open Space and Regional Parks propose to transfer the Property by September 1, 2020.

### **Conservation Easement and Recreation Covenant**

When the County receives title to the Property, it will convey to Ag + Open Space a conservation easement that generally limits uses and activities on the Property to protection of natural and scenic resources and compatible recreation and educational activities. In addition, the conservation easement requires that revenue generated on the Property be utilized to offset the expenses of operating the Property as a regional park and open space preserve. Regional Parks will prepare a Master Plan addressing resource protection and public use.

Ag + Open Space will also receive a recreation conservation covenant over the Property, obligating the County to provide public access in perpetuity. Pursuant to the recreation conservation covenant, the Property will be opened to the general public for outdoor recreational and educational use. In connection with the recreation conservation covenant, the County will record an irrevocable offer of dedication that will allow transfer of Carrington Coast Ranch back to Ag + Open Space should Regional Parks, for any reason, become unable to keep the Property open to the public.

### **2020 Sonoma County General Plan**

The transfer of fee title to the County and Ag + Open Space's receipt of the conservation easement and recreation covenant is consistent with 2020 Sonoma County General Plan policies. The Property is within a General Plan-identified Scenic Landscape Unit and has a General Plan designated trail (Sonoma Coast Trail). The transaction supports the following General Plan goals:

- Maintaining important open spaces around the county's cities in a largely open or natural character. (LU-5)
- Preserving important biotic resource areas and scenic features with consistent uses and intensities. (LU-10)
- Retaining the largely open, scenic character of important Scenic Landscape Units. (OSRC-2)
- Preserving 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. (OSRC-3)
- Protecting and enhancing the county's natural habitats and diverse plant and animal communities. (OSRC-7)
- Establishing a countywide park and trail system that meets future recreational needs of the county's residents while protecting agricultural uses, with an emphasis on trails near urban areas and on public lands. (OSRC-17)
- Establishing the Coastal Trail that extends from Black Point southward to the Estero Americano. (OSRC-17d)

### **Ag + Open Space Acquisition Plan: Connecting Communities and the Land**

The transfer of fee title to the County and Ag + Open Space's receipt of the conservation easement and recreation covenant is consistent with Ag + Open Space's Acquisition Plan, *Connecting Communities and the Land*, in the Farms and Ranches category, Greenbelts and Scenic Hillside category, Water, Wildlife and Natural Areas category, and Recreation and Education category, specifically in policies to:

- Protect scenic lands and prominent natural features that contribute to the unique identity of communities.
- Preserve natural systems and lands that support diverse biological resources; and protect habitats important for the conservation and restoration of rare, threatened or endangered species.
- Protect lands that provide viable habitat linkages for wildlife.
- Partner to expand parks and preserves that protect the county's unique natural habitats, scenic areas and other open space values of regional importance.
- Protect lands that promote public access in proximity to urban communities; and ensure that Ag + Open Space-protected lands are managed to protect conservation values while allowing compatible public recreational and educational uses.

### **Ag + Open Space Fee Lands Strategy**

The Carrington Coast Ranch is identified as a Tier One property for transfer in the approved Fee Lands Strategy.

### **Funding: Initial Public Access and Operation and Maintenance Funding Request**

Regional Parks has requested funds from Ag + Open Space (see Attachment 11) pursuant to Ag + Open Space's Initial Public Access and Operations and Maintenance Policy (IPAO&M Policy), which allows Ag + Open Space to provide funding, for a period of three years after transfer, to operate and maintain as well as to assist in providing initial public access on recreational properties purchased with the open space sales tax.

Regional Parks has requested \$1,300,000 to assist with planning for and construction of initial public access

improvements on the Property, specifically for planning, C.E.Q.A., permitting, trail construction, and signage necessary to provide initial public access. A \$150,000 State Coastal Conservancy grant awarded to Regional Parks is contributing to preparing the Master Plan.

Regional Parks has requested \$300,000 for operation and maintenance costs during the first three years of ownership, including programmed, supervised access. Regional Parks will use revenue from grazing leases and fees from day use parking, camping, special events, and special use permits to cover any remaining costs that are not eligible for Ag + Open Space funding.

Regional Parks' total request for funding under the IPAO&M Policy is thus \$1,179,380.

### **Initial Public Access and Operations and Maintenance Fund Status**

Per the Expenditure Plan, Ag + Open Space is allowed to expend up to 10% of its sales tax revenue on initial public access and operations and maintenance costs (IPAO&M). For FY 19-20, the beginning IPAO&M fund balance was \$9,118,485.

In addition, it is anticipated that Ag + Open Space will receive approximately \$2,525,400 in sales tax revenue in this new fiscal year towards eligible IPAO&M costs for FY 19-20.

### **Fiscal Oversight Commission Approval**

On May 21, 2020, the Fiscal Oversight Commission, in approving Resolution No. 2020-003, concluded that Ag + Open Space is not paying more or receiving less than the fair market value for transfer of the Property, subject to the conservation easement and recreation covenant that will be received in turn from Regional Parks.

### **California Environmental Quality Act**

The Board must make findings under the California Environmental Quality Act (C.E.Q.A.) for both the proposed transfer of the property and for decisions regarding proposed funding.

Ag + Open Space's transfer of the property and receipt of the conservation easement and recreation covenant is exempt from CEQA Pursuant to Public Resources Code section 21080.28, 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; prevention of encroachment of development into flood plains; preservation of historical resources; and preservation of open space or lands for park purposes.

### **Prior Board Actions:**

May 6, 2003                      Fee Acquisition of Carrington Coast Ranch (Reso. #03-0470)

### **FISCAL SUMMARY**

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<b>Expenditures</b>	<b>FY 19-20 Adopted</b>	<b>FY20-21 Projected</b>	<b>FY 21-22 Projected</b>
Budgeted Expenses		450,000	450,000
Additional Appropriation Requested			
<b>Total Expenditures</b>			
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other		450,000	450,000
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>			

**Narrative Explanation of Fiscal Impacts:**

IPAO&M expenditures will be over Ag + Open Spaces' FY 20-21, 21-22, and 22-23, and will be eligible for Operations and Maintenance Fund classification. Appropriations will be made in the IPAQ&M fund in those years to include this commitment.

\$1,050,000 was included in Regional Parks FY 20-21 Budget. The additional \$550,000 will be included in Q1 Consolidated Budget Adjustment.

<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):****Attachments:**

1. General Plan 2020 Location Map
2. Carrington Coast Ranch Site Map
3. Carrington Coast Ranch Location Map
4. Resolution of Agricultural Preservation and Open Space District Board of Directors
5. Resolution of County of Sonoma Board of Supervisors
6. Resolution of County of Sonoma Board of Supervisors approving State Coastal Conservancy grant

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

1. Carrington Coast Ranch Conservation Easement
2. Carrington Coast Ranch Recreation Conservation Covenant
3. Transfer Agreement between the County and Ag + Open Space
4. Certificate of Acceptance (Ag + Open Space) Conservation Easement
5. Certificate of Acceptance (Ag + Open Space) Recreation Conservation Covenant
6. Certificate of Acceptance (County) Fee Title of Carrington Coast Ranch
7. Notice of Exemption (Ag + Open Space)
8. Notice of Exemption (County)
9. Irrevocable Offer of Dedication (County)