



# COUNTY OF SAN DIEGO

## LAND USE AGENDA ITEM

### BOARD OF SUPERVISORS

GREG COX  
First District

DIANNE JACOB  
Second District

KRISTIN GASPAR  
Third District

RON ROBERTS  
Fourth District

BILL HORN  
Fifth District

**DATE:** October 24, 2017 and November 15, 2017

**01**

**TO:** Board of Supervisors

### SUBJECT

**DICTIONARY HILL, SPRING VALLEY – ACQUISITION OF APPROXIMATELY 175 ACRES OF OPEN SPACE PRESERVE LAND (ANZA BUTTERFIELD ROAD 34, LLC) (10/24/2017 – Set Hearing; 11/15/2017 – Hold Hearing) (DISTRICT: 2)**

### OVERVIEW

Since 1998, the County of San Diego (County) has been acquiring open space land for the County's Multiple Species Conservation Program (MSCP) to ensure the long-term survival of sensitive plant and animal species and to balance the public need for development and open space. The County has purchased more than 19,000 acres of land to date for the existing South County MSCP and future MSCP plans.

The County has identified approximately 175 acres in the Dictionary Hill area of Spring Valley available to purchase. The property's coastal sage scrub and chaparral habitats would enhance the MSCP and provide a necessary refuge for the gnatcatcher, the species whose protection prompted the creation of the MSCP. The 175 acres is located east of Grand Avenue, south of Ivy Street, north of Eucalyptus Street and west of the terminus of Pointe Parkway (57th Edition Thomas Guide page 1291, C-1). Subject to future funding and environmental review, the property may also provide passive recreational opportunities including non-motorized, multi-use trails so that users can appreciate the biological value of the property. The County recently entered into an option agreement giving the County an option to purchase the 175 acres.

Today's request requires two steps. On October 24, 2017, the Board is requested to set a hearing for November 15, 2017 to consider the purchase and to direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended for October 24, then on November 15, 2017, after making the necessary findings, the Board is requested to authorize the purchase of Parcel No. 2017-0222-A from Anza Butterfield Road 34, LLC at the appraised value of \$5,467,000, for a total project cost in Fiscal Year 2017-18 of \$5,884,300 based on budgeted appropriations in the MSCP Acquisitions Fund and \$47,500 in the Department of Parks and Recreation for the purchase of a vehicle and equipment.

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**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

**On October 24, 2017**

1. Set a hearing for November 15, 2017 at which time the Board of Supervisors may authorize the Director, Department of General Services, to exercise the option to purchase the approximately 175 acres of land known as Dictionary Hill in Spring Valley Parcel No. 2017-0222-A from Anza Butterfield Road 34, LLC for the appraised value of \$5,467,000.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

**If, on October 24, 2017, the Board takes the actions recommended in Items 1-2 above then, on November 15, 2017:**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15325 and 15304.
2. Authorize the Director, Department of General Services, to exercise the option to purchase the approximately 175 acres of land known as Dictionary Hill in Spring Valley and Parcel No. 2017-0222-A from Anza Butterfield Road 34, LLC, for the appraised value of \$5,467,000.
3. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase.
4. Cancel appropriations of \$47,500 and related Operating Transfer In from the General Fund in the Capital Multiple Species Conservation Program Acquisition Funds, for the purchase of vehicle and equipment.
5. Transfer appropriations of \$47,500 from Contributions to Capital Outlay Fund, Operating Transfer Out, to the Department of Parks and Recreation, Fixed Assets, to fund the purchase of a vehicle and equipment.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in current year costs of \$5,884,300 itemized as follows: \$5,467,000 for property acquisition; \$33,800 for staff time and appraisal reports to complete the transaction; \$6,000 for closing and title costs; and \$377,500 in one-time land protection costs, including, initial stewardship that features signage, boundary survey, access control measures, vegetation management and stormwater/erosion protection (\$175,500), the production of Resource Management, Vegetation Management and Public Access Plans (\$202,000).

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Funds for purchase of the vehicle and equipment are not included in the Fiscal Year 2017-18 Operation Plan for Parks and Recreation. If approve, this request will result in current year cost of \$47,500. The funding source is an Operating Transfer from the General Fund Contribution to Capital.

There will be no change in net General Fund cost and no additional staff years in Fiscal Year 2017-18.

Beginning Fiscal Year 2018-19, future total annual costs for land monitoring and management of the approximately 175 acres are estimated at \$188,384 and will include the addition of one Park Ranger and one seasonal staff person, annual vegetation management, supply costs, and monitoring costs as well as an estimated annual cost of \$33,999 for fixed charge assessments including a fire district special tax and vector control. The funding source for these costs will be Department of Parks and Recreation General Purpose Revenue.

**BUSINESS IMPACT STATEMENT**

N/A

**ADVISORY BOARD STATEMENT**

N/A

**BACKGROUND**

The Multiple Species Conservation Program (MSCP) is a regional conservation planning program intended to provide long-term protection for sensitive plant and animal species found throughout the county balanced with development, agriculture and public recreation. The MSCP was adopted by the Board on October 22, 1997 (1) and currently covers much of the southern part of the county. Since 1998, the County of San Diego (County) has acquired more than 19,000 acres for MSCP purposes.

As part of the County’s MSCP acquisitions program, the County has identified approximately 175 acres in the Dictionary Hill area of Spring Valley. This property is within the South County MSCP Plan but was not originally located within the Pre-Approved Mitigation Area (PAMA), which are areas the federal and state wildlife agencies have preapproved as meeting the County’s Subarea Plan conservation goals. Recognizing the property has valuable habitat, the wildlife agencies, signatories to the MSCP, have now agreed to its inclusion in PAMA. The property is considered highly valuable because it may support 10 to 14 pairs of California coastal gnatcatchers. The gnatcatcher is a songbird whose listing as “threatened” under the federal Endangered Species Act prompted the creation of the MSCP. Biological surveys have documented 225 plant species and 139 animals on the approximately 175 acres.

While the property was not included in the original PAMA due to surrounding development and lack of well-defined connectivity to proposed preserve lands, the property’s biological significance increased after it survived the 2003 and 2007 firestorms. Those events demonstrated that this high quality coastal sage scrub and chaparral habitat provides a natural

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refuge for wildlife during a fire. The property's large population of gnatcatchers could help reestablish gnatcatcher populations on other preserves. It is the last remaining large open space in Spring Valley and its preservation will provide the public opportunities to connect with nature.

Acquisition of the property is supported by the Dictionary Hill Open Space Advocates (DHOSA), a non-profit organization formed in 2005 to preserve the natural habitat of Dictionary Hill. DPR and DHOSA plan to develop an agreement for DHOSA to assist with preserve management that will help minimize County costs. DHOSA will assist with volunteer patrol of the preserve, litter removal, and coordination of clean-up projects. Beginning in Fiscal Year 2018-19, an additional Park Ranger will be assigned to staff Dictionary Hill and may serve as an additional resource to other open space lands in the area, including Spring Valley open space.

The land proposed to be acquired (APN's listed in Attachment A-1) is approximately 175 acres in size. The County's evaluation of the property identified utility, slope and flood control easements that will not affect the use of the property for open space or passive recreation. The 175 acres surround two parcels, approximately one acre each, owned by the Otay Water District. A tank, served by an access easement, sits on one of the parcels; the other is vacant. A gap of several feet exists in the access easement, which may be resolved either by the seller prior to County acquisition or after by the County. The September 21, 2017 property title report shows \$7,262,502 in outstanding loans due to lenders and more than \$283,000 in unpaid property taxes and liens for fire abatement. Escrow has received deeds of reconveyance and a letter from the lender indicating that the purchase price of \$5,467,000, from which any outstanding payment of taxes and liens is to be deducted, will be accepted in a "short sale".

**ENVIRONMENTAL STATEMENT**

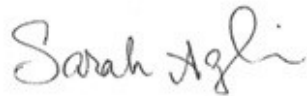
The proposed project is the acquisition of 94 parcels to preserve approximately 175 acres in the Dictionary Hill neighborhood of Spring Valley. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15325 as it involves the acquisition of land to preserve and existing natural conditions, including plant and animal habitat. Additionally, review of the project indicates that the project will not impact environmental resources of hazardous or critical concern that are designated, precisely mapped and officially adopted by government agencies; will not have a significant effect on environment due to unusual circumstances; does not contribute to cumulative environmental impact; does not damage scenic resources within a designated state scenic highway; is not on the list of Hazardous Waste and Substance Sites pursuant to Section 65962.2 of the Government Code; and does not cause adverse change in the significance of a historical resource. Vegetation management will occur to ensure the property meets applicable fuel modification requirements. Vegetation management will be performed so that it does not result in the taking of any endangered, rare or threatened plant or animal species or significant erosion or sedimentation of surface waters. In addition, stormwater/erosion control measures will be implemented as necessary to ensure the property is compliant with applicable stormwater protection regulations. These proposed actions are categorically exempt from CEQA pursuant to CEQA Guidelines section 15304 as they involve minor alterations to the condition of land and vegetation which do not involve removal of healthy, mature, scenic trees.

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**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

Today’s proposed action for acquisition of land supports the Sustainable Environments Strategic Initiative in the County of San Diego’s 2017-2022 Strategic Plan by protecting natural resources, diverse habitats, and sensitive species as well as providing recreational opportunities that enrich area residents’ quality of life.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah Aghassi".

SARAH E. AGHASSI  
Deputy Chief Administrative Officer

**ATTACHMENT(S)**

Attachment A – Site Map

Attachment A-1 – List of Assessor’s Parcel Numbers comprising approximately 175 acres, known as County Parcel No. 2017-0222-A

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**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**       ☐   Yes                   No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**

☐   Yes                   No

**PREVIOUS RELEVANT BOARD ACTIONS:**

N/A

**BOARD POLICIES APPLICABLE:**

N/A

**BOARD POLICY STATEMENTS:**

N/A

**MANDATORY COMPLIANCE:**

**General Plan Conformance**

On August 24, 2017, pursuant to Government Code Sections 65402 and 65566, the Department of Planning & Development Services made a finding of consistency with the General Plan based on its preliminary reviews of the location, purpose and extent of the proposed acquisition.

**Review and Investigative Work for Hazardous Materials**

Review and overall investigative work for hazardous materials on the subject property has been performed. The Department of Environmental Health (DEH) reviewed the Transaction Screen Questionnaire and database searches for the property. On August 17, 2017, DEH recommended no further action.

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**

N/A

**ORIGINATING DEPARTMENT:** Department of General Services

**OTHER CONCURRENCE(S):**   Department of Parks and Recreation  
Auditor and Controller

**CONTACT PERSON(S):**

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