

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, AUGUST 07, 2019**

**MINUTE ORDER NO. 3**

**SUBJECT: SET A HEARING FOR 09/11/2019:  
GENERAL SERVICES - PURCHASE OF AGRICULTURAL CONSERVATION  
EASEMENT (PACE) PROGRAM - ACQUISITION OF TWO AGRICULTURAL  
CONSERVATION EASEMENTS (8/7/19 - SET HEARING; 9/11/19 - HOLD  
HEARING) (DISTRICTS: 2 AND 5)**

**OVERVIEW**

On December 4, 2013 (3), the Board of Supervisors (Board) implemented the Purchase of Agricultural Conservation Easement (PACE) Program as an ongoing County of San Diego (County) program and established continuous funding for PACE Program land acquisitions through an annual General Fund appropriation. On September 17, 2014 (1), the Board expanded the PACE Program to include a mitigation component for the sale of agricultural mitigation credits. The PACE Program application process is periodically opened at least once a year to interested property owners. and the program receives an annual funding allocation of up to \$1,500,000. The PACE Program has received a total of \$11.21 million to fund program preparation, administration, and acquisitions since 2011. To date, the PACE Program has acquired agricultural conservation easements over 2,034.98 acres at a total cost of \$5.84 million.

The Department of Planning & Development Services (PDS) staff received signed “willing seller” letters from two agricultural conservation easement property owners. Each of these easements exceeds \$250,000, requiring Board approval prior to acquisition. The first property (Assessor Parcel Numbers [APN] 109-411-15, -19, 109-412-01, -02 and -03) is located northeast of Rainbow Road and Mt. Olympus Valley Road in Fallbrook and is approximately 143.41 acres in size with an appraised easement value of \$305,000 (Attachment A). The second property (APN 510-103-01) is located east of Harbison Canyon Road and north of Dehesa Road in an unincorporated area near El Cajon and is approximately 154.84 acres in size with an appraised easement value of \$381,000 (Attachment B). If acquired, the two agricultural conservation easements would add 298.25 acres to the PACE Program for Fiscal Year 2019-20 and increase the total agricultural acreage conserved under the PACE Program to 2,333.21 acres.

Today’s request requires two steps. On August 7, 2019, the Board is requested to set a hearing for September 11, 2019, to consider the purchase of the two agricultural conservation easements and direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended on August 7, 2019, then on September 11, 2019, after making the necessary findings, the Board is requested to authorize the purchase of the agricultural conservation easements over the above referenced properties for a total estimated cost of \$690,000 including closing and title costs, based on PACE Program available fund balance in PDS. Today’s Board action supports implementation of Measure T-1.2 of the County’s Climate Action Plan, which established a goal of acquiring 443 acres of agricultural conservation easements per year. By acquiring land for agricultural preservation, today’s action would reduce potential greenhouse gas emissions by preserving land that could otherwise be developed.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

On August 7, 2019:

1. Set a hearing for September 11, 2019, at which time the Board of Supervisors may consider approval of the purchase of an agricultural conservation easement over Assessor's Parcel Numbers (APNs) 109-411-15, -19, 109-412-01, -02, and -03 from the Ralph and Samee Foster 2001 Revocable Trust and APN 510-103-01 from Allen K. Trial.
2. Direct the Clerk of the Board of Supervisors to provide notice of the September 11, 2019 hearing via publication and posting in accordance with California Government Code Sections 25350 and 6063.

If on August 7, 2019, the Board takes the actions recommended in Items 1-2 above, then on September 11, 2019:

1. Find that the proposed project is categorically exempt from the California Environment Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325 as it involves the transfer of ownership of land to allow continued agricultural use and preserve existing natural conditions.
2. Authorize the Director, Department of General Services, or a designee, to execute the Real Property Contract for the purchase of an agricultural conservation easement over APNs 109-411-15, -19, 109-412-01, -02, and -03 from Ralph and Samee Foster 2001 Revocable Trust for the appraised value of \$305,000.
3. Authorize the Director, Department of General Services, or a designee, to execute the Real Property Contract for the purchase of an agricultural conservation easement over APN 510-103-01 from Allen K. Trial for the appraised value of \$381,000.
4. Authorize the Director, Department of General Services, or a designee, to execute all escrow and other related documents necessary to complete the purchase of agricultural conservation easements over APNs 109-411-15, -19, 109-412-01, -02, -03, and 510-103-01.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for Planning & Development Services. If approved, this request will result in estimated costs of \$690,000 for the two agricultural conservation easements totaling \$686,000 for property acquisition and \$4,000 for closing and title costs. The funding source is Fiscal Year 2019-20 PACE Program available fund balance. After acquiring the two agricultural conservation easements, \$4.69 million will remain in the PACE Program fund balance. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, setting a Hearing for September 11, 2019.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER  
Clerk of the Board of Supervisors



**Signed**  
**by** Marvice Mazyck, Chief Deputy