



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 22-069, **Version:** 1

- a. Accept an Amended Conservation and Scenic Easement Deed for the Conservancy for the Range of the Condor properties;
 - b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and
 - c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation; and
 - d. Find that execution of the Amended Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317
- (Conservation and Scenic Easement Deed Amendment - PLN210263/Conservancy for the Range of the Condor, Lots 1 and 8 of the Rocky Creek Ranch Subdivision, Big Sur (Assessor's Parcel Numbers 418-132-001-000 and 418-132-008-000), Big Sur Land Use Plan, Coastal Zone)

PROJECT INFORMATION:

Planning File Number: PLN210263

Applicants: Conservancy for the Range of the Condor

Project Location: 38020 Rocky Creek Road (Lots 1 and 8 of the Rocky Creek Ranch Subdivision), Big Sur

APNs: 418-132-001-000 and 418-132-008-000

Plan Area: Big Sur Land Use Plan (Coastal Zone)

Flagged and Staked: No

CEQA Action: Categorically Exempt per CEQA Guidelines section 15317

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept an Amended Conservation and Scenic Easement Deed (**Attachment B**) for the Conservancy for the Range of the Condor properties;
- b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and
- c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation.

SUMMARY/DISCUSSION:

The Conservancy for the Range of the Condor owns two parcels in the Rocky Creek Ranch Subdivision (Lots 1 and 8) off Rocky Creek Road in Big Sur. It proposes amending an existing conservation and scenic easement deed to expand an easement so that the easement covers the entirety of two parcels (Lots 1 and 8 of the Rocky Creek Ranch subdivision as recorded in Volume 18 of Surveys, Page 92) for the purpose of preserving habitat for Condors and other plant and animal species. An existing conservation and scenic easement was created as a result of past planning approvals. It covers portions of several lots in the Rocky Creek Ranch Subdivision including Lots 1 and 8. The amended conservation deed would expand the easement on Lot 1 from approximately 14 acres (existing) to 77.127 acres (all of Lot 1) and on Lot 8 from approximately 55 acres (existing) to the 59.32 acres (all of Lot 8).

The expanded scenic easement would allow for the protection and enjoyment of the area's open space. No development, including utilities, will be allowed in this easement area. Staff has considered the Conservancy's request to expand the easements for preservation of habitat and recommends the Board accept, execute, and consent to the recordation of the Conservation and Scenic Easement Deed (**Attachment A**).

Acceptance of the expanded scenic easement qualifies for a Class 17 categorical exemption under CEQA because it constitutes "the acceptance of easements . . . to maintain the open space character of the area." (CEQA Guidelines, § 15317.)

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has approved the Amended Conservation and Scenic Easement Deed as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY2021-22 Adopted Budget within Community Development General Fund 001, Appropriation Unit HCD002, Unit 8543.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our HCD customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:

- Administration
- Economic Development
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Fionna Jensen, Assistant Planner

Reviewed by: Craig Spencer, HCD Chief of Planning

Reviewed by: Lori Woodle, Finance Manager I

Approved by: Erik Lundquist, AICP, Director of Housing and Community Development

The following attachments are on file with the Clerk of the Board:

Attachment A - Memorandum to the Clerk of the Board

Attachment B - Amended Conservation and Scenic Easement Deed, including:

- Exhibit A: Revised Legal Descriptions for Lots 1 and 8
- Exhibit B: Existing 1994 Conservation and Scenic Easement Deed, including Monterey County Minor Subdivision Committee Resolution No. 92-67

cc: Front Counter Copy; California Coastal Commission; Fionna Jensen, Associate Planner; Craig Spencer, HCD Chief of Planning; Don Gruber (Conservancy of the Range of the Condor), Property Owner; The Open Monterey Project; LandWatch; Project File PLN210263.