



County of Monterey

Item No.

Board Report

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

Legistar File Number: 26-532

June 09, 2026

Introduced: 5/19/2026

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Find that the acceptance of the Conservation and Scenic Easement Deed is categorically exempt under California Environmental Quality Act (CEQA) Guidelines section 15317;
- b. Accept an Amended Conservation and Scenic Easement Deed for the Hain and Allen properties to preserve habitat for Condors and other plant and animal species, at 38020 Rocky Creek Road, Big Sur, (Assessor's Parcel Numbers 418-132-001-000 and 418-132-008-000) related to File No. PLN210263);
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed; and
- d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing with all recording fees to be paid by the applicant.
(Conservation and Scenic Easement Deed - PLN210263, John R. Hain and Jennifer L. Allen, Trustees of The Conrad McQuay Hain Irrevocable Trust, dated 12/27/199, 38020 Rocky Creek Road (Lots 1 and 8 of the Rocky Creek Ranch Subdivision), Big Sur, Big Sur Coast Land Use Plan, Coastal Zone. Assessor's Parcel Numbers 418-132-001-000 and 418-132-008-000.)

PROJECT INFORMATION:

Planning File Number: PLN210263

Owners: John R. Hain and Jennifer L. Allen, Trustees of The Conrad McQuay Hain Irrevocable Trust, dated 12/27/199

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

Agent: Chris Gourlay

Plan Area: Big Sur Land Use Plan, Coastal Zone

Flagged and Staked: No

CEQA Action: Categorically Exempt pursuant to CEQA Guidelines section 15317

RECOMMENDATION:

Staff recommends that the Board of Supervisors:

- a. Find that the acceptance of the Amended Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317; and
- b. Accept an Amended Conservation and Scenic Easement Deed for the Hain and Allen properties to preserve habitat for Condors and other plant and animal species, at 38020 Rocky Creek Road, Big Sur, (Assessor's Parcel Numbers 418-132-001-000 and 418-132-008-000) related to File No. PLN210263); and
- c. Authorize the Chair to execute the Amended Conservation and Scenic Easement Deed; and
- d. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to

the County Recorder for filing with all recording fees to be paid by the applicant.

SUMMARY:

The John R. Hain and Jennifer L. Allen, Trustees of The Conrad McQuay Hain Irrevocable Trust (owners), own Lots 1 and 8 in the Rocky Creek Ranch Subdivision (“the subdivision”) off Rocky Creek Road in Big Sur. The property was purchased by the current owners from the Conservancy for the Range of the Condor in September of 2024 and the new owners would like to expand the conservation easement already existing on portions of Lots 1 and 8 within the subdivision to protect California Condor habitat.

DISCUSSION:

On February 4, 1994, a Conservation and Scenic Easement was applied to portions of the subdivision to protect views and cultural resources. As it applies to this application, Lot 1 of the subdivision is 77.127 acres total with 14 acres covered by the existing conservation easement. Lot 8 is 59.32 acres total, with 55 of those covered acres covered in the existing easement.

The application proposes to amend the current Conservation Scenic Easement Deed (Document #2022008941) on Lots 1 and 8 to cover the entirety of the two parcels within the subdivision for the purpose of preserving habitat for Condors and other plant and animal species.

The applicant has submitted a conservation and scenic easement deed (CSED) along with a map showing the general location of the easement on the property, and a metes and bounds description of the area covered. These documents are appended to this Report as **Attachment B**. No construction will be allowed within the easement area. Recordation of this easement will be disclosed to future property owners where development is prohibited on the parcel for the purpose of preserving habitat for Condors and other plant and animal species on the property.

Staff recommends the Board accept, execute, and consent to the recordation of the Amended Conservation and Scenic Easement Deed as shown in **Attachment B**.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

Acceptance of the 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 Conservation and Scenic Easement Deed as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY2025-26 Adopted Budget for Housing and Community Development (HCD) Appropriation Unit HCD002, Unit 8543. All costs associated with the maintenance of the CSED will be borne by the project applicant, not the County of Monterey.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

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 with accountability for proper management of our land resources.

Prepared by: Summer Obledo, Permit Technician II ext. 5025

Reviewed and Approved by: Craig Spencer, HCD Director

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

Attachment A - Memorandum to the Clerk of the Board

Attachment B - Conservation and Scenic Easement Deed, including:

– Property Legal Description for Lots 1 and 8

Attachment C - Amended Conservation and Scenic Easement Deed Document #2022008941

Attachment D - Existing 1994 Conservation and Scenic Easement Deed, including Monterey County Minor Subdivision Committee Resolution No. 92-67

cc: Front Counter Copy; Summer Obledot, Permit Technician II; Craig Spencer, HCD Director; Chris Gourlay, Agent; John R. Hain and Jennifer L. Allen, Owners; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Project File PLN210263