



## Legislation Details (With Text)

**File #:** 18-0941      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 6/5/2018      **In control:** Board of Supervisors

**On agenda:** 7/17/2018      **Final action:** 7/17/2018

**Title:** Community Development Services, Department of Transportation and Department of Planning and Building, recommending the Board:  
 1) Approve and authorize the Chair to sign the Purchase and Sale Agreement and Joint Escrow Instructions (Agreement), for Scariot/DeWolf parcel, Assessor's Parcel Number 109-230-12 (Parcel) totaling 51.12 acres in Cameron Park for rare plant habitat conservation. Purchase price to be \$1,670,000, plus closing and appraisal costs;  
 2) Approve and authorize the Rare Plant Endowment Fund to temporarily loan the Ecological Preserve Fee Fund \$20,000 for cash flow purposes to make the land purchase; and  
 3) Approve and authorize the chair to sign a budget transfer amending the budget for Fiscal Year 2018/19 to allow for the Fixed Asset Land purchase.

**FUNDING:** Ecological Preserve Special Revenue Fund. (No Federal Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - CRS, 2. B - Agreement, 3. C - Vicinity Map, 4. D - Budget Transfer 7-17-18, 5. Executed Agreement, 6. Executed Budget Transfer, 7. Grant Deed Rerecorded 3-13-19

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 7/17/2018 | 1    | Board of Supervisors | Approved | Pass   |

Community Development Services, Department of Transportation and Department of Planning and Building, recommending the Board:  
 1) Approve and authorize the Chair to sign the Purchase and Sale Agreement and Joint Escrow Instructions (Agreement), for Scariot/DeWolf parcel, Assessor's Parcel Number 109-230-12 (Parcel) totaling 51.12 acres in Cameron Park for rare plant habitat conservation. Purchase price to be \$1,670,000, plus closing and appraisal costs;  
 2) Approve and authorize the Rare Plant Endowment Fund to temporarily loan the Ecological Preserve Fee Fund \$20,000 for cash flow purposes to make the land purchase; and  
 3) Approve and authorize the chair to sign a budget transfer amending the budget for Fiscal Year 2018/19 to allow for the Fixed Asset Land purchase.

**FUNDING:** Ecological Preserve Special Revenue Fund. (No Federal Funds)

**DEPARTMENT RECOMMENDATION**

Community Development Services, Department of Transportation (Transportation) and Department of Planning and Building, recommending the Board approve and authorize Chair to sign the Purchase and Sale Agreement and Joint Escrow Instructions (Agreement), for Scariot/DeWolf parcel, Assessor's Parcel Number 109-230-12 (Parcel), totaling 51.12 acres in Cameron Park for rare plant habitat conservation. Purchase price to be \$1,670,000, plus closing and appraisal costs.

**DISCUSSION / BACKGROUND**

The Scariot Family Limited Partnership/DeWolf Family Investment Limited Partnerships jointly own the Parcel located in Cameron Park. The property is north of Durock Road and south of Highway 50 and is located within the designated Recovery Area for the Pine Hill Preserve, which was established in 2001 to protect eight rare plant species and their gabbro soils habitat in western El Dorado County. The Recovery Area includes lands identified by the U.S. Fish and Wildlife Service (USFWS) in the Recovery Plan for Gabbro Soil Plants in the Central Sierra Nevada Foothills. A primary goal of the Recovery Plan is the acquisition of habitat from willing sellers for the conservation, in perpetuity, of the gabbro plant species. The property is listed as a "Tier 1 Acquisition Priority" by the California Department of Fish and Wildlife. The El Dorado County Zoning Ordinance identifies the property as located in Mitigation Area 1, defined by the Rare Soils Study as the area of rare plant soils outside of designated Ecological Preserves. The property contains six of the eight Pine Hill Endemic rare plant species and is located approximately 250 feet southwest of one portion of the protected Pine Hill Preserve and approximately 1,500 feet southeast of a second portion of the same preserve. This acquisition will contribute significantly to the conservation goals outlined in the 2002 USFWS Recovery Plan.

On February 22, 2018, the Planning Commission adopted findings that the acquisition was consistent with the General Plan, as required by Government Code Section 65402. The Planning Commission directed staff to explore methods to control access to the parcel to limit negative impacts to the site. The County intends to amend its current agreement/contract with the Bureau of Land Management for the maintenance and monitoring of the property.

The purchase price is based on an independent appraisal conducted by Pattison & Associates Inc., licensed CA appraisers. The appraisal has been reviewed by Transportation Right of Way staff and County Counsel.

On March 20, 2018 (Item 34) the Board approved the Transportation and Planning Department's negotiations for the property on behalf of the County.

In order to facilitate this land purchase, the FY 18-19 Budget will need to be adjusted accordingly, including a transfer in from the Rare Plant Preserve endowment fund of \$20,000 to cover closing and appraisal costs related to the purchase. This amount will be borrowed to fund the land purchase and then paid back to the endowment fund at a later date when funds are available. Pursuant to Section 66006 of the California Government Code a summary of loans and interfund transfer activity during the fiscal year will be included in the Ecological Preserve Special Revenue Fund Annual Report for Fiscal Year 2018/19.

For the land purchase, budgeted revenue for Fund Balance (Use of Fund Balance) in Ecological Preserve Fee needs to be increased by \$1,177,000; Interest needs to be decreased by \$7,000 and Operating Transfers In needs to be increased by \$20,000. These will be offset by an increase in budgeted appropriations in Fixed Asset Land in the amount of \$1,190,000. In the Rare Plant Preserve endowment fund, budgeted revenue for Fund Balance needs to be increased by \$20,000, offset by an increase in Operating Transfers Out in the amount of \$20,000.

## **ALTERNATIVES**

The Board could choose to not approve this purchase; however, the County would lose rare plant mitigation property that would meet the County's conservation requirements.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

**CAO RECOMMENDATION**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT**

Funding will be from the Ecological Preserve Special Revenue Fund. (100%)

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board to obtain Chair's signature on the Agreement.
- 2) Clerk of the Board to return one (1) signed copy of the Agreement to Transportation, Right of Way.
- 3) Clerk of the Board to obtain the Chair's signature on the original budget transfer and forward the budget transfer to the Auditor/Controller for processing.

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

Rafael Martinez, Director  
Community Development Services, Department of Transportation

Roger Trout, Director  
Community Development Services, Department of Planning and Building