

A-8



Sarah Mayer *Public Comment*

From: Marc Chytilo <marc@lomcsb.com>
Sent: Thursday, January 30, 2025 3:49 PM
To: sbcob
Cc: Roy Lee; Laura Capps; Joan Hartmann; Bob Nelson; Steve Lavagnino; Jeffrey Lindgren; Ted Teyber
Subject: LOMC to BOS 200 Acres Forever 2-4-25.pdf
Attachments: LOMC to BOS 200 Acres Forever 2-4-25.pdf

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Clerk – please include this letter of support from Foothills Forever with Board of Supervisors item A-8 on the 2/4/25 Agenda

Thank you

Marc

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We Saved the San Marcos Foothills - Forever! <https://www.foothillsforever.org/>

LAW OFFICE OF MARC CHYTILO, APC

ENVIRONMENTAL LAW

January 30, 2025

Chair Laura Capps
Santa Barbara County Board of Supervisors
105 E. Anapamu Street, Fourth Floor
Santa Barbara, California 93101

By Email to:
sbcob@co.santa-barbara.ca.us

RE: Item A-8, February 4, 2025, San Marcos Foothills Preserve Conditional Encumbrance Agreement

Chair Capps and Honorable Supervisors:

I write on behalf of Foothills Forever, Inc. to express our support for the Board's acceptance and authorization of the Conditional Agreement to record a restrictive covenant for the currently unencumbered 200 acre portion of the San Marcos Foothills Preserve.

This Conditional Agreement was developed in close coordination with staff at the County Parks and CEO's offices over nearly three years. It represents an extension of the unprecedented 2021 community campaign to preserve in perpetuity the 100-acre West Mesa of the San Marcos Foothills, where over 5,500 community donations enabled a successful grassroots campaign that raised over \$18M in 90 days to exercise an option to purchase the Property. We are grateful for the County's contribution of \$2M and, at the direction of Assemblyman Steve Bennet, the state's appropriation of \$3M to the Foothills Forever Campaign. This office has labored over the last 3 years to resolve all outstanding Campaign obligations and facilitate the transfer of the West Mesa lands to the County.

We would like to acknowledge the extensive efforts by County staff and elected representatives to complete this effort, in particular Jeff Lindgren of County Parks, Jeff Frapwell of the CEO's office, the many staff in the Community Services, General Services, Planning and Assessors Departments, County Counsel and the First and Second District Supervisors and their staff that all helped envision and craft the Conditional Agreement.

The Conditional Agreement addresses an issue left open in 2005 when TPL donated the 200 acres unencumbered to the County to form the San Marcos Foothills Preserve. While TPL's letters establish the expectation that the 200 acres would be restricted to open space purposes, no formal restriction was required or imposed, as is otherwise common when lands of this character are transferred to public ownership.

Foothills Forever, Inc., a non-profit organization whose leadership includes Mr. Lindgren from County Parks and First District Supervisor Lee, has agreed to conduct yet another fundraising campaign to endow the funding instruments envisioned under the Conditional Agreement. The two endowments will provide perpetual funding streams to County Parks for maintenance and to implement habitat restoration projects across the entire 300 acres. Foothills Forever will develop

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a Conceptual ADA Improvements Plan and a Master Trails Plan for the San Marcos Foothills Preserve, whose implementation will be at the County's discretion. In exchange, and only after Foothills Forever has completed its obligations, the County will record a restrictive covenant upon the 200 acres to ensure it will remain available to the public as open space with uses consistent with the property's priority as lands for wildlife and native habitat. This covenant is identical to the existing restrictions on the 100-acre West Mesa, so the 300-acre San Marcos Foothills Preserve may be managed as a single unit.

This Agreement was drafted with the goal of being a "win-win" for both open space protection and the County, by helping guide management and improvements to these lands and providing a perpetual funding source for the County's maintenance of the San Marcos Foothills Preserve.

Thank you for your past actions supporting open spaces including the San Marcos Foothills Preserve, and for taking this action to provide an even greater legacy of protected open spaces for future generations.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'M. Chytilo', with a stylized flourish at the end.

Marc Chytilo
For Foothills Forever, Inc.