



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Community Services
Department No.: 057
For Agenda Of: October 2, 2012
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Herman D. Parker, Community Services (805) 568-2467
Director(s)
Contact Info: Claude Garciacelay, Planner (805) 568-2469
SUBJECT: **Accept two Grants of Easement for Riding and Hiking Trail from Johannes A.P. Persoon, Trustee; and Quitclaim two sections of existing Portions of Easement for Riding and Hiking Trail to Johannes A.P. Persoon, Trustee, First Supervisorial District.**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Planning & Development

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Accept two grants of new easements for a public riding and hiking trail from Johannes A.P. Persoon, Trustee, Persoon Family Trust, and direct the Clerk of the Board to endorse upon the Board's acceptances (Attachment 1);
- b) Quitclaim to Johannes A.P. Persoon, Trustee, Persoon Family Trust two separate portions of two separate existing easements for a riding and hiking trail, and direct the Clerk of the Board to endorse upon the Board's Quitclaims of Easement (Attachment 2); and
- c) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore these actions are within the scope of the Franklin Trail project covered by the Mitigated Negative Declaration (12NGD-00000-00003) approved and adopted by the Board for the Franklin Trail project on March 13, 2012, and that therefore no new environmental document is required (Attachment 3).

Accept two Grants of Easement for Riding and Hiking Trail from Johannes A.P. Persoon, Trustee; and Quitclaim two sections of existing Portions of Easement for Riding and Hiking Trail to Johannes A.P. Persoon, Trustee, First Supervisorial District

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Summary Text:

The subject Grants of Easement and Quitclaims of Easement effect an easement exchange on a portion of the Franklin Trail to be constructed on the Persoon property. In working with the landowner and the Friends of the Franklin Trail, a local non-profit, the Community Services Department Parks Division staff determined that a more suitable location for the proposed trail through the property was possible. The new location provides for improved and greater separation between trail users and existing agricultural operations on the property thereby avoiding potential conflicts between vehicular and trail traffic.

Background:

Existing easements on the Persoon property were acquired as an exaction associated with prior land use permit projects on the Persoon property in the 1980's and 1990's. As planning for the construction of the Franklin Trail began it became clear to the County, trail users and the owners that these easements were not in the optimal location. The location of the existing easements would bifurcate the greenhouse agriculture operations and would subject trail users to cross-traffic of agricultural vehicles driving between two areas of agricultural operations. The easement exchange, effected by the granting of two new easements and the quitclaim of two segments of the existing easement, will place trail users towards the perimeter of the agricultural operations thereby reducing conflicts between vehicular and trail traffic. On June 6, 2012, the Planning Commission determined the grant of the new easements and quitclaim of the segments of the existing easements to be in conformity with the Comprehensive Plan pursuant to California Government Code Section 65402(a).

Trail construction will be managed by the Land Trust for Santa Barbara County. Maintenance of the constructed trail will be performed by the Montecito Trails Foundation in cooperation with the County.

CEQA:

On March 13, 2012, the Board approved and adopted a Mitigated Negative Declaration (MND) (12NGD-00000-00003) for the Franklin Trail project, which can be accessed through the following link: <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=1079097&GUID=21AA7439-042F-4CFC-ACF2-C2112AFE9711>

Pursuant to CEQA Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the Project or of the sufficiency or feasibility of the mitigation measures. Therefore, the acceptance of the grants of new easements and the quitclaim of two separate portions of two separate existing easements is within the scope of the Project covered by the MND and, therefore, no new environmental document is required.

Fiscal and Facilities Impacts:

None for this action.

Accept two Grants of Easement for Riding and Hiking Trail from Johannes A.P. Persoon, Trustee; and Quitclaim two sections of existing Portions of Easement for Riding and Hiking Trail to Johannes A.P. Persoon, Trustee, First Supervisorial District
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Fiscal Analysis:

The Franklin Trail project is part of the County Capital Improvement Plan (Page B-53), and is estimated to cost \$395,000. The majority of funding for the Franklin Trail construction has been secured through the efforts of a local non-profit, The Friends of the Franklin Trail, and \$75,000 of funding was approved by the Board to be utilized from Park Development Mitigation Fund Number 1404 (South Coast East Demand Area).

Special Instructions:

Clerk of the Board to forward Grants of Easement and Quitclaims of Easement to the County Clerk Recorder for recordation, ensuring the recordation of the Grants prior to the Quitclaims. The Clerk of the Board shall forward certified copies of the Grants and Quitclaims to Claude Garciacelay at CSD-Parks.

Attachments:

- Attachment 1: Two (2) original Grants of Easements
- Attachment 2: Two (2) original Quitclaims of Easement
- Attachment 3: Franklin Trail Project MND (12NGD-00000-00003)

Authored by:

Claude Garciacelay, Park Planner (568-2469)