



County of San Diego

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DAHVIA LYNCH
DIRECTOR

September 16, 2022

Amy Dutschke
Regional Director
Pacific Regional Office
Bureau of Indian Affairs
2800 Cottage Way, Room W-2820
Sacramento, California 95825

NOTICE OF NON-GAMING LAND ACQUISITION APPLICATION: MESA GRANDE BAND OF DIEGUEÑO MISSION INDIANS – 5 PARCELS TOTALING 480 ACRES

Dear Ms. Dutschke,

On August 22, 2022, the County of San Diego (County) received the Notice of Non-Gaming Land Acquisition Application (Notice), signed August 16, 2022, from the Bureau of Indian Affairs (BIA) seeking acceptance of title to real property "in trust" for the Mesa Grande Band of Diegueño Mission Indians (Mesa Grande Band). The Notice pertains to five parcels (APNs # 286-061-02-00, 286-061-03-00, 286-060-46-00, 286-060-28-00, and 246-160-19-00), commonly referred to as the Golden Eagle Farm Property. The Notice states these parcels total approximately 480.46 acres.

The parcels are contiguous to the Mesa Grande Band's reservation (Reservation). Currently, the property contains residential dwellings, multiple equestrian barns, corrals, and other ancillary ranch improvements. The Notice states that Mesa Grande Band intends to use the property for agricultural activities, including crop farming, equine boarding, and horse shows.

The County is a political subdivision of the State of California and appreciates the opportunity to participate in the review process for this Non-Gaming Land Acquisition Application. This letter is to provide written comments to the Notice. The comments respond to the BIA's four specific questions and suggestions related to any future development the Mesa Grande Band may undertake for the parcels. The County met with the Mesa Grande Band on September 14, 2022, to share and discuss the following comments and suggestions.

1. The annual amount of property taxes currently levied on the subject property allocated to your organization.

This action proposes a transfer of approximately 480.46 acres of land currently under the jurisdiction of the County, for which the current land is valued at \$5,305,404. The County will collect \$56,187.76 for taxes and special assessments levied on the property for the current year. Please see Table 1 below for the current distribution of taxes and special assessments levied for APNs # 286-061-02-00, 286-061-03-00, 286-060-46-00, 286-060-28-00, and 246-160-19-00 in fiscal year 2021-2022.

Table 1: Property Tax Distribution Summary 2021/2022

TRA 65023	Assessed Value:			5,305,404
Taxing Agency	1% Tax	Voter-Approved Debt	Special Assessments	Total
County General	8,519.29			8,519.29
County Library	1,620.37			1,620.37
County Street Lighting	-			-
County Flood Control	448.15			448.15
County Vector Control	-		86.30	86.30
CSA 135 Fire Protection & EMS	-			-
Ramona Cemetery District	285.62			285.62
Ramona Unified	28,997.65			28,997.64
Palomar Community College District	3,730.99	1,031.37		4,762.36
County Office of Education	1,649.51			1,649.51
Educational Revenue Augmentation Fund	6,406.11			6,406.11
Palomar Health District	1,379.49	2,016.05		3,395.55
RCD of Greater San Diego County	16.86			16.86
Total	53,054.04	3,047.42	86.30	56,187.76

2. Any special assessments and amounts thereof that are currently assessed against the property in support of your organization.

Tax revenues are currently collected for the County General Fund, County Library, County Street Lighting, County Flood Control, County Vector Control, County Service Area 135 Fire Protection & Emergency Medical Services, Ramona Cemetery District, Ramona Unified School District, Palomar Community College District, County Office of Education, Educational Revenue Augmentation Fund, Palomar Health, and Resource Conservation District of Greater San Diego County. Amounts of taxes and special assessments are provided in Table 1 above.

3. Any government services that are currently provided to the property by your organization.

The County Sheriff's Department provides law enforcement services to the Golden Eagle Farm Property. County library services are available through the Ramona Branch, approximately 10 miles west of the Golden Eagle Farm Property. The County also operates

the Santa Ysabel Open Space Preserve, approximately 4 miles to the northeast, and the Collier County Park, approximately 9 miles to the west.

4. If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.

The Notice states the property contains residential dwellings, multiple equestrian barns, corrals, and other ancillary ranch improvements. The Mesa Grande Band intends to use the property for agricultural activities, including crop farming, equine boarding, and horse shows. The property is currently zoned A72, General Agriculture. The A72 Use Regulations are intended to create and preserve areas for the raising of crops and animals. The A72 Use Regulations are typically applied to locations throughout the unincorporated area distant from large urban centers where the dust, odor, and noise of agricultural operations would not interfere with urban uses, and where urban development would not encroach on agricultural uses. Consequently, the intended use—agricultural activities—is consistent with the current zoning.

County Zoning Ordinance Section 6106, *Circus, Carnival, or Other Outdoor Entertainment Event*, are the regulations the County would normally use to permit Horse Shows. Horse shows are permitted in the A72 zone for up to five consecutive days, up to six times per year, but may be allowed more frequently with approval of a discretionary permit. Consequently, the intended use—horse shows—is consistent with the current zoning.

If the future use of the parcel changes, the County would support the Mesa Grande Band's continued efforts to protect and preserve the environment. The County looks forward to continued dialogue on these topics with the Mesa Grande Band and is available to assist in their evaluation.

Preserving Agricultural Lands

The Golden Eagle Farm Property is located within an Agricultural Preserve, and three of the parcels are subject to a Williamson Act Contract (i.e., APN 286-061-02-00, 286-060-46-00, and a portion of 286-060-28-00). Williamson Act Contracts are formed between the County and a landowner for the purpose of ensuring specific parcels are used for agriculture or open space in return for reduced property taxes. The County supports the Mesa Grande Band's intention of continuing to use the Golden Eagle Farm Property for agricultural purposes. If the future use changes, the County would be happy to discuss our Guidelines for Determining Significance for Agricultural Resources with the Mesa Grande Band to help find ways to preserve this important farmland.

Preserving Attractive Landscapes

The Golden Eagle Farm Property fronts along a portion of State Route 78 that is included in the County Scenic Highway System, which is meant to protect and enhance scenic,

historic, and recreational resources. The County supports the Mesa Grande Band's intention of continuing to use the Golden Eagle Farm Property for agricultural purposes. If the future use changes, the County would be happy to discuss our Guidelines for Determining Significance for Visual Resources with the Mesa Grande Band to collaborate on ways to preserve the attractiveness of this area.

Protecting Biological and Habitat Resources

The Golden Eagle Farm Property may contain sensitive habitats, such as coastal sage scrub, field & pasture, chaparral, Engelmann oak woodland, alkali seep, and non-native grassland habitat. The property may contain sensitive species, including the federally endangered arroyo toad, San Diego horned lizard, San Diego milk-vetch, and golden eagle. The property may also contain wetlands or jurisdictional waters (i.e., waters that are under the jurisdiction of the federal government). The County is available to share guidance contained in our Guidelines for Determining Significance for Biological Resources, Resource Protection Ordinance (RPO), Natural Community Conservation Planning (NCCP) Conservation and Process Guidelines, and Habitat Loss Permit (HLP) Ordinance to assist with addressing potential impacts of future operations to ensure the region's native habitats and wildlife are preserved for future generations.

Community Connectedness and Healthy Living

The County previously identified a future multi-use trail to be constructed along Golden Eagle Road and Rancho Ballena Road, which border the western edge of the Golden Eagle Farm Property. This proposed trail would help connect the proposed Coast to Crest Regional Trail along the Santa Ysabel Creek to other trail segments along State Route 78. Trails increase access to active and passive recreational opportunities, the natural environment, and nature-based activities. County staff would be happy to work with the Mesa Grande Band to coordinate a trail within the Golden Eagle Farm Property that connects to the local trail network and supports healthy living and outdoor activity for the community members.

Preserving Sustainable Groundwater Resources

The Golden Eagle Farm Property and the community in this area obtain their water from the Ballena Valley Groundwater Basin where groundwater resources have been susceptible to depleted or dry wells during periods of extended drought. The future uses of the property (e.g., crop farming, equine boarding, and horse shows) may be impacted by depleted or dry wells during periods of extended drought. The County is available and would be happy to discuss the groundwater challenges in this area. The County would also welcome an opportunity to discuss the County's Guidelines for Determining Significance

for Groundwater Resources and the San Diego County Groundwater Ordinance, which may help identify potential future sustainable uses in this area.

Economic Benefits of the Project

On May 5, 2021 (Item 9), during a San Diego County Board of Supervisors (Board) meeting, the Board directed staff to consider the economic benefits of projects proposed in Fee-To-Trust (FTT) applications. The Mesa Grande Band intends to use the property for agricultural activities, including crop farming, equine boarding, and horse shows. These activities could increase agricultural commerce, equestrian activities, and tourism, which could have a positive impact on the local economy.

Thank you for the opportunity to comment on this application and for your consideration of the County's comments. We value and look forward to our continued collaboration. If you have any questions regarding these comments, please contact Scott Christman, Interim Tribal Liaison, at (619) 613-5197 or via email at scott.christman@sdcounty.ca.gov.

Sincerely,



DAHVIA L. LYNCH, Director
Planning & Development Services

CC via First Class Mail:

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CC via Email:

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