



County of San Diego

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January 6, 2025

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 BY THE Ewiiapaayp Band of Kumeyaay – 3 PARCELS TOTALING 48.83 ACRES

Dear Ms. Dutschke,

On December 19, 2024, the County of San Diego (County) received the Notice of Non-Gaming Land Acquisition Application (Notice), signed December 6, 2024, from the Bureau of Indian Affairs (BIA) seeking acceptance of title to real property "in trust" for the Ewiiapaayp Band of Kumeyaay (Ewiiapaayp Band). The Notice pertains to four parcels with APN 404-090-13-00, 404-090-07-00, and 404-080-26-00 (Property). The County notes that the Notice from the BIA summarizes the parcels as 404-090-13-00, 404-090-07-00, and 404-080-23-00 and assumes the latter APN was mistyped in the summary as it is listed correctly earlier in the Notice. The Property is contiguous to the Ewiiapaayp reservation (Reservation). As stated in the Notice, the Property currently holds one housing unit and the Ewiiapaayp Band intends to further develop the Property with a Tribal Office, library/community center, and two additional homes with associated infrastructure. The Ewiiapaayp Band has also indicated they will establish a conservation area for the protected Arroyo Toad on the Property. The County met with the Ewiiapaayp Band on January 3, 2025 to discuss the Notice and comments received.

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 on the Notice. The comments

respond to the BIA's four specific questions and any other considerations for the affected parcel.

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

This action proposes a transfer of approximately 48.83 acres of land currently under the jurisdiction of the County, for which the current land is valued at \$2,348,027. The County will collect \$27,015.58 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 on the Property in fiscal year 2024-2025.

TRA 51035		Assessed Value: 2,348,027		
Taxing Agency	1% Tax	Voter-Approved Debt	Special Assessments	Total
County General	2,993.12			2,993.12
County Library	569.10			569.10
County Street Lighting	-			-
County Flood Control	172.03			172.03
County Vector Control			34.14	34.14
Alpine Fire Protection District	3,803.09		579.80	4,382.89
Alpine Union Elementary School District	4,445.88			4,445.88
Grossmont Union High School District	5,625.70	1,448.00		7,073.70
Grossmont-Cuyamaca Community College	2,131.28	994.86		3,126.14
County Office of Education	450.36			450.36
Educational Revenue Augmentation Fund	2,915.63			2,915.63
Alpine Union Co School Bldg Aid	1.90			1.90
Grossmont Healthcare District	365.36	478.51		843.87
Resource Conservation District of Great San Diego County	6.81			6.81
Total	23,480.27	2,921.37	613.94	27,015.58

Table 1: Property Tax Distribution Summary for Fiscal Year 2024-2025

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 both County Vector Control and the Alpine Fire Protection District in the amount of \$613.94 for the 2024-2025 assessment period, as reported in Table 1.

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

The Property is contiguous to the Reservation. Emergency services, including Sheriff, Fire, and ambulatory, are provided by whichever jurisdiction is closest and available. Cal Fire currently provides and will continue to provide emergency fire services, as needed, to the Reservation.

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

The Property is zoned Village Residential (2 dwelling units per acre) and currently has one rural home on it. As stated in the Notice, the Ewiiapaayp Band intends to further develop the Property with a Tribal Office, library/community center, two homes for Tribal elders, and a conservation area for the federally protected Arroyo Toad. The County supports these uses as a balanced approach of community building, housing, and conservation efforts.

Protecting Biological and Habitat Resources

The property may contain sensitive biological resources including grassland, oak woodland, riparian, and chaparral habitats. The property may contain jurisdictional waters of the U.S./State and/or wetlands protected by the County's Resource Protection Ordinance (RPO). Sensitive species such as the Quino checkerspot butterfly, western spadefoot toad, arroyo toad, Crotch's bumble bee, and rare plants may occur on the property. The property occurs within critical habitat for the arroyo toad. The Band has indicated that they will maintain a conservation area for the arroyo toad. The site is designated as a Focused Conservation Area (FCA) of the County's draft East County Multiple Species Conservation Program (ECMSCP).

The County is available to share guidance contained in our Guidelines for Determining Significance for Biological Resources, Resource Protection Ordinance (RPO), 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.

Transportation

The parcels included in the FTT are adjacent to the County maintained public roadways of Willows Road and Alpine Boulevard. The County looks forward to coordinating with the Ewiiapaayp Band during the development of projects on these parcels to help ensure appropriate improvements are implemented within the road right-of-way.

Preserving Sustainable Groundwater Resources

The Department of Environmental Health and Quality (DEHQ) has a record of a permitted septic system on APN 404-090-13-00 and records of permitted water wells on APNs 404-080-26-00 and 404-090-13-00. DEHQ does not conduct ongoing inspections of the septic system or wells; however, a permit is required for repair/modifications of the septic system and modification or destruction of the water wells. Upon completion of the property transfer, DEHQ will no longer have jurisdiction over the existing septic system and water wells as they would be located on tribal land. DEHQ does not object to the property transfer.

Economic Benefits of the Project

Consistent with direction from the San Diego County Board of Supervisors in May 2021, staff considers the economic benefits of projects proposed in Fee-To-Trust (FTT) applications. The Ewiiapaayp Band may construct a Tribal Office, library/community center, two Tribal elder homes, and designate a conservation area for the arroyo toad. The project's community support services would build economic capacity by providing resources to support individual and community growth, along with development of community networks that would benefit the region as a whole.

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 Roberta Leash, Tribal Liaison, at (619) 535-5786 or via email at Roberta.Leash@sdcounty.ca.gov.

Sincerely,

Vince Nicoletti

VINCE NICOLETTI, Director
Planning & Development Services

CC via First Class Mail:

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