



County of San Diego

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July 28, 2023

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 PAUMA BAND OF LUISEÑO INDIANS – 1 PARCEL, GOMEZ TRAIL PROPERTY, TOTALING 72.18 ACRES

Dear Ms. Dutschke,

On June 30, 2023, the County of San Diego (County) received the Notice of Non-Gaming Land Acquisition Application (Notice), signed June 23, 2023, from the Bureau of Indian Affairs (BIA) seeking acceptance of title to real property "in trust" for the Pauma Band of Luiseño Indians (Pauma Band). The Notice pertains to one parcel with APN 111-160-02-00 (Property), known locally as the Gomez Trail Property. The County noted the legal description of the parcel in the application letter and clarifies that Valley Center is an unincorporated community within the County of San Diego and is not an incorporated City. The Property is contiguous to the Pauma and Yuima reservation (Reservation) and is surrounded by both the Reservation and the Pala Indian reservation. As stated in the Notice, the Property is designated as Rural Lands and is currently forested; the Pauma Band intends to maintain it as forested land. The County met with the Pauma Band on July 27, 2023, 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 72.18 acres of land currently under the jurisdiction of the County, for which the current land is valued at \$95,145. The County will collect \$1,008.32 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 the fiscal year 2022-2023.

TRA 94141		Assessed Value: 95,145		
Taxing Agency	1% Tax	Voter-Approved Debt	Special Assessments	Total
County General	149.76			149.76
County Library	39.33			39.33
County Vector Control	-		3.54	3.54
County FPD	57.09			57.09
Upper San Luis Rey Resource Conserv. Dist.	0.69			0.69
Valley Center Cemetery Dist.	1.19			1.19
Valley Center-Pauma Unified	387.46			387.46
Palomar Community College	90.59	18.13		108.72
County Office of Education	38.34			38.34
Educational Revenue Augmentation Fund	153.51			153.51
Palomar Health	33.49	35.20		68.69
Total	951.45	53.33	3.54	1,008.32

Table 1: Property Tax Distribution Summary Fiscal Year 2022-2023

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 Vector Control, County Fire Protection District, Upper San Luis Rey Resource Conservation District, Valley Center Cemetery District, Valley Center-Pauma Unified School District, Palomar Community College District, County Office of Education, Educational Revenue Augmentation Fund, and Palomar Health District. 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 Property is currently forested land and will remain so. Cal Fire currently can provide emergency fire services to the Reservation and will be available to support the Pauma Fire Department in the event of a future emergency, if needed.

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

The Property is zoned as Rural Lands and is forested. As indicated in the Notice, the Pauma Band does not intend to develop the property and it will remain rural, forested land. The County supports the Pauma Band's continued efforts to protect and preserve the environment. The County looks forward to supporting them in those efforts.

Promoting Scientific Research and Dark Skies

The Property is approximately 6.3 air miles from the Palomar Observatory and is currently subject to the County of San Diego's Zone A Lighting Regulations (County of San Diego Light Pollution Code Sec. 59.101, County of San Diego Zoning Ordinance Section 6320 6322 and 6324, Title 24 (state), and San Diego County General Plan, Conservation Element). Zone A is defined as the circular area, fifteen (15) miles in radius centered on the Palomar Observatory and the circular area fifteen (15) miles in radius centered on the center of the Mount Laguna Observatory. Zone A Lighting is fully shielded, low-pressure sodium lamps, 4050 lumens or below for Class I lighting only. Class I lighting means all outdoor lighting used for but not limited to outdoor sales or eating areas, assembly or repair areas, billboards and other signs, decorative effects, recreational facilities, and other similar applications when color rendition is important. Lumens of 4050 or below are prohibited for Class II lighting which means all outdoor lighting used for but not limited to illumination for walkways, roadways, equipment yards, parking lots and outdoor security. The acquisition is not proposing a change in use, lighting, or development and therefore there are no concerns of impact to the research done by the Palomar Observatory. If the Pauma band is interested, further guidance on the County's Dark Skies program can be found on the County's website, [here](#).

Preserving Attractive Landscapes

The proposed forest land is mostly obstructed from view from Rout 76 due to trees and shrubs with minimal openings. Within the openings, the 55 MPH speed of the 2-lane route likely prevents any view of the land. Since there is no intention to change or develop the Property, there are no concerns about changes to the visual status of the Property.

Protecting Biological and Habitat Resources

The Property may contain sensitive habitats, such as southern mixed chaparral, coast live oak woodland, pine forest, coastal sage scrub, and grassland. Sensitive species such as the coastal California gnatcatcher and coastal cactus wren, may also occur on the property. The Property occurs within the Quino Survey Area. The Property is currently forest property and there are no proposed changes to the use of the property. 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.

Preserving Sustainable Groundwater Resources

The Property and nearby community in this area are groundwater dependent and do not have access to a centralized municipal water source. The future use is proposed to remain as forested land, which will help preserve groundwater resources. If in the future this property is considered for development, the County is available to discuss the County's Guidelines for Determining Significance for Groundwater Resources and the San Diego County Groundwater Ordinance, which may assist in analyzing the sustainability of future uses in this area.

Economic Benefits of the Project

The Pauma Band intends to maintain the Property as forested land which may lead to beneficial conservation practices, mentioned above, that have been shown to have a positive economic impact by increasing climate change resiliency. This is in alignment with direction from the San Diego County Board of Supervisors in May 2021 instructing staff to consider the economic benefits of projects proposed in Fee-To-Trust (FTT) applications.

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,



DAHVIA L. LYNCH, Director
Planning & Development Services

CC via First Class Mail:

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CC via Email:

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Leeanna Kirby, Division Chief, San Diego County Assessor/Recorder/County Clerk
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