

Rough Acres Ranch
Notice of Preparation / Initial Study
Comment Letter #6
Charlene Ayers

Erin Crouthers

From: Bennett, Jim [Jim.Bennett@sdcounty.ca.gov]
Sent: Tuesday, May 20, 2014 2:25 PM
To: Erin Crouthers
Subject: Rough Acres Ranch - Comment Letter#6
Attachments: Rough Acres Ranch - 2012-3300-12-021 - Comments - May 12, 2014.pdf

Jim Bennett, P.G. #7707, CHG#854
 Groundwater Geologist

County of San Diego

Planning & Development Services
 5510 Overland Avenue, Suite 110, San Diego, CA 92123
 Phone: 858-694-3820 Fax: 858-694-3373

From: Charlene Ayers [<mailto:char.ayers@att.net>]
Sent: Friday, May 16, 2014 9:05 AM
To: Bennett, Jim
Cc: Dennis Campbell
Subject: Fw: Rough Acres Ranch - 2012-3300-12-021- Comments - May 12, 2014

Please acknowledge receipt of this comment letter. Charlene Ayers

----- Forwarded Message -----

From: Charlene Ayers <char.ayers@att.net>
To: Jim Bennett <Jim.Bennett@sdcounty.ca.gov>
Cc: Ranters Roost <char.ayers@att.net>; Donna Tisdale <tisdale.donna@gmail.com>
Sent: Sunday, May 11, 2014 6:04 PM
Subject: Rough Acres Ranch - 2012-3300-12-021- Comments - May 12, 2014

May 12, 2014

Jim Bennett, P.G. #7707, CHG #854
 Groundwater Geologist
 County of San Diego
 Planning and Development Services
 Via Email: Jim.Bennett@sdcounty.ca.gov

Scoping Comments: Rough Acres Ranch: PDS2012-3300-12-021; Log. No. PDS2012-3910-1221005

Mr. Bennett:

At the May 8, 2014, Boulevard Community Planning Group meeting, there was a discussion about a land survey which was privately conducted on the Rough Acres Ranch. The project's privately contracted civil engineer reported that they had found all the old survey markers, and that the amount of land incorporated in

the project was less than what was stated for the project. He confirmed that a registered surveyor had conducted this new survey.

He was pressed as to whether this change in acreage had been recorded and/or reported to the Assessor. He said that it hadn't.

Ed Sinsay, DPW , responded that it did not have to be recorded.

I asked if that made the Assessor's recorded information, which was a larger amount of acreage, was the correct information then.

He said that it did.

In April and May of 2014, I purchased several parcel maps from the Assessor. Together they represented the footprint of the Rough Acres Ranch project and its surrounding parcels.

I found that several of the parcels had an "AG PR" which means that they are "Agricultural Preserves."

I did contact the Assessor to check out this information. Charles De Pagter, who is their "AG PR" guy, as described by Carl Stiehl, responded that the Williamson Act contract(s) had been removed, but that the "AG PR" had not.

Carl Stiehl produced several documents which indicated that the "AG PR" was intended to be removed in 2006. The document that Carl Stiehl provided as proof of that is: Board of Supervisor's Minute Order for April 5, 2006 with its attached Ordinance 9763 (REF : R04-026).

The problems with that documentation are: (1) Although APNs 611-070-03-00 and 611-090-00 are cited for removal of their "AG PRs," there is no evidence that the Assessor ever got noticed; (2) and two APNs with major projects proposed for them, 611-090-03-00 and 611-100-07, were not cited to have their "AG PRs" removed. All four of these parcels have remained "AG PR" on the Assessor's parcel maps from 2006 to the present.

Jim Bennett, P.G. #7707, CHG #854
Rough Acres Ranch: 2012-3300-12-021
May 12, 2014
Page 2

Anecdotally, in all the years that I have conducted research relating to land use, if there has been a conflict between the County's numbers and/or information and the Assessor's, the Assessor has always been right.

In the case of these APNs representing Rough Acres Ranch, I don't think the Assessor ever got notice of the removal of the "AG PR" from these parcels and/or their removal from the McCain Valley Agricultural Preserve 30.

In addition, the APNs for Rugged Solar and Tule Wind and their "AG PR," were not listed for removal in the 2006 Board of Supervisor's Minute Order and Ordinance. No record of it.

Therefore, the projects which are sited on these four parcels should be or should have been processed with their "AG PR" in place.

One more comment related to the recorded public disclosure of the project's privately contracted civil engineer, who stated that a recent boundary survey showed there to be fewer acres involved than stated for the project: Since this is evidence of a reduced project size, which may effect the density allowed, I think that this private survey report should be recorded and/or established as the true project size.

Comments submitted by:

Charlene Ayers
10801 Dewitt Court
El Cajon , CA 92020

Enclosures:

List of APNs – "AG PR" not removed – removed - cited in Rough Acres Water Company, Inc.

Parcel Maps (4) – "AG PR"

Email Threads (4) – PDS – ARCC – "AG PR"

Board of Supervisors – April 5, 2006 , Minute Order and Ordinance

Rough Acres Water Company – Articles of Incorporation – List of APNs

May 12, 2014

Jim Bennett, P.G. #7707, CHG#854
Groundwater Geologist
County of San Diego
Planning and Development Services
Via Email: Jim.Bennett@sdcounty.ca.gov

Scoping Comments: Rough Acres Ranch: PDS2012-3300-12-021: Log. No. PDS2012-3910-1221005

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In April and May of 2014, I purchased several parcel maps from the Assessor. Together they represented the footprint of the Rough Acres Ranch project and its surrounding parcels.

I found that several of the parcels had an "AG PR" which means that they are "Agricultural Preserves."

I did contact the Assessor to check out this information. Charles De Pagter, who is their "AG PR" guy, as described by Carl Stiehl, responded that the Williamson Act contract(s) had been removed, but that the "AG PR" had not.

Carl Stiehl produced several documents which indicated that the "AG PR" was intended to be removed in 2006. The document that Carl Stiehl provided as proof of that is: Board of Supervisor's Minute Order for April 5, 2006 with its attached Ordinance 9763 (REF: R04-026).

The problems with that documentation are: (1) Although APNs 611-070-03-00 and 611-090-00 are cited for removal of their "AG PRs," there is no evidence that the Assessor ever got noticed; (2) and two APNs with major projects proposed for them, 611-090-03-00 and 611-100-07, were not cited to have their "AG PRs" removed. All four of these parcels have remained "AG PR" on the Assessor's parcel maps from 2006 to the present.

Jim Bennett, P.G. #7707, CHG#854
Rough Acres Ranch: 2012-3300-12-021
May 12, 2014
Page 2

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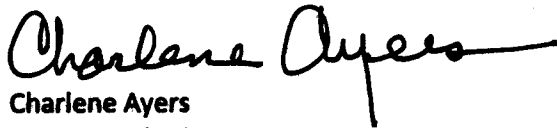
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Comments submitted by:



Charlene Ayers
10801 Dewitt Court
El Cajon, CA 92020

Enclosures:

List of APNs – "AG PR" not removed – removed - cited in Rough Acres Water Company, Inc.
Parcel Maps (4) – "AG PR"
Email Threads (4) – PDS – ARCC – "AG PR"
Board of Supervisors – April 5, 2006, Minute Order and Ordinance
Rough Acres Water Company – Articles of Incorporation – List of APNs

ROUGH ACRES RANCH

APNs and Parcel Maps

APNS related to Rough Acres Ranch and Rough Acres Water Company

"AG PR" Parcel Maps	Removed from Preserve 30	Listed in RAWCo Inc.
April 2014	April 2006	June 2012
	611-030-01-00	611-030-01-00
	611-040-01-00	611-040-01-00
	611-060-03-00	611-060-03-00
		611-060-04-00
611-060-06-00 - Pub Dom		
611-060-07-00 - Pub Dom		
611-060-08-00-RAFoundation-Rough Acres Ranch (RAR)		
	611-070-01-00	611-070-01-00
611-070-03-00-RAFoundation-RAR	611-070-03-00	611-070-03-00
611-070-04-00 - Pub Dom		
		611-090-02-00
611-090-03-00-HarmonyGrovePart-Tule	611-090-03-00	611-090-03-00
		611-090-04-00
611-090-18-00 - Pub Dom		
		611-091-03-00
		611-091-09-00
		611-100-01-00
	611-100-02-00	611-100-02-00
611-100-07-00-Harmony Grove Partners-Rugged Solar MUP		
	611-110-01-00	611-110-01-00
	529-110-01-00	529-110-01-00
	529-140-01-00	529-140-01-00
	529-150-01-00	529-150-01-00

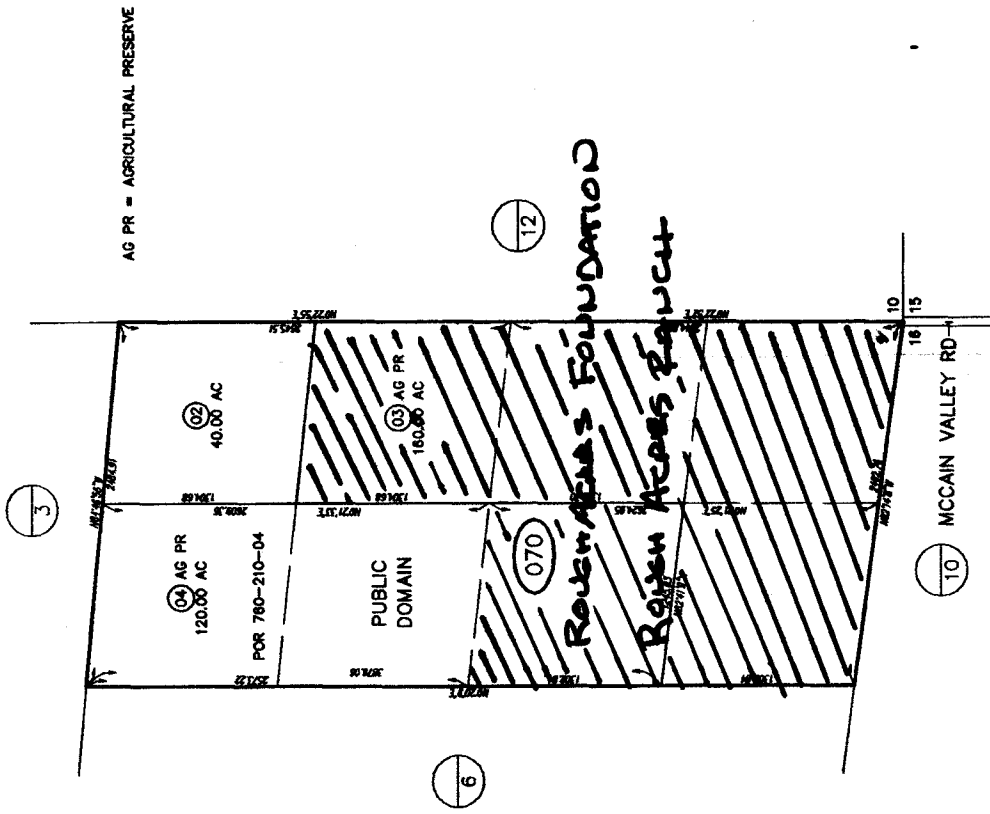
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

SAN DIEGO COUNTY ASSESSOR'S MAP
611-07

1" = 800'
09/12/2011 JCD

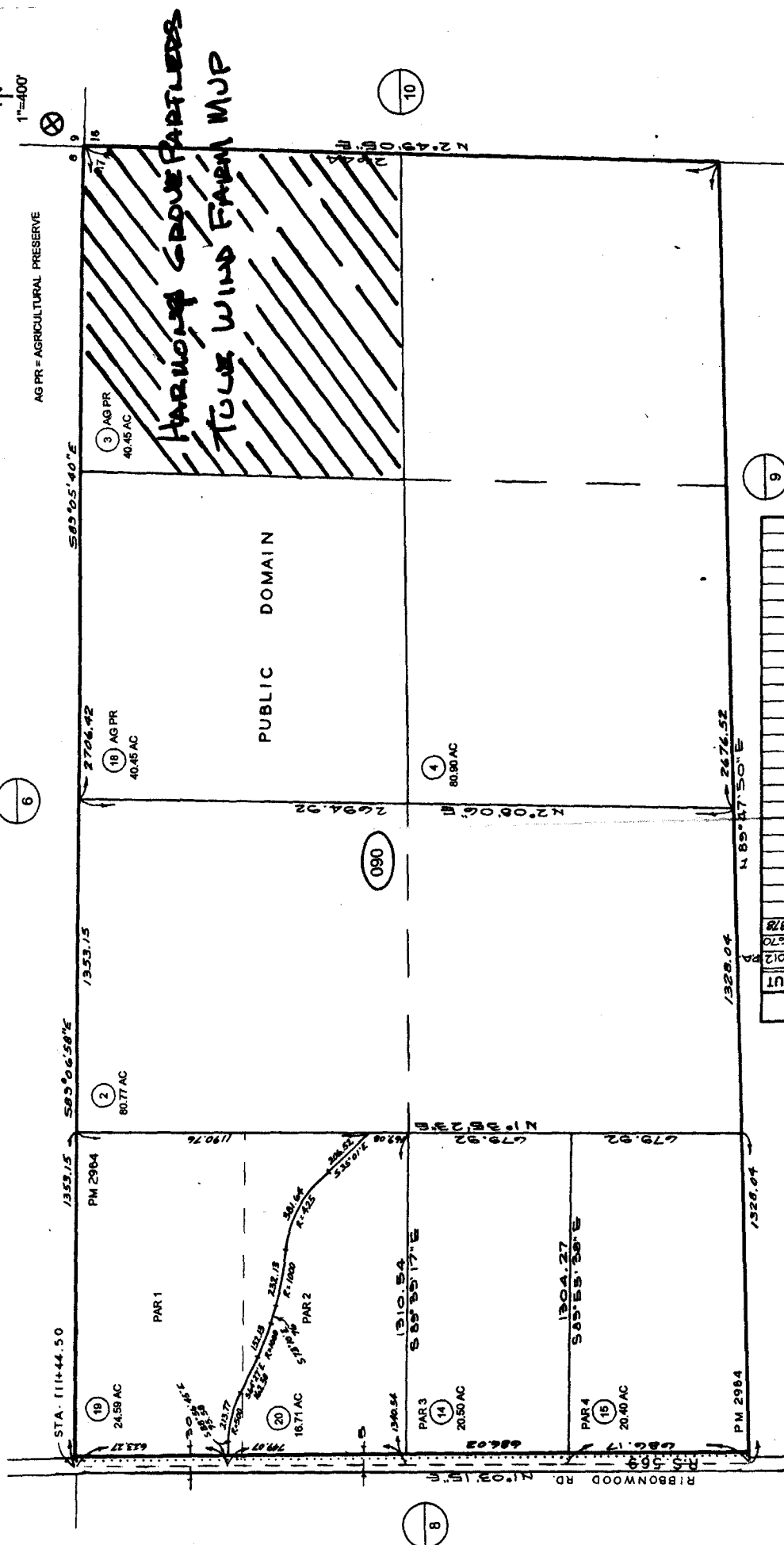
CHANGES

DATE	BY	REASON	NO.	DATE	BY	REASON	NO.
09/12/2011	JCD	INITIAL	01	09/12/2011	JCD	INITIAL	01
09/12/2011	JCD	INITIAL	02	09/12/2011	JCD	INITIAL	02
09/12/2011	JCD	INITIAL	03	09/12/2011	JCD	INITIAL	03
09/12/2011	JCD	INITIAL	04	09/12/2011	JCD	INITIAL	04
09/12/2011	JCD	INITIAL	05	09/12/2011	JCD	INITIAL	05
09/12/2011	JCD	INITIAL	06	09/12/2011	JCD	INITIAL	06
09/12/2011	JCD	INITIAL	07	09/12/2011	JCD	INITIAL	07
09/12/2011	JCD	INITIAL	08	09/12/2011	JCD	INITIAL	08
09/12/2011	JCD	INITIAL	09	09/12/2011	JCD	INITIAL	09
09/12/2011	JCD	INITIAL	10	09/12/2011	JCD	INITIAL	10
09/12/2011	JCD	INITIAL	11	09/12/2011	JCD	INITIAL	11
09/12/2011	JCD	INITIAL	12	09/12/2011	JCD	INITIAL	12
09/12/2011	JCD	INITIAL	13	09/12/2011	JCD	INITIAL	13
09/12/2011	JCD	INITIAL	14	09/12/2011	JCD	INITIAL	14
09/12/2011	JCD	INITIAL	15	09/12/2011	JCD	INITIAL	15
09/12/2011	JCD	INITIAL	16	09/12/2011	JCD	INITIAL	16
09/12/2011	JCD	INITIAL	17	09/12/2011	JCD	INITIAL	17
09/12/2011	JCD	INITIAL	18	09/12/2011	JCD	INITIAL	18
09/12/2011	JCD	INITIAL	19	09/12/2011	JCD	INITIAL	19
09/12/2011	JCD	INITIAL	20	09/12/2011	JCD	INITIAL	20



SEC 9-T17S-R7E - E 1/2
ROS 14853, 20850

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.



CHANGES	BANK OLD	NEW	YR	CUT
PK-K-UP	13	26	11012	2
ALL	28	76	5670	
22.13	19	20	79	2878

SEC 17 - T17S - R7E - N 1/2
ROS 15809

SAN DIEGO COUNTY
ASSESSOR'S MAP
BOOK 611 PG 09 SHT 1 OF 2

ROUGH ACRES RANCH

Email Threads – Assessor Information – PDS information

Subject: RE: Status of existing Williamson Act Ag preserve(s)...

From: Stiehl, Carl (Carl.Stiehl@sdcounty.ca.gov)

To: char.ayers@att.net;

Date: Thursday, April 24, 2014 12:35 PM

Charlene,

Interesting, let me know what you discover.

Thanks,

Carl Stiehl
County of San Diego
Advance Planning
5510 Overland Avenue, Suite 310
San Diego, CA 92123
T.858.694.2216

From: Charlene Ayers [mailto:char.ayers@att.net]
Sent: Thursday, April 24, 2014 12:27 PM
To: Stiehl, Carl
Subject: Re: Status of existing Williamson Act Ag preserve(s)...

I have asked the Assessor to opine on this...waiting for that answer. Just so you know, the parcel maps that I purchased yesterday are official from the Assessor's Office in El Cajon...they sell them to anyone.

From: "Stiehl, Carl" <Carl.Stiehl@sdcounty.ca.gov>
To: Charlene Ayers <char.ayers@att.net>
Sent: Thursday, April 24, 2014 11:07 AM
Subject: RE: Status of existing Williamson Act Ag preserve(s)...

Hi Charlene,

The information on an Assessor Map may be incorrect. Since I don't have what you're looking at, I don't know if anyone is "wrong"

But, I have confirmed with our maps in our GIS system, they are not in the Agricultural Preserve.

Thanks,

Carl Stiehl
County of San Diego
Advance Planning
5510 Overland Avenue, Suite 310
San Diego, CA 92123
T.858.694.2216

From: Charlene Ayers [<mailto:char.ayers@att.net>]
Sent: Thursday, April 24, 2014 10:06 AM
To: Stiehl, Carl
Subject: Re: Status of existing Williamson Act Ag preserve(s)...

I have the parcel maps. The "AG PR" is right next to the parcel number, i.e. 3, not along a border. Is the Assessor-Tax Collector wrong?

From: "Stiehl, Carl" <Carl.Stiehl@sdcounty.ca.gov>
To: Charlene Ayers <char.ayers@att.net>
Sent: Thursday, April 24, 2014 9:39 AM
Subject: RE: Status of existing Williamson Act Ag preserve(s)...

Hi Charlene,

APNs 611-070-03-00 and 611-060-08-00 are not located in an Agricultural Preserve. They each have a border with Agriculture Preserve 30, MC CAIN VALLEY, but they are each not located in a Preserve.

Thanks,

Carl Stiehl
County of San Diego
Advance Planning
5510 Overland Avenue, Suite 310
San Diego, CA 92123
T.858.694.2216

-----Original Message-----

From: Charlene Ayers [<mailto:char.ayers@att.net>]
Sent: Wednesday, April 23, 2014 4:07 PM
To: Stiehl, Carl
Subject: RE: Status of existing Williamson Act Ag preserve(s)...

Okay...thanks...my condolences, you got me again.

I am looking for info on the status of these two parcels, both have an AG PR designation on their

parcel maps:
611-070-03-00 and 611-060-08-00.

Charlene

On Wed, 4/23/14, Stiehl, Carl <Carl.Stiehl@sdcounty.ca.gov> wrote:

Subject: RE: Status of existing Williamson Act Ag preserve(s)...

To: "Char.ayers@att.net" <Char.ayers@att.net>

Date: Wednesday, April 23, 2014, 3:59 PM

Hi
Charlene,

I can help you with
this, which property or Williamson Act Ag Preserve are you interested in and I'll work to put
together what you need.

Thanks,

Carl
Stiehl
County of San
Diego
Advance
Planning
5510 Overland
Avenue, Suite 310
San Diego, CA
92123
T.858.694.2216

From:
Charlene
Ayers

Sent:
4/23/2014 11:11
AM

To: Wardlaw,
Mark

Subject:
Status of existing
Williamson Act Ag preserve(s)...

Mr. Wardlaw...

I was not able to find any information on the PDS website about the status of an existing Williamson Act Ag preserve.

Please put me in touch with someone who knows.

Charlene Ayers

Subject: Re: PRAResult: Preserve 30 contract 73-31...
From: Charlene Ayers (char.ayers@att.net)
To: carl.stiehl@sdcounty.ca.gov;
Cc: charlenes@yaho.com;
Date: Thursday, April 24, 2014 11:27 PM

Please add one additional item to this PRAR: a copy of the original Preserve 30 Contract 73-31.

From: Charlene Ayers <char.ayers@att.net>
To: Carl Stiehl <carl.stiehl@sdcounty.ca.gov>
Sent: Thursday, April 24, 2014 7:48 PM
Subject: PRAResult: Preserve 30 contract 73-31...

Carl...

Please provide copies of any/all documents which demonstrate/prove that Preserve 30 Contract 73-31, as Mr. Depagter has described it, has been dissolved.

This is a Public Records Act request.

Charlene Ayers

----- Forwarded Message -----

From: "Depagter, Charles" <Charles.Depagter@sdcounty.ca.gov>
To: "char.ayers@att.net" <char.ayers@att.net>
Cc: "Miller, Aron M" <Aron.Miller@sdcounty.ca.gov>
Sent: Thursday, April 24, 2014 2:27 PM
Subject: parcel AG question

In Answer to your Questions

Legal Basis: Gov code title 5 Div 1 Part 1 Chapter 7 Sec 51200 et seq.
Also Board of Supervisors San Diego County I-38

Tax Rate: There is no difference in rates. If under the Williamson Act a restricted value is placed on the property. See also next question.

The properties are part of preserve 30 contract 73-31. The owner did a non-renewal in 1983. This applied only to the Williamson Contract. For information on whether the Preserve was ever dissolved contact Dennis Campbell DPLU (858) 505 6380. I have no record that the Preserve was ever dissolved so I can only conclude that it is still active.

AS stated on the maps "This map was prepared for assessment purposes only. No liability is assumed for the accuracy of the data shown"

Assessor's Response

Charles De Pagter
Appraiser IV
Arcc
(619) 401-5774

Subject: RE: PRAResult for ARCC filing docs...: PRAResult: Preserve 30 contract 73-31...

From: Stiehl, Carl (Carl.Stiehl@sdcounty.ca.gov)

To: char.ayers@att.net;

Date: Wednesday, April 30, 2014 2:05 PM

Hi Charlene,

We have no records responsive to your request. We do not keep records of documentation that noticed the ARCC that parcels were removed from a preserve.

Please let me know if you have any additional questions.

Thanks,

Carl Stiehl

County of San Diego

Advance Planning

5510 Overland Avenue, Suite 310

San Diego, CA 92123

T.858.694.2216

From: Charlene Ayers [mailto:char.ayers@att.net]

Sent: Tuesday, April 29, 2014 9:20 AM

To: Stiehl, Carl

Subject: Re: PRAResult for ARCC filing docs...: PRAResult: Preserve 30 contract 73-31...

I am looking for the documentation that noticed the Assessor (ARCC) that parcels had been removed from Preserve 30.

From: "Stiehl, Carl" <Carl.Stiehl@sdcounty.ca.gov>

To: Charlene Ayers <char.ayers@att.net>

Sent: Tuesday, April 29, 2014 8:07 AM

Subject: RE: PRAResult for ARCC filing docs.... PRAResult: Preserve 30 contract 73-31...

Hi Charlene,

Please clarify what "original documents establish new information." It is unclear to us what records you would be referring to. What sort of "communication to the ARCC in the past" are you looking for?

Thanks,

Carl Stiehl
County of San Diego
Advance Planning
5510 Overland Avenue, Suite 310
San Diego, CA 92123
T.858.694.2216

From: Charlene Ayers [mailto:char.ayers@att.net]

Sent: Monday, April 28, 2014 2:06 PM

To: Stiehl, Carl

Subject: PRAResult for ARCC filing docs.... PRAResult: Preserve 30 contract 73-31...

Carl.

I would like to see copies of the original documents which establish when this new information, removal of preserve, etc., was communicated to the ARCC in the past.

Charlene

----- Forwarded Message -----

From: "Stiehl, Carl" <Carl.Stiehl@sdcounty.ca.gov>

To: "Char.ayers@att.net" <Char.ayers@att.net>

Sent: Friday, April 25, 2014 3:04 PM

Subject: PRAResult: Preserve 30 contract 73-31...

Hi Charlene,

Please see attached. A portion of Agricultural Preserve 30 was disestablished April 5, 2006 with Ordinance 9763. The Preserve was originally established November 28, 1973 with Ordinance 4205. Attached are our records responsive to your request. As previously stated, APNs 611-070-03-00 and 611-060-08-00 are not located in an Agricultural Preserve. They each have a border with Agriculture Preserve 30 but they are each not located in a Preserve. We'll follow up with ARCC to update the Assessor Maps.

Please let me know if you have any additional questions.

Thanks,

Carl Stiehl
County of San Diego

Advance Planning
5510 Overland Avenue, Suite 310
San Diego, CA 92123
T.858.694.2216

From: Charlene Ayers [<mailto:char.ayers@att.net>]
Sent: Thursday, April 24, 2014 11:27 PM
To: Stiehl, Carl
Cc: charlenesez@yahoo.com
Subject: Re: PRARrequest: Preserve 30 contract 73-31...

Please add one additional item to this PRAR: a copy of the original Preserve 30 Contract 73-31.

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Charles De Pagter
Appraiser IV
Arcc
(619) 401-5774

Subject: RE: PRAR for update...: PRARrequest: Preserve 30 contract 73-31...

From: Stiehl, Carl (Carl.Stiehl@sdcounty.ca.gov)

To: char.ayers@att.net;

Date: Monday, May 5, 2014 8:28 AM

Hi Charlene,

Here are the emails to the ARCC, one from Friday 4/25 and I followed up again on Friday 5/2 just to be sure that staff at ARCC mapping had the information. They included the attachments you already have copies of.

Thanks,

Carl Stiehl

County of San Diego

Advance Planning

5510 Overland Avenue, Suite 310

San Diego, CA 92123

T.858.694.2216

From: "Stiehl, Carl" <Carl.Stiehl@sdcounty.ca.gov>

To: "Graham, Ronald" <Ronald.Graham@sdcounty.ca.gov>

Sent: Friday, May 2, 2014 3:22 PM

Subject: PRARrequest: Preserve 30 contract 73-31

Hi Ron,

Charles Depagter is a contact that we work with at the ARCC regarding Agricultural Preserves who mentioned you to me. A member of the public has noticed that an Assessor Page Map indicates that a couple of APNs (611-070-03-00 and 611-060-08-00) have a Preserve on them. However, the Preserve was disestablished by the Board (see attached) in 2006 and therefore is no longer on the properties. I just wanted to be sure that I

passed on the information to the correct staff. If you could help and forward this on to others in ARCC if needed, I'd appreciate it. We just want to be sure at Planning that staff at ARCC is aware of the issue.

Thanks,

Carl Stiehl

County of San Diego

Advance Planning

Department of Planning and Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

T.858.694.2216

From: "Stiehl, Carl" <Carl.Stiehl@sdcounty.ca.gov>

To: "Depagter, Charles" <Charles.Depagter@sdcounty.ca.gov>

Sent: Friday, April 25, 2014 3:07 PM

Subject: PRAResult: Preserve 30 contract 73-31

Hey Charles,

Haven't spoken or emailed in awhile. We did some research on this one and the two parcels are not in an Agricultural Preserve, they were removed with a rezone and disestablishment in 2006. Let us know if you need any additional information from our end to help.

Thanks,

Carl Stiehl

County of San Diego

Advance Planning

5510 Overland Avenue, Suite 310

San Diego, CA 92123

T.858.694.2216

From: Charlene Ayers [mailto:char.ayers@att.net]
Sent: Friday, May 02, 2014 10:00 AM
To: Stiehl, Carl
Subject: PRAR for update...: PRARrequest: Preserve 30 contract 73-31...

Carl...

Have you followed up with the ARCC to update the Assessor Maps?

If so, I would like copies of the documents used to do that.

Charlene

From: "Stiehl, Carl" <Carl.Stiehl@sdcounty.ca.gov>
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Sent: Friday, April 25, 2014 3:04 PM
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County of San Diego
Advance Planning
5510 Overland Avenue, Suite 310

San Diego, CA 92123
T.858.694.2216

ROUGH ACRES RANCH

BOS – Minute Order & Ordinance (4/5/2006)

Rough Acres Water Company, Inc.

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
WEDNESDAY, APRIL 5, 2006**

MINUTE ORDER NO. 4

**SUBJECT: NOTICED PUBLIC HEARING:
FADEM ZONE RECLASSIFICATION (R04-026) AND ALTERATION
TO MCCAIN VALLEY AGRICULTURAL PRESERVE #30 (AP 04-
003); MOUNTAIN EMPIRE SUBREGIONAL PLAN AREA
(DISTRICT: 2)**

OVERVIEW:

The proposed project consists of a Rezone for the removal of the "A" Special Area Regulation Designator (Agricultural Preserve) and a concurrent proposal to alter the existing boundary of McCain Valley Agricultural Preserve No. 30 to remove the subject parcels from the Agricultural Preserve. There is no Williamson Act Contract on any of the subject parcels.

No other changes to the zoning are proposed. The project site is 1,722 acres in size and has a General Plan Land Use Designation of (20) General Agriculture and is zoned A72 General Agricultural Use Regulations. It is located north of Interstate 8 on either side of McCain Valley Road in the Mountain Empire Subregion. Thomas Bros. Guide: 1300/4F&G.

FISCAL IMPACT:

None.

RECOMMENDATION:

PLANNING COMMISSION

1. That the Board of Supervisors take the following Action:

Adopt the Ordinance approving a change to the Special Area Regulation Designator from "A" to "--" with no change in the A72 General Agricultural Use Regulation (Attachment C).

DEPARTMENT OF PLANNING AND LAND USE

1. The Department concurs with the Planning Commission recommendation.
2. In addition, the Department recommends that the Board of Supervisors take the following Action:
3. Adopt the Resolution approving the Alteration to the boundaries of the McCain Valley Agricultural Preserve #30 (Attachment B) for the reasons included in the staff report.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Slater-Price, the Board closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 9763 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE COMMUNITY OF BOULEVARD (REF: R04-026) and adopting Resolution No. 06-034 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ALTERING THE BOUNDARIES OF THE MCCAIN VALLEY AGRICULTURAL PRESERVE NO. 30.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

State of California)

County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA

Clerk of the Board of Supervisors

By



Harold R. Randolph, Deputy



ORDINANCE NO. 9763 (NEW SERIES)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION
OF CERTAIN PROPERTY
IN THE COMMUNITY OF BOULEVARD
(REF: R04-026)

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. It is hereby found that the proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated July 18, 2005, on file with the Department of Planning and Land Use as Environmental Review No. 04-21-006.

Section 2. The zoning classification of the real property described below is hereby changed as follows:

The existing zoning classification is as follows:

OLD ZONE: Use Regulations A72, Animal Designator Q, Density .025, Lot Size 40 AC, Building Type C, Maximum Floor Area -, Floor Area Ratio -, Height G, Lot Coverage -, Setbacks C, Open Space -, Special Area Regulations A.

The zoning classification is changed to read as follows:

NEW ZONE: Use Regulations A72, Animal Designator Q, Density .025, Lot Size 40 AC, Building Type C, Maximum Floor Area -, Floor Area Ratio -, Height G, Lot Coverage -, Setbacks C, Open Space -, Special Area Regulations -.

Description of affected real property:

PARCEL 1

The Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 4, Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved September 6, 1888.

APN #611-030-01 ✓

PARCEL 2

The South Half of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 9, Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved September 6, 1880.

APN #611-070-03 ✓

PARCEL 3

Lots 3 and 4, Section 2, Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved September 6, 1880.

APN #611-040-01 ✓

PARCEL 4

The South Half of the South Half of Section 34, Township 16 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California.

APN #529-150-01 ✓

PARCEL 5

The Southwest Quarter of the Southeast Quarter, the East Half of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 28, Township 16 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved August 27, 1880.

APN#529-110-01 ✓

PARCEL 6

The Southwest Quarter of the Northwest Quarter, and the North half of the Southwest Quarter of Section 15, Township 17 South, Range 7 East, San Bernardino Meridian, according to United States Government Survey approved September 6, 1880.

APN #611-110-01 ✓

PARCELS 7 & 10

The Northeast Quarter; North Half of Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 8; the Northwest Quarter and the Southwest Quarter of Section 9; and the Northeast Quarter of the Northeast of Section 17; all in Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Survey approved September 6, 1880.

APN #611-070-01, 611-060-03 & 611-090-03 ✓

PARCEL 8

The West Half of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 16, Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved September 6, 1880.

APN #611-100-02 ✓

PARCEL 9

The South Half of the Southeast Quarter; the Northwest Quarter of the Southeast Quarter; the West Half of the Northeast Quarter of Section 33, Township 16 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California.

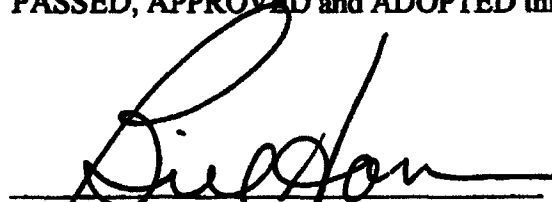
APN #529-140-01 ✓

Section 3. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

BOARD0614-5-06\R04026-ORD;jcr

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSELBY *Sanjiv Patel*
SENIOR DEPUTY 3/15/06

PASSED, APPROVED and ADOPTED this 5th day of April, 2006.


BILL HORN, CHAIRMAN

Board of Supervisors, County of San Diego, State of California

The above Ordinance was adopted by the following vote:

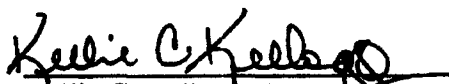
AYES: Cox, Jacob, Slater-Price, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 5th day of April, 2006.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors



By


Kellie C. Kellogg, Deputy

Ordinance No. 9763 (N.S.)
04/05/2006 (4)

PLEASE COMPLETE THIS INFORMATION:

RECORDING REQUESTED BY:

Clerk of the Board of Supervisors

AND WHEN RECORDED, MAIL TO:

Mail Stop: A-45

FOR THE BENEFIT OF THE COUNTY

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON APR 11, 2006
DOCUMENT NUMBER 2006-0250515
GREGORY J. SMITH, COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 2:23 PM

RESOLUTION NO. 06-034
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO
ALTERING THE BOUNDARIES OF THE MCCAIN VALLEY AGRICULTURAL PRESERVE NO. 30
(Please fill in document title(s) on this line)

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN DIEGO
ALTERING THE BOUNDARIES OF THE MCCAIN VALLEY
AGRICULTURAL PRESERVE NO. 30**

WHEREAS, a proposal has been made to alter the boundaries of the McCain Valley Agricultural Preserve No. 30 pursuant to the California Land Conservation Act of 1965 (the Williamson Act, Government Code Section 51200 et seq., hereinafter, the "Act"); and

WHEREAS, pursuant to the Act, the Board of Supervisors has held a public hearing on said proposal, notice of said public hearing having been given as required by law; and

WHEREAS, there is no Williamson Act Contract on any of the affected parcels; and

WHEREAS, said proposal conforms to the (20) General Agricultural Land Use Designation of the San Diego County General Plan and the existing A72 General Agricultural Use Regulation on the subject property will be retained; and

WHEREAS, it is the recommendation of the Department of Planning and Land Use that the boundaries of the McCain Valley Agricultural Preserve No. 30 should be altered as hereinafter set forth.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the proposal conforms to the County General Plan, and will not have a significant effect on the environment, as specified in the Notice of Exemption for this project filed by the County of San Diego.

IT IS FURTHER RESOLVED that:

- 1. It is hereby found that the proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated July 18, 2005, on file with the Department of Planning and Land Use as Environmental Review No. 04-21-006.**
- 2. The boundaries of the McCain Valley Agricultural Preserve No. 30 (See Exhibit B) are hereby altered to exclude the 1,722 acres as described in Exhibit D. The McCain Valley Agricultural Preserve No. 30, as altered, now consists of the approximately 12,348-acre area described in Exhibit A and illustrated in Exhibit C.**
- 3. The Clerk of the Board of Supervisors is directed to file this Resolution and the map attached hereto with the County Recorder of the County of San Diego.**

**APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL**

BY Paul H. Deane - 16 -

On a motion by Supervisor Roberts, seconded by Supervisor Slater-Price the foregoing was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 5th day of April, 2006, by the following vote, to-wit:

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

NOES:

ABSENT:

BOARD06\04-05\R04026-RES:jcr

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By Kellie C. Kellogg
Kellie C. Kellogg, Deputy



Resolution No. 06-034
04/05/06 (4)

McCain Valley Agricultural Preserve No 30

Date Established: November 21, 1973 Size: 14,070 (Original Size)

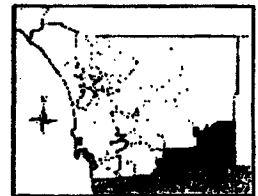
Date Amended: April 5, 2008 Size: 12,348.4 (Amended Size)

— A.P. Boundary (All lands in A.P. are Public Domain)

Location: Portion of T16S, R7E and T17S, R7E
San Diego County California

Exhibit C

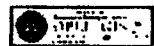
Vicinity Map



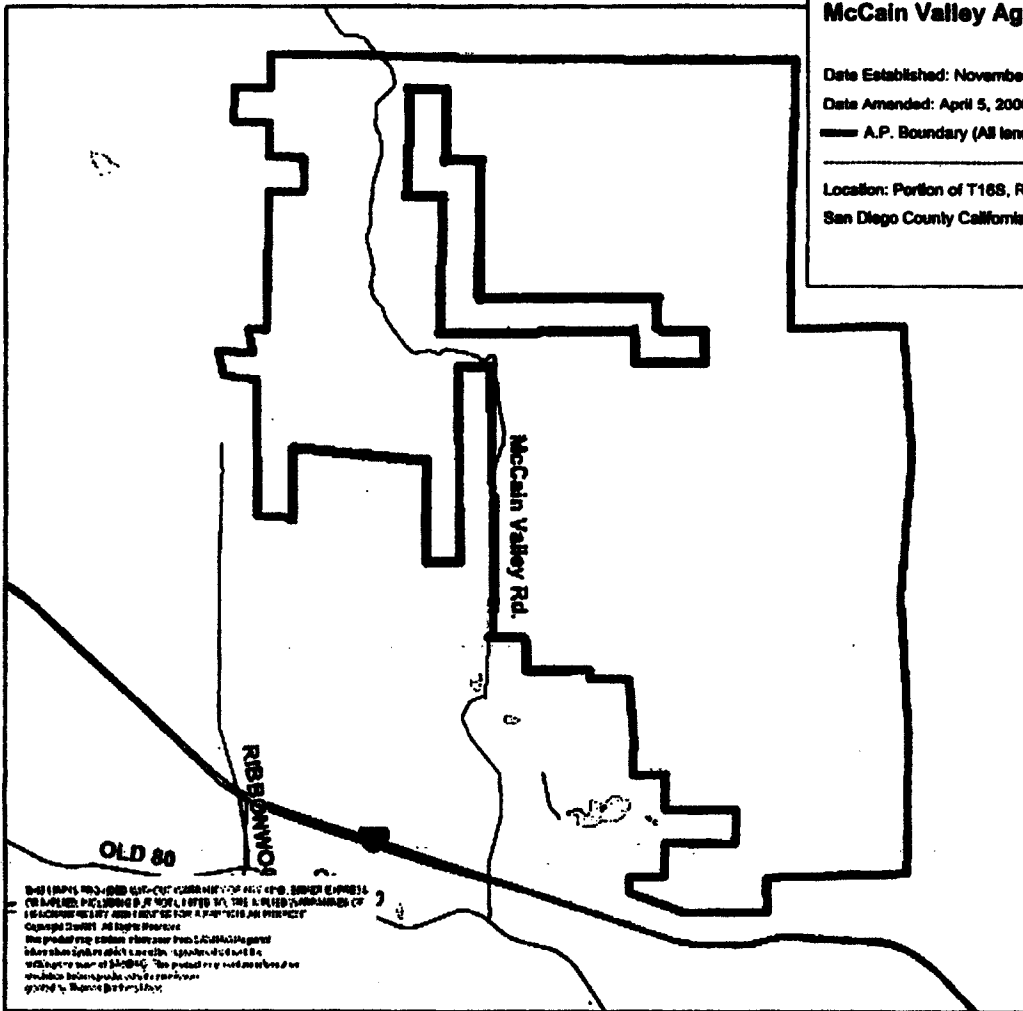
1:3 800,000



0 0.25 0.5 1
Miles



Scale: 1:3 800,000
For County of San Diego, California



ROUGH ACRES WATER COMPANY
ARTICLES OF INCORPORATION
EXHIBIT A JUNE 2012

LEGAL DESCRIPTIONS

1.

PARCEL "A" OF APPROVED BOUNDARY ADJUSTMENT BC 10-0083, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEAST ¼, THE NORTH ¼ OF THE SOUTHEAST ¼ AND THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 8 TOGETHER WITH THE NORTHWEST ¼, AND THE SOUTHWEST ¼ OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 7 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED SEPTEMBER 6, 1880.

CONTAINING 563.3 ACRES, MORE OR LESS APN: 611-060-03 & 611-070-01

2.

PARCEL A:

The South half of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 9, Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved September 6, 1880.

PARCEL B:

A non-exclusive easement for ingress and egress, roadway and utility purposes as contained in the document entitled "Grant of Easement" recorded December 11, 2007 as instrument no. 2007-0764819 of Official Records. Said easement shall be sixty (60) feet in width over a portion of the property described below and the location of the easement granted herein shall be determined by the owner of the servient tenement within thirty (30) days of a written request by the owner of the dominant tenement:

Parcel A of that certain Certificate of Compliance DPL Case No. C00-02898A (c)1, and described therein as follows:

The East half of the Southwest quarter of Section 8; and the East half of the Northwest quarter; and the Northeast quarter of the Southeast quarter; and the South half of the Northeast quarter and a sixty (60) foot strip along the entire length of the Northernly boundary of the North half of the Southwest quarter of Section 17, all in Township 17 South, Range 7 East, San Bernardino Meridian, according to the United States Government Survey.

PARCEL C:

A non-exclusive easement for ingress and egress, roadway and utility purposes as contained in the document entitled "Grant of Easement" recorded December 11, 2007 as instrument no. 2007-0764821 of Official Records. Said easement shall be sixty (60) feet in width over a portion of the property described below and the location of the easement granted herein shall be determined by the owner of the servient tenement within thirty (30) days of a written request by the owner of the dominant tenement:

The Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 4, Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved September 6, 1888.

The Northeast Quarter; North Half of Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 8; the Northwest Quarter and the Southwest Quarter of Section 9; and the Northeast Quarter of the Northeast of Section 17; all in Township 17 South, Range 7 East, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Survey approved September 6, 1888.

APN: 611-070-03

3.

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 7 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED SEPTEMBER 6, 1888.

APN: 611-030-01

4.

Real property in the City of San Diego, County of San Diego, State of California, described as follows:

Lots 3 and 4, Section 2, Township 17 South, Range 7 East, San Bernardino Meridian, according to United States Government Survey approved September 6, 1888.

The South Half of the South Half of Section 34, Township 16 South, Range 7 East, San Bernardino Meridian;

The South Half of the Southeast Quarter; the Northwest Quarter of the Southeast Quarter; the West Half of the Northeast Quarter of Section 33, Township 16 South, Range 7 East, San Bernardino Meridian;

The Southwest Quarter of the Southeast Quarter; the East Half of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 28, Township 16 South, Range 7 East, San Bernardino Meridian, according to United States Government Survey approved August 27, 1888.

All being in the County of San Diego, State of California.

Excepting from said portions of Section 2, Township 17 South, Range 7 East, and Sections 34, 33, and 28, Township 16 South, Range 7 East, all the coal or other minerals in said land as reserved in Patent from the United States of America, recorded in Book 16, Page 26 of Patents.

APN: 611-040-01-00, 529-150-01-00, 529-140-01-00 and 529-110-01-00

5.

PARCEL "B" OF APPROVED BOUNDARY ADJUSTMENT BC 10-0083, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 17, TOWNSHIP 17 SOUTH, RANGE 7 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED SEPTEMBER 8, 1880.

EXCEPTING THEREFROM ALL OIL, GAS, OIL SHALE, COAL, PHOSPHATE, SODIUM, GOLD, SILVER AND ALL OTHER MINERAL DEPOSITS CONTAINED IN SAID LANDS AND FURTHER EXCEPTING THEREFROM THE RIGHT TO DRILL FOR AND EXTRACT SUCH DEPOSITS OF OIL AND GAS, OR GAS, AND TO OCCUPY AND USE SO MUCH OF THE SURFACE OF SAID LANDS AS MAY BE REQUIRED THEREFOR, UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF CHAPTER 5, PART I, DIVISION 8 OF THE PUBLIC RESOURCES CODE, AS RESERVED BY THE STATE OF CALIFORNIA BY DOCUMENT RECORDED JULY 5, 1957 IN BOOK 8851, PAGES 54 AND 55, OF OFFICIAL RECORDS.

CONTAINING 40.1 ACRES, MORE OR LESS. APN: 611-090-03

PARCEL "C" OF APPROVED BOUNDARY ADJUSTMENT BC 10-0083, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHWEST ¼, AND THE WEST ¼ OF THE NORTHEAST ¼ OF SECTION 18, TOWNSHIP 17 SOUTH RANGE 7 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED SEPTEMBER 8, 1880.

EXCEPTING THEREFROM ALL OIL, GAS, OIL SHALE, COAL, PHOSPHATE, SODIUM, GOLD, SILVER AND ALL OTHER MINERAL DEPOSITS CONTAINED IN SAID LANDS AND FURTHER EXCEPTING THEREFROM THE RIGHT TO DRILL FOR AND EXTRACT SUCH DEPOSITS OF OIL AND GAS, OR GAS, AND TO OCCUPY AND USE SO MUCH OF THE SURFACE OF SAID LANDS AS MAY BE REQUIRED THEREFOR, UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF CHAPTER 5, PART I, DIVISION 8 OF THE PUBLIC RESOURCES CODE, AS RESERVED BY THE STATE OF CALIFORNIA BY DOCUMENT RECORDED JULY 5, 1957 IN BOOK 8851, PAGES 54 AND 55, OF OFFICIAL RECORDS.

CONTAINING 228.1 ACRES, MORE OR LESS. APN: 611-100-01 & 611-100-02

6.

**THE SOUTHWEST QUARTER OF THE NORTHWEST
QUARTER AND THE NORTH HALF OF THE
SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP
17 SOUTH, RANGE 7 EAST, SAN BERNARDINO
MERIDIAN, ACCORDING TO UNITED STATES
GOVERNMENT SURVEY APPROVED SEPTEMBER 6,
1880.**

APN: 611-110-01

7.

**Real property in the unincorporated area of the County of San Diego, State of California,
described as follows:**

Parcel 1:

**The East half of the Southwest quarter of Section 8; and the East half of the Northwest quarter
and the Northeast quarter of the Southeast quarter; and the South half of the Northeast quarter
and a sixty (60) foot strip along the entire length of the Northerly boundary of the North half of
the Southwest quarter of Section 17, all in Township 17 South, Range 7 East, San Bernardino
Meridian, according to the United States Government Survey.**

**Said property being described as Parcel "A" in a certificate of compliance recorded on February 9,
2001 as Instrument no. 01-0076862 of Official Records of said San Diego County.**

Parcel 2:

**An appurtenant easement and right of way for ingress and egress, road and public utility
purposes, over, under, along and across the Northerly 30 feet of the Northwest quarter of the
Southeast quarter Section 17, Township 17 South, Range 7 East, San Bernardino Meridian,
according to the United States Government Survey.**

**APN: 611-090-04-00 and 611-091-03-00 and 611-080-02-00 and 611-060-04-00 and 611-091-03-
00**