

**NCCP PROGRAM IMPLEMENTATION:  
KONYN PROPERTY ACQUISITION**

COASTAL CONSERVANCY

Project Summary  
June 25, 1998

**NCCP PROGRAM IMPLEMENTATION:  
KONYN PROPERTY ACQUISITION**

File No. 98-011  
Project Manager: Marc Beyeler

RECOMMENDED ACTION: Approval of the San Dieguito River Valley/Multiple Species Conservation Program (MSCP) Enhancement Plan and authorization to disburse funds to the City of San Diego to assist in the acquisition of the Konyn property for habitat protection and open space.

LOCATION: San Pasqual Valley, San Dieguito River Valley, San Diego County (Exhibit 1)

PROGRAM CATEGORY: Resource Enhancement

ESTIMATED COST:	City of San Diego (Local Funds)	\$ 700,000
	Coastal Conservancy (NCCP Program)	<u>2,000,000</u>
	<b>TOTAL:</b>	<b>\$2,700,000</b>

PROJECT SUMMARY: Staff recommends that the Conservancy authorize funding for the acquisition of property to assist in the implementation of the Multiple Species Conservation Program (MSCP) of the City of San Diego. This property consists of approximately 338 acres in the San Pasqual Valley within the San Dieguito River Valley.

The parcels to be acquired are critical habitat acquisition priorities identified in the MSCP and the San Dieguito River Valley/Multiple Species Conservation Program (MSCP) Enhancement Plan (Exhibit 2). The 11,000-acre San Pasqual Valley, within the much larger coastal San Dieguito River Valley, represents a major open space within the MSCP, linking the coastal portion of the San Dieguito River Valley on the west to the San Dieguito River's source on the 5,700-foot Volcan Mountain to the east.

Acquisition of this property will consolidate public ownership of most of the habitat lands in the San Pasqual Valley. The property will be managed by the City of San Diego as part of the San Pasqual properties already held by the City.

Staff of the Coastal Conservancy has been working with local public agencies and local citizens to protect and restore the San Dieguito River Valley for the past decade and more. Since earlier this year, Conservancy staff has been working with City of San Diego officials to accomplish the proposed property acquisition.

Preservation of the natural features of the coastal draining San Dieguito River Valley through acquisition of sensitive habitat lands contributes to the preservation of the coastal lagoon and wetlands and nearshore water quality through reduced runoff and sedimentation within the river watershed.

The San Pasqual Valley contains some of the City of San Diego's most valuable endangered habitats which require protection as part of the City of San Diego's adopted Multiple Species Conservation Program (MSCP). The City of San Diego is taking the lead in a plan to establish a 172,000-acre preserve in southwestern San Diego County.

In conjunction with this plan, the City of San Diego has identified the San Pasqual Valley as one of the most critical and largest habitat linkages between the coast and the interior habitat areas within the County. The area contains core populations of sensitive species, including the California gnatcatcher and the coastal cactus wren.

The City of San Diego is requesting a \$2 million grant to assist in the acquisition of this watershed property in the San Pasqual Valley within the City of San Diego. This timely acquisition grant to the City of San Diego will allow the city to leverage approximately \$15 million in habitat acquisitions in the coastal watershed areas of the San Dieguito and Los Penasquitos river valleys.

The San Pasqual acquisition is one of the most important acquisitions included in the MSCP. In addition, the other property acquisitions in the coastal portions of both the San Dieguito and Los Penasquitos river valleys which would be leveraged by

the San Pasqual Valley acquisition, are also important acquisitions within the MSCP, comprising high quality habitat lands within the Core Biological Resource Areas and Linkages established by the MSCP.

The City of San Diego's MSCP program is one of a number of sub-regional plans in San Diego which make up San Diego County's portion of the State of California's Natural Community Conservation Planning (NCCP) program. The NCCP program is intended to protect endangered habitats and species and promote continued regional biodiversity by creating a network of large, interconnected habitat preserves throughout southern California.

For FY 1997-98 and again for FY 1998-99, Conservancy staff submitted budget requests for funds to assist in the acquisition, restoration, and enhancement of sensitive habitat lands in San Diego County consistent with the MSCP. Funds for FY 1997-98 did not survive in the budget approved by the Legislature and signed by the Governor. Funds for FY 1998-99 have been included in the Governor's Budget and have been approved by both houses of the Legislature. Final appropriation of these funds to the Conservancy await approval of the state budget later this year.

The City of San Diego has requested action by the Conservancy at this time in order to demonstrate good faith to the private property owner. Disbursement of the funds to the City will be contingent upon the approval of the state budget, including funds specifically targeted for NCCP implementation in San Diego.



COASTAL CONSERVANCY

Staff Recommendation  
June 25, 1998

**NCCP PROGRAM IMPLEMENTATION:  
KONYN PROPERTY ACQUISITION**

File No. 98-011  
Project Manager: Marc Beyeler

STAFF  
RECOMMENDATION: Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31251-31270 of the Public Resources Code:

"The State Coastal Conservancy hereby approves the San Dieguito River Valley Multiple Species Conservation Program Enhancement Plan, attached to the accompanying staff recommendation as Exhibit 2, and authorizes the disbursement of an amount not to exceed two million dollars (\$2,000,000) to the City of San Diego for the costs of acquiring property, located in the San Pasqual Valley within the San Dieguito River Valley, known as the Konyon Property (San Diego County Assessor's Parcel Numbers 241-100-33; 42 and 43; 276-010-10; 276-021-01), subject to the following conditions:

1. No funds shall be disbursed pursuant to this authorization unless and until the Legislature has enacted, and the Governor has signed, a budget for the 1998-99 Fiscal Year that appropriates funds to the Coastal Conservancy for implementation of the NCCP program in San Diego;
2. Prior to the disbursement of any funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy all relevant documents, including the appraisal, agreements of purchase and sale, escrow instructions and documents of title necessary for the acquisition of the property;
3. The property acquired pursuant to this authorization shall be managed and operated in a manner consistent with the purposes of habitat protection and restoration and open space protection, as provided in the San Die-

guito River Valley Multiple Species Conservation Program Enhancement Plan, and as the Plan may be amended from time to time;

4. The City shall pay no more than fair market value for the property acquired pursuant to this authorization; and
5. Conservancy funding shall be acknowledged by a sign(s) within the San Pasqual Valley, consistent with a sign plan or equivalent which has been reviewed and approved by the Executive Officer of the Conservancy."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the guidelines and criteria set forth in Chapter 6 of the Public Resources Code (Sections 31251-31270) regarding the enhancement of coastal resources; and
2. The proposed project is consistent with the guidelines and criteria set forth in the Conservancy's Resource Enhancement Program Announcement adopted on March 21, 1985."

---

**STAFF DISCUSSION:**

**Project Description:** The City of San Diego is requesting a grant from the Coastal Conservancy to assist in the acquisition of approximately 338 acres of sensitive habitat lands in the San Pasqual Valley within the San Dieguito River Valley (Exhibit 3).

Staff recommends that the Conservancy approve the San Dieguito River Valley/Multiple Species Conservation Program Enhancement Plan and authorize funding to assist in its implementation through the acquisition of parcels located within the San Pasqual Valley.

The property to be acquired is designated as a habitat acquisition priority within the San Dieguito River Valley/Multiple Species Conservation Program Enhancement Plan and the MSCP of the City of San Diego. The City of San Diego has requested a two million dollar grant to complete acquisition of

critical habitat, riparian, and uplands within the San Pasqual Valley.

The San Pasqual Valley represents a major open space within San Diego County, linking the coastal portion of the San Dieguito River Valley to the west with Volcan Mountain to the east. Acquisition of the subject property will consolidate public ownership of most of the valley. The subject property is the highest public acquisition priority in San Pasqual Valley.

Preservation of the natural features of the coastal draining San Dieguito River Valley through acquisition of sensitive habitat lands contributes to the preservation of the coastal lagoon and wetlands and nearshore water quality through reduced runoff and sedimentation within the river watershed.

Further implementation of the MSCP will achieve local, regional, and statewide goals for natural resource and species protection, as well as open space preservation and the provision of public access opportunities. This grant enables the Coastal Conservancy to utilize the funds for multiple public purposes: habitat protection, open space preservation, and the provision of public access and passive recreation.

**Project Financing:** The City of San Diego is requesting a \$2 million grant from the Coastal Conservancy to assist in the acquisition of this watershed property in the San Pasqual Valley within the City of San Diego in order to leverage approximately \$15 million in habitat acquisitions in the coastal watershed areas of the San Dieguito and Los Penasquitos River valleys. The City of San Diego will be contributing \$700,000 of existing mitigation dollars toward the acquisition of this property.

The acquisition of this key parcel utilizing Coastal Conservancy funds would allow the expenditure of limited local dollars to be focused on more costly, but as critical, parcels located further to the west in the coastal zone in the San Dieguito River Valley, Carmel Valley, and Los Penasquitos watershed.

The City of San Diego is currently pursuing the approval of a bond issue of approximately \$15 million for MSCP short-term acquisition needs. Because the timing of the bond issue will not coincide with the time constraints associated with this opportunity purchase, the provision of funds from the Coastal Conservancy is considered critical.

For FY 1997-98 and again for FY 1998-99, Conservancy staff submitted budget requests for funds to assist in the acquisition, restoration, and enhancement of sensitive habitat lands in San Diego County, as part of the state's NCCP program, consistent with the MSCP. Funds for FY 1997-98 did not survive in the budget approved by the Legislature and signed by the Governor. Funds for FY 1998-99 have been included in the Governor's Budget and have been recommended for approval by the Legislature. Final appropriation of these funds to the Conservancy await approval of the state budget later this year.

The City of San Diego has requested action by the Conservancy at this time in order to demonstrate faith to the private property owner. Disbursement of the funds to the City will be contingent upon the approval of the state budget.

City of San Diego (Local Funds)	\$ 700,000
Coastal Conservancy (NCCP Program)	<u>2,000,000</u>
<b>TOTAL:</b>	<b>\$2,700,000</b>

Site Description: The 338-acre site is located within the City of San Diego's adopted San Pasqual Valley Plan (June 1995) and MSCP Sub-area Plan as well as the San Dieguito River Park Concept Plan which proposes to link the coastal portion of the San Dieguito River Valley on the west to Volcan Mountain on the east. Acquisition of this property would not only assist in the implementation of the goals of the City's MSCP and San Pasqual Valley Plan but also the principal objectives of the San Dieguito River Park Joint Powers Authority (JPA).

Among the objectives of the JPA in implementing its Concept Plan is the creation of a natural continuous open space from the coast to the crest of Volcan Mountain, which maintains and enhances the San Dieguito River Valley's natural functions including its value as a major coastal watershed and its significant natural habitats.

The Konyn property, which contains over 255 acres of sensitive coastal sage scrub habitat and 32 acres of coast live oak woodland habitat, provides a critical link along this corridor from the coast to points further east. In addition, purchase of the property as open space would avoid creating adverse water quality impacts downstream associated with the site's potential devel-

opment, thereby improving the water quality in the San Dieguito Lagoon, the river's confluence with the Pacific Ocean.

**Project History:** Staff of the Coastal Conservancy has been working with local public agencies and local citizens to protect and restore the San Dieguito River Valley for the past decade and more.

Since earlier this year, Conservancy staff has been working with local officials to accomplish the property acquisition. Staff is recommending that the Conservancy authorize funding to the City of San Diego to assist in the acquisition of the subject property. The property will be managed by the City of San Diego as part of the San Pasqual Valley Management Plan. The management plan is required to be completed within three years of transfer of the property. The plan is expected to focus management on the preservation of existing sensitive resources on the site by directing public access along designated points of interest.

San Pasqual Valley contains some of the City of San Diego's most valuable endangered habitats which require protection as part of the City of San Diego's Multiple Species Conservation Program (MSCP). The San Dieguito River Valley also contains significant habitat and species which require protection, restoration and enhancement.

The subject property consists of 338-acres and is located within the San Pasqual Valley segment of the San Dieguito River Valley which extends from the coast between Del Mar and Solana Beach to Volcan Mountain north of Julian. Since the late 1950s, the City of San Diego has been the major landowner within the 11,000-acre San Pasqual Valley.

The subject property is the largest of only a few remaining private in-holdings within the Valley. Lands acquired thus far by the City have been for the dual purpose of water supply and water quality. The potential exists for the site to be developed with residential uses by the underlying zone, which would have negative effects on the natural functions of the river valley, including loss of natural habitat and degradation of water quality. Preservation of the property's natural habitats would ensure that the natural functions in the immediate area as well as downstream coastal resources would be retained.

The City of San Diego is taking the lead in a plan to establish a 172,000-acre preserve in southwestern San Diego County. The City of San Diego's MSCP program is one of a number of sub-regional plans in San Diego which make up San Diego County's portion of the State of California's Natural Community Conservation Planning (NCCP) program. The NCCP program is intended to protect endangered habitats and species and promote continued regional biodiversity by creating a network of large, interconnected habitat preserves throughout Southern California.

**PROJECT SUPPORT:** The acquisition of additional habitat lands within the San Pascual Valley is supported by federal, state, regional, and local public officials and by local citizens and environmental groups.

**CONSISTENCY WITH  
CONSERVANCY'S  
ENABLING LEGISLATION:** This project implements the San Dieguito River Valley/Multiple Species Conservation Program Enhancement Plan consistent with Chapter 6 of the Conservancy's enabling legislation, Sections 31251-31270 of the Public Resources Code, regarding enhancement of coastal resources.

Consistent with Section 31251, the grant of funds for acquisition of this property will be utilized for the assembly of parcels and the creation of a regional habitat and open space preserve which will enhance the natural and scenic qualities of the San Dieguito River Valley area. Acquisition and enhancement of the San Dieguito River Valley watershed resources will enhance the natural and scenic character of coastal resources, consistent with Section 31251.2, by retaining natural habitats and linkages for coastal wildlife species. As required under Section 31251.2, this project is being undertaken at the request of the City of San Diego, which has jurisdiction over the project area.

Consistent with 31252, the San Dieguito River Valley is identified as important coastal open space in the City of San Diego's LCP. The City has reviewed the San Dieguito River Valley/Multiple Species Conservation Program Enhancement Plan pursuant to Section 31258(b) and found it to be consistent with the LCP.

CONSISTENCY WITH  
CONSERVANCY'S  
PROGRAM GUIDELINES:

**Significance:** The San Pasqual Valley property has significant habitat, species, scenic, and open space values and affords opportunities for passive public access.

**Cooperation:** The implementation of the San Dieguito River Valley/Multiple Species Conservation Program Enhancement Plan has the cooperation and support of local residents and government agencies.

**Scope:** Acquisition and enhancement of the San Pasqual Valley property will provide an important link in the coastal greenbelt and habitat preserve for the City of San Diego.

CONSISTENCY WITH  
LOCAL COASTAL  
PROGRAM POLICIES:

The acquisition of the San Dieguito River Valley property is consistent with the City of San Diego's certified Local Coastal Plan and with Coastal Act policies. The City's LCP policies include protecting rare and endangered species and environmentally sensitive habitats, preserving coastal views, and giving priority to preserving coastal open space and developing adequate coastal public access. The San Dieguito River Valley is identified as important coastal open space. The site is identified as a core biological resource area in the adopted MSCP. Preservation of the subject property would further the City's 90 percent conservation goal within its adopted Subarea Plan. The San Diego River Valley/Multiple Species Conservation Program Enhancement Plan, and this recommendation, calls for two implementing actions: acquisition of property for habitat preservation, and preparation of a management plan to preserve the lands so acquired in a natural condition.

COMPLIANCE

**WITH CEQA:** Land acquisition for the purpose of preserving the land in its natural condition is categorically exempt from the California Environmental Quality Act, under 14 California Code of Regulations, Section 15313. Upon approval, staff will file a Notice of Exemption for this project.



**EXHIBIT 1**  
**Regional Map**



**EXHIBIT 2**

**San Dieguito River Valley/Multiple Species Conservation Program  
Enhancement Plan**

Exhibit 3: June 25, 1998 Staff Recommendation

***San Dieguito River Valley/Multiple Species Conservation Program  
Enhancement Plan***

Preserving San Dieguito River Valley

The San Dieguito River Valley lies within the central portion of San Diego County traversing several jurisdictions as it winds from its terminus at the Pacific Ocean, eastward through the San Dieguito Lagoon, then towards its upper reaches in the San Pasqual Valley and further east to the crest of Volcan Mountain. The San Dieguito River Valley has been the center of interest for many in the region who have worked for nearly twenty years to protect and preserve the open space values and rural character of the area.

Planning efforts began in the mid-1970's to preserve and protect the river valley. By the early 1980's, both the City and County of San Diego had adopted, in concept, plans to establish a regional open space park within the river valley utilizing the natural functions of the river valley as the park's focal point. A Joint Powers Authority (JPA) was formed in 1989 to develop a park plan and in 1994 the San Dieguito River Park Concept Plan was adopted. A "focused planning area" was identified within which the JPA would direct its efforts to protect the natural resources and visual quality of the river valley, while also providing compatible passive recreational uses.

The overall goal statement of the Concept Plan is to:

"Preserve land within the Focused Planning Area of the San Dieguito River Park as a regional open space greenway and park system that protects the natural waterways and the natural and cultural resources; provide compatible recreational opportunities that do not damage sensitive lands; and provide a continuous and coordinated system of preserved lands with a connecting corridor of walking, equestrian, and bicycle trails encompassing the San Dieguito River Valley from the ocean to the river's source and beyond."

Major objectives as summarized in the San Dieguito River Park Planning Framework include: (1) preservation of open space by retaining the valley's natural habitats, protect linkages for wildlife movement and provide compatible areas for recreational uses; and (2) conservation of sensitive resources including the preservation, enhancement, and protection of sensitive coastal wetlands, hillsides, riparian and other freshwater habitat, native vegetation and other historical and cultural resources.

Multiple Species Conservation Program (MSCP)

Also during the mid-1990's, the City of San Diego along with the County of San Diego and various other jurisdictions, began the process of developing a habitat conservation plan to address the protection of multiple plant and animal species that were either currently listed as endangered or threatened or were becoming increasingly sensitive due to the rapid rate of development occurring within the region.

The Multiple Species Conservation Program (MSCP) focused on conserving vegetation communities and associated species rather than limiting efforts to one species at a time.

The primary objectives of the MSCP Plan are to: (1) protect native habitats and species; (2) Accommodate growth and enhance economic development; and (3) Create new federal, state and local partnerships to equitably spread program costs.

The central element of the MSCP is to set aside more than one-quarter of a 900 square mile area, approximately 172,000 acres, as a permanent wildlife preserve. The backbone of the preserve is a north-south corridor along the eastern edge of metropolitan San Diego from Escondido to the Mexican border. From this backbone, ribs reach westward to the coast through major river valleys and canyons including the San Dieguito River Valley, Los Penasquitos Canyon, Mission Gorge, Sweetwater River Valley, the Otay River Valley, and the Tijuana River Valley. The preserve will provide protected habitat for 85 species and plants and animals which federal and state wildlife agencies have listed, or might soon list, as endangered or threatened.

#### San Dieguito River Valley/Multiple Species Conservation Program

The San Dieguito River Valley/Multiple Species Conservation Program Enhancement Plan would implement the overall goals of the San Dieguito River Park Plan and the City's MSCP Subarea Plan (March 1997) by seeking to preserve and restore lands in the San Dieguito River Valley that have been identified in the MSCP for habitat conservation. Since the River Park JPA was established in 1989, several parcels totaling 712.85 acres have been acquired by the JPA within the park's focused planning area. Additional lands purchased by or dedicated to the County of San Diego for open space preservation have also been brought into public ownership both to the east and to the west of the San Pasqual Valley. The Conservancy's Enhancement Plan would carry forward these efforts to acquire designated habitat areas, including the Konyn property in the San Pasqual Valley portion of the MSCP and Enhancement Plan areas-one of the largest land acquisitions in the river valley to date.

The San Dieguito River Valley is primarily rural in character and is comprised of a large flood plain with a mix of open space, low density residential uses and agricultural parcels. The area supports a variety of habitats including sensitive coastal wetlands in the western reach, riparian forest and wetlands along the entire length of the San Dieguito drainage basin, oak woodland, coastal sage scrub, chaparral, native and non-native grasslands, and Coulter pine forest/mixed conifer forest at the easternmost reach of the focused planning area.

The San Dieguito River Valley supports at least 20 sensitive plant species and 55 sensitive animal species. Approximately 10 state and/or federally listed species are known to occur within the focused planning area in which least bell's vireo, California gnatcatcher, coastal cactus wren, southwestern arroyo toad, and golden eagle are found in the San Pasqual Valley; most of which are unique to the coastal ecosystems of southern California.

#### San Pasqual Subarea

The San Pasqual Valley lies within the San Dieguito River Valley and includes the tributaries of Santa Maria Creek and Santa Ysabel Creek. The majority of the San Pasqual Valley is owned by the City of San Diego Water Department, which acquired the land for

water supply purposes in the late 1950s. Portions of the valley, which include Lake Hodges, comprise one of four City-owned “cornerstone lands” which were included in the City’s MSCP Subarea Plan as they were considered to be essential building blocks for creating a viable habitat preserve.

The San Pasqual Valley represents a core biological resource area and is one of the largest continuous blocks of habitat in the MSCP study area that provides a major east-west corridor within the San Dieguito River Valley. The area includes core gnatcatcher and coastal cactus wren populations within the upland habitats, one of the few centers of distribution for Encinitas baccharis, large expanses of grasslands that provide valuable raptor foraging habitat, and critical wetland habitat. The area also includes the San Pasqual Valley Agricultural Preserve which encompasses thousands of acres which have been cultivated since before this century.

### Enhancement Plan Goals

The goals of the San Dieguito River Valley/Multiple Species Conservation Program Enhancement Plan are to preserve and improve natural resources, including coastal resources, protect sensitive habitat for listed species and to provide, where appropriate, and consistent with the San Dieguito River Park Concept Plan and MSCP Subarea Plan, opportunities for public access. To accomplish these goals, the following steps are proposed:

#### 1. Public Acquisition

The public acquisition from willing sellers, of lands within the core biological resource areas and associated habitat linkages identified in the MSCP (Appendix 1) should occur where necessary to avoid adverse impacts to the San Dieguito River Valley’s water quality and natural habitats. The 338-acre Konyn property is the highest acquisition priority within the San Pasqual segment of the San Dieguito River Valley. Protection of this large block of natural habitat will result in enhancement of natural resources, including importantly significant and sizable coastal resources.

Acquisition will provide protection of both plant and animal habitat as well as critical open space and public access opportunities for residents and visitors of San Diego County (Appendices 1 and 2). The Multi-Habitat Planning Area (MHPA) delineates core biological resource areas and corridors targeted for conservation. The MHPA identifies the “watershed management lands around Lake Hodges, including that portion of San Pasqual Valley from Hodges Reservoir east to the area referred to as the ‘narrows,’” for protection as habitat lands.

#### 2. Management Plan

A Management Plan will be prepared by the City of San Diego, in consultation with relevant local, state and federal resource agencies for lands acquired pursuant to this enhancement plan. The Management Plan will be prepared consistent with the adopted resource plans for the area. The Management Plan will be reviewed and approved by the Executive Officer of the Coastal Conservancy.

The Management Plan shall provide area specific management directives, consistent with the City's MSCP Subarea Plan, to address the various habitat and species requirements of the land acquired. The plan will include special conditions as may be required by the City's MSCP Subarea Plan. The Management Plan shall address, in detail, public access and recreational needs, as appropriate, and shall identify the public access improvements that can be made consistent with the protection of sensitive resources. The Management Plan shall also include recommendations for restoration of limited disturbed areas on the site that could increase the area of nesting habitat thereby potentially increasing the number of California gnatcatcher pairs using the site.

The Management Plan shall be developed within three years of the transfer of the property.

#### Attachments

Appendix 1. Core Biological and Linkage Areas

Appendix 2. Multi-Habitat Planning Area

#### References

City of San Diego, 1997. *Multiple Species Conservation Program Subarea Plan*.

City of San Diego, 1998. *Multiple Species Conservation Program Plan*.

San Dieguito River Park Joint Powers Authority, 1990. *San Dieguito River Park Planning Framework*.

San Dieguito River Park Joint Powers Authority, 1994. *San Dieguito River Park Concept Plan*.

Sweetwater Environmental Biologists, 1991. *Constraints for Kony Property, San Diego, California*.

**EXHIBIT 3**

**Konyn Property**