



# Revision to ASR and/or Exhibits/Attachments

Date: October 12, 2006

To: Darlene J. Bloom, Clerk of the Board of Supervisors

CC: County Executive Office

From: Bryan Speegle, Director, RDMD *Speegle*

RE: Agenda Item(s) # 73 for the October 17, 2006 Board Meeting

ASR Control #(s): 06-001912

Subject: Williams Canyon Acquisition - Trust for Public Land

06-001912-0003  
Bryan Speegle  
Director, RDMD  
10/12/06

## Explanation:

In order to alleviate maintenance costs for this project, we are requesting Board delegation to quitclaim maintenance easements that are not required by the County for access.

Revised Recommended Action(s)

Please revise recommended action to read:

4. Authorize the Director, Resources & Management Department (RDMD), or designee (Director), to sign escrow instructions and other documents as required to complete the escrow.

Please add the following recommended action:

6. Authorize Director to negotiate and sign quitclaim deeds to Saddleback Valley Community Church for maintenance easements pursuant to a standard County quitclaim deed, as approved by County Counsel.

Make modifications to the:

Subject       Background Information       Summary

Revise the Background Information to read:

The Trust For Public Land (TPL) intends to acquire 240 acres of land, referred to as Williams Canyon Parcel 1 (Parcel), from Saddleback Valley Community Church (Saddleback). The Parcel is located in unincorporated area of the County of Orange in the vicinity of the Modjeska Canyon Nature Preserve and is being acquired by TPL through a grant in the amount of \$1,800,000 funded by the Wildlife Conservation Board.

TPL desires to transfer fee title to the Parcel to the County of Orange (County), at no cost, to be used for regional park purposes as an addition to the Modjeska Canyon Nature Preserve. Access to the Parcel will be provided by existing easements over land owned by Saddleback and Life Impact Ministries (LIM). Public access will be restricted to docent-led and/or County staff-supervised tours. Under the terms of these easements and the Grant Deed from Saddleback to TPL, Saddleback and LIM assume surface maintenance responsibility for the County's use of the easements for access to the Parcel.

Recently, County staff was made aware that there is a dispute between Saddleback/LIM and a landowner adjacent to the access easements that may affect a portion of the easement area. Saddleback and LIM have assured County staff that the dispute, which is going to arbitration, will not affect the County's access to the Parcel being acquired. Further, Saddleback and LIM have agreed to indemnify the County for any dispute regarding access and have guaranteed continued access to the Parcel through the easements being transferred. Saddleback has also agreed to accept a quitclaim from the County for the maintenance easements at issue, which are not required by the County for access. RDMD requests that the Board delegate authority to the RDMD Director to quitclaim these easements to Saddleback.

The current year cost of this acquisition is estimated at approximately \$7,000, which includes the cost of processing this transaction and installation of gates, fencing, and signage to control access. The annual cost of grading, inspections, and patrol of the Parcel is estimated at \$3,000.

RDMD recommends approval of the acquisition of the subject Parcel from TPL.

#### LEGAL REQUIREMENTS

Public Hearing: Harbors and Navigation Code Section 5955 requires that a public hearing be held prior to approval of the proposed acquisition.

IIBP Commission: The Commission considered the proposed project on October 5, 2006 and recommends that the County proceed with the acquisition.

CEQA: The proposed project is categorically exempt (Classes 5 & 13) from CEQA per Sections 15305 & 15313 of the CEQA Guidelines because it involves a minor alteration in land use limitation which do not result in any changes in land use or density. The project also consists of the acquisition of land for the purpose of preserving it in its natural condition.

General Plan: The proposed project is in conformance with the General Plan of the County of Orange, pursuant to Government Code Section 65402.

Hazardous Material Assessment: A Hazardous Materials Assessment was completed by RDMD/Environmental Resources and found that no issues of environmental concern with regard to hazardous material contamination are associated with the subject land.

Revised Exhibits/Attachments (attached)

Additional Information and/or Correspondence (attached)