

<h1 style="margin: 0;">County Of Sonoma</h1> <h2 style="margin: 0;">Agenda Item</h2> <h3 style="margin: 0;">Summary Report</h3>			Clerk of the Board Use Only	
			Meeting Date / /	Held Until / /
			Agenda Item No: _____	Agenda Item No: _____
Department: Sonoma County Agricultural Preservation and Open Space District			<input type="checkbox"/> 4/5 Vote Not Required	
Contact: Leslie Lew	Phone: (707) 565-7367	Board Date: 10/6/2009	Deadline for Board Action: 10/6/2009	
AGENDA SHORT TITLE: Montini Open Space Preserve Management Plan and Mitigated Negative Declaration.				
<p>REQUESTED BOARD ACTION: The Interim General Manager recommends that the Board of Directors approve the Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Program and approving the Montini Open Space Preserve Management Plan. The Interim General Manager recommends that the Board direct staff to defer improvements on the 9-acre parcel for a period of at least one year.</p>				
CURRENT FISCAL YEAR FINANCIAL IMPACT - None.				
Explanation (if required): None.				
Prior Board Action: On August 2, 2005, the District Board approved acquisition of the Montini Open Space Preserve property.				
Alternatives – Results of Non-Approval: Do not approve the resolution (Attachment 1). The Montini Open Space Preserve Management Plan would not be adopted and implementation of the project would not occur.				

Background:

NOTE: The Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Program; Montini Open Space Preserve Management Plan; Notice of Intent to Adopt a Mitigated Negative Declaration; and Notice of Determination documents are on file with the Clerk of the Board.

BACKGROUND:

Since its inception, the Sonoma County Agricultural Preservation and Open Space District (District) has worked to protect the prominent hillside that forms the scenic backdrop to the city of Sonoma. By 2005, the District had protected 151 acres of the hillside, 53 acres in the form of a conservation easement and, 98 acres in fee that now form the Montini Open Space Preserve (Preserve). The conservation purpose of this Preserve is to preserve wildlife habitat and public access to these lands in their natural condition. Following acquisition of the properties, the District initiated development of a management plan for Preserve portion designed to protect the natural ecosystems and their ecological functions, while providing low-intensity public outdoor recreation.

DISCUSSION:**Management Plan**

The District developed a management plan for the Preserve (on file with Clerk). In anticipation of State Parks' and the City of Sonoma's operation and maintenance of the Preserve, District staff consulted with state and city staff to finalize the Montini Open Space Preserve Management Plan (Management Plan). The Management Plan presents existing conditions and infrastructure, identifies site opportunities and constraints, and proposes management activities, permitted uses, and resource management recommendations. The principal focus of the plan is specific recommendations addressing each management challenge.

Recommendations for low-intensity public outdoor recreation include developing a trail system and reclaiming ranch roads to allow the general public to enjoy the Preserve while balancing the provision of public use with the needs of the natural resources. The proposed trail system and future trailheads will provide appropriate public access. In addition, the Management Plan describes future capital improvements such as trailhead development and vista points and recommendations for daily operations and maintenance of the Preserve such as patrols and trail maintenance. The further intent of the Management Plan is to safeguard the conservation purpose as stated in the deed and agreement for the purchase of the fee and conservation easement for the property.

Specifically, the Management Plans identifies about 1.8 miles of trail that would connect to the Sonoma Overlook Trail, to downtown Sonoma, and to the west side of Sonoma. In addition, the plan identifies two trailheads, one connecting to the Field of Dreams baseball diamonds and the other connecting to 5th St. West. The management plan also recommends two trail connections to the Sonoma Overlook Trail. The lower connection would be from the trailhead for the Sonoma Overlook Trail to the Preserve's Field of Dreams trailhead. The upper connection would fork from the Sonoma Overlook Trail at about half a mile from the Overlook trailhead, cross Norrbom Road, and continue through the Preserve. The trailhead at 5th St. West would include a two-space parking area that is available only for disable persons. This trailhead would have bike parking and would provide neighborhood access. Two vista points would be provided, including one that is accessible for mobility-impaired individuals. These improvements are identified in Attachment 2. Other improvements, such as interpretive, trailhead, and directional signs, and benches, would also be included.

Resource management activities would include weed management, habitat restoration, erosion control, biological research, and patrol.

Public Involvement

The District engaged in a robust public outreach effort in support of the management plan. District representatives engaged in more than 60 public contacts, including public workshops, community meetings, neighborhood meetings, and mediation sessions to balance the needs of the community with the needs of the rest of Sonoma County and the natural and cultural resources.

Mediation

Although many members of the local community were supportive of the District's preliminary management plan for the Preserve, prior to release of the public draft Initial Study (IS) and management plan, some local residents, along with neighbors from an adjacent subdivision constructed in 2007, voiced opposition to the preliminary plan as presented at a District public workshop in June 2007. The primary opposition resulted from subdivision residents who stated that they did not wish to see hikers in the view from their backyards. Many proposed that hikers enter the Preserve from the Vallejo Home State Historic Park property. The District discussed the possibility with State Parks officials who informed District staff that because the entire site is subject to protection under the National Historic Preservation Act (NHPA), was covered under an approved General Plan, and was in the process of having a cultural landscape plan prepared for it, that a trail linkage to the Preserve was inappropriate and possibly a violation of the NHPA.

As a result of the opposition, the District entered into a mediation process with stakeholders in the area, including California State Parks, a representative from the Sonoma City Council, a representative from the new subdivision, the former landowner, and a former Sonoma Councilman. The mediation focused on issues affecting the westernmost 9 acres of the Preserve (9-acre parcel), a highly visible pasture. Over two sessions, participants presented their or their constituents' issues and concerns and each participant agreed to accommodate the needs of the other participants. The primary issues were liability from mixing cows and hikers, the continuation of grazing, providing disabled trail access (not available from any other place on the Preserve), and the proximity of the trail to the adjacent subdivision. After two sessions, the participants agreed that cows would remain all year on the northern half of the pasture for vegetation management and community enjoyment and that two unpaved parking spaces would be available only for the disabled. The original proposal called for 10 unpaved spaces, which the District conceded to reduce to 2 spaces available only for disabled visitors (Attachment 2). In addition, seasonal grazing would occur on the rest of the Preserve.

Subsequent to the agreement, two mediation participants continued to seek access through the Vallejo Home State Historic Park property, despite State Parks continued statements that allowing a recreational trail through the Vallejo Home would be inconsistent with the National Historic Preservation Act (NHPA), their General Plan, and their draft Cultural Landscape Plan.

At a later date, the two individuals arranged a meeting with Assemblyman Huffman's office, city of Sonoma, State Parks, and the District which resulted in State Parks saying that they would consider a land exchange with the District that was needed to construct trail access from 4th St. to the rest of the Preserve. This new access point and trail alignment are conceptual in nature and have not been analyzed to determine whether a land exchange is administratively feasible between the State and District, whether this alternative would be acceptable to the neighbors, the environmental impacts, and where parking, including ADA accessible parking, would be located. An additional follow-up meeting was held with representatives from the same individuals, groups, and agencies. During this meeting, the individuals, groups, and agencies agreed to the District not constructing improvements on the 9-acre parcel unless the parties were unable to reach an agreement on establishing access from 4th St. West. The District will implement the other components of the plan while working towards attaining access from 4th St. West.

Because of the conceptual and tentative nature of the alternative 4th Street access proposal, the District is asking the Board to approve the current management plan and CEQA document in its entirety and approve implementation of the management plan, including public access, except for improvements on the 9-acre parcel. Improvements (including the trail and two parking spaces for the disabled) on the 9-acre parcel would not be constructed unless an agreement over alternative access can not be reached within one year (or two years if the land exchange will take longer than one year), by the city of Sonoma, State Parks, and the District. During the coming year, State Parks and the District would need to complete the land exchange necessary to construct the trail and the City would need to complete its outreach and coordination with the public, particularly the neighbors, and CEQA documentation necessary to construct an alternative trail access from 4th St. West. If these tasks have not been completed at the end of the one-year period, District staff would

bring construction of the trail across the 9-acre parcel and associated parking for the disabled, back to the Board for approval.

California Environmental Quality Act

In accordance with the California Environmental Quality Act, an Initial Study was completed to determine whether the proposed management activities would cause significant environmental impact. There were very few impacts associated with implementing the management plan on the Preserve; based on the Initial Study, the District proposes the adoption of a Mitigated Negative Declaration. This environmental document was circulated for review by the general public, state agencies, and peer agencies for 38 days from December 1, 2008, through January 7, 2009.

The District received 50 comment letters from agencies, organizations, and individuals, primarily addressing the merits of the project. Many of the letters opposed to the management plan appeared to be based on misperceptions regarding the plan. Comments primarily focused on 1) removing cows from the property, 2) paving on the Preserve, and 3) parking on the Preserve. In responding to the letters, the District notes that cows have always been an integral part of the management plan, primarily for vegetation management, and secondarily for the visual benefit that they provide. The District has never had any intention of removing grazing from the property. The District also clarifies that the plan had never proposed any paving on any part of the Preserve. Lastly, the plan had originally proposed a permeable-surface parking lot for 10 cars. As a result of public comment, the District reduced the total number of new parking spaces to 2 parking spots, both of which would be for the disabled only.

None of the comments raised any issues requiring substantial revision of the Mitigated Negative Declaration. Specifically, the comments did not identify any new or substantially more severe significant effects or identify additional mitigation measures or project revisions necessary to reduce an effect to insignificance. In response to the comments (on file with Clerk), the District merely clarified and amplified the analysis in the Mitigated Negative Declaration, and in some instances made insignificant modifications to the Management Plan and Mitigated Negative Declaration (see Summary of Changes – Attachment 3).

The District's Interim General Manager recommends that the Mitigated Negative Declaration and Mitigation Monitoring Program for the Montini Open Space Preserve Management Plan be adopted by the Board and that the Board certify that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and local guidelines, and find that the Mitigated Negative Declaration and Mitigation Monitoring Program reflect the independent judgment and analysis of the Board. The Interim General Manager further recommends that the Board direct staff to defer improvements on the 9-acre parcel for at least one year.

Project Implementation/Timing

Spring 2010

The District will complete initial capital improvements to ensure appropriate signage and trailhead design to orient visitors and emergency response teams to the Preserve. The capital improvements related to access roads and trail realignments will be initiated in the spring of 2010 to allow sufficient time to obtain the necessary permits. Construction could begin earlier pending permit approval. Construction of improvements on the 9-acre parcel would be delayed for at least one year, pending the outcome of the city of Sonoma's outreach and CEQA efforts on the 4th St. West trailhead alternative and State Park's land exchange with the District.

Staff Recommendation

The Interim General Manager recommends that the Board of Directors: approve the Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Program, and approving the Montini Open Space Preserve Management Plan. The Interim General Manager recommends that the Board direct staff to defer improvements on the 9-acre parcel for a period of at least one year.

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Attachments:

1. Resolution
2. Trails and Facilities map
3. Summary of changes to the plan

On File With Clerk:

1. Montini Open Space Preserve Management Plan, Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Program
 2. Response to comments on the draft
 3. Notice of Intent to Adopt a Mitigated Negative Declaration
 4. Notice of Determination
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CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote: