

COUNCIL POLICY

SUBJECT: PROTECTION OF WATER, AGRICULTURAL, BIOLOGICAL AND CULTURAL RESOURCES WITHIN THE SAN PASQUAL VALLEY
POLICY NO.: 600-45
EFFECTIVE DATE: June 27, 2005

BACKGROUND:

For at least 50 years, the San Diego City Council has protected the treasured agricultural preserve of the San Pasqual Valley as well as the public's investment in water resources within the Valley by using land around Lake Hodges and its watershed for agriculture uses which are compatible with the vision to protect water quality, preserve open space and maintain the Valley's rural character.

Beginning in the late 1940's the City of San Diego Water Department began acquiring large parcels of land in the San Pasqual Valley for water-supply purposes. At present time, the City owns most of the land in the Valley, with only a very small portion remaining in private ownership. The Real Estate Assets Department currently manages the land on behalf of the Water Department, leasing the property in a manner which is consistent with the goals of protecting the watershed, rural character and biological resources of the San Pasqual Valley.

The San Pasqual Valley Plan, adopted by the San Diego City Council on June 27th 1995 and amended in March 1996, recognizes the Valley as an important water, agricultural and natural resource, home to San Diego County's most sensitive habitats. The Plan, however, also designates a finite number of sites for limited commercial uses associated with low-impact recreation and agriculture. Today, with the increasing urbanization of surrounding communities, the natural resources of the Valley could be threatened. In the time since the Plan's adoption it has become apparent that some approved land uses are deteriorating the vision for the Valley.

The Multiple Species Conservation Program (MSCP) is a regional conservation plan in which the City of San Diego is a participating member. The City Council, on March 18, 1997, authorized the City's MSCP implementing agreement with the U.S. Fish and Wildlife Agency and the California Fish and Game (R28455), thereby agreeing to implement the City of San Diego MSCP Subarea Plan and other MSCP implementing regulations. Section 1.5.9 of the Subarea Plan sets forth specific management policies and directives for San Pasqual Valley, including biological management measures, land management and planning directives, and access planning guidelines, however these policies do not cover the entire San Pasqual Valley area.

In addition to the adoption of the San Pasqual Valley Plan and the MSCP Subarea Plan, in 2002 the City Council adopted the Strategic Framework Element as part of the City's General Plan Update. The Strategic Framework Element reinforces the preservation of San Pasqual Valley for agricultural use and open space. Further, the General Plan identifies the large City-owned agricultural preserve in the San Pasqual Valley as a unique feature that adds significantly to the overall image and quality of life typical of San Diego.

As an historic step in protecting the San Pasqual Valley's vital water resources, preserving its rural character and encouraging appropriate agricultural uses, in 2004 the San Pasqual Vision Plan was drafted. The plan recognizes the groundwater resources, natural habitat values, sustainable agricultural opportunities, cultural and historic resources, and outdoor recreational opportunities present in the San Pasqual Valley and the responsibility of the City to manage these lands. One of the goals listed in the plan is the preparation and adoption of this Council Policy to prohibit any further commercialization of the San Pasqual Valley and protect the rural character.

PURPOSE:

It is the desire of the City of San Diego to ensure the long-term protection of the significant water resources within the San Pasqual Valley, as these resources will play an important role in helping to meet the City's future water supply needs. It is also the desire of the City to preserve the Valley's significant agricultural areas, sensitive native habitats and unique scenic qualities. The irreplaceable glimpses of San Diego's natural and cultural heritage that are preserved within this Valley must not be lost. Significant biological and cultural resources will be protected and properly managed; quality of the groundwater basin will be ensured; appropriate agricultural activities will be facilitated; and compatible, passive recreational uses will be pursued. All of these goals are to be accomplished for the enjoyment and appreciation of future generations. This Council Policy will reinforce the goals of both the General Plan and the San Pasqual Valley Community Plan, which identify the San Pasqual Valley as an agricultural preserve with significant open space values.

POLICY:

It shall be the policy of the City to preserve the existing rural character of the San Pasqual Valley by tailoring the Valley's zoning and land use policies prohibiting any further commercialization and further protecting the Valley's vital water resources. The City shall protect the quality and capacity of the San Pasqual/Lake Hodges Surface Water and Groundwater Basin as well as protect, enhance and restore sensitive habitats within the Valley. The City shall educate the public on the importance of the Valley's resources, in order to build a sense of stewardship to sustain the long-term success of the important natural resources of the San Pasqual Valley. The City is directed to preserve, promote and sustain agricultural uses in the Valley. The City shall seek to build consensus with surrounding jurisdictions and other entities in order to ensure a mutual understanding of the need to be sensitive to the vision for the Valley. Implementation of this Policy should ensure that the primary goal of protecting water resources and subsequent goals of natural habitat preservation, retention of agriculture, and passive recreation are achieved in a manner which is complimentary to each other, thus avoiding any condition in which one goal would compete with another. Together these actions, along with any additional protections which the City Manager may identify, are intended to ensure the permanent protection of the San Pasqual Valley's unique water, agricultural, biological and cultural resources.

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The protection of water resources, agricultural, biological and cultural resources within the San Pasqual Valley is intended to be implemented through the following actions:

- 1) The City shall institute an amendment to the Land Development Code to tailor the types of uses allowed in the AG-1-1 zone, as to prohibit uses which are detrimental to the vision for the San Pasqual Valley. The City shall next institute a rezone of all City-owned parcels in the Valley from AR-1-1 to AG-1-1, to ensure that all City-owned parcels are in compliance with the vision. This Council Policy is not intended to restrict the ability of the Wild Animal Park to 1) operate its visitor-serving activities within the current or future Park boundaries or 2) to further its animal conservation and propagation mission, including development of new, and renovation or refurbishment of existing, exhibits and facilities, within the limits of its current boundaries or any future leases or rights of entry. Nor is this Policy intended to prohibit those limited commercial uses that are directly associated with the agricultural activities occurring in the Valley. Additionally, the City shall amend the San Pasqual Valley Plan as to strengthen the language describing the types of land uses envisioned for the Valley. In order to complement the Land Development Code Amendment to the AG-1-1 zone, the San Pasqual Valley Plan shall be amended with language clearly establishing the intention for a strict limitation on development within the Valley. The Community Plan language should provide the framework to further protect the Valley's vital natural resources, reinforcing the goals of previously adopted documents to maintain the Valley as an agricultural preserve.
- 2) The City, jointly with other stakeholders, is preparing a San Dieguito River Watershed Management Plan. Preparation of a San Pasqual Groundwater Basin Management Plan is included as part of the City evaluation and potential development of the groundwater while protecting the agriculture resource. These plans shall include an evaluation of how best to effectively protect, manage, and utilize the Valley's water resources, while considering agricultural uses, native habitats, cultural resources, and passive recreational opportunities. As the primary landowner in the San Pasqual Valley, the City of San Diego is responsible for ensuring that there is a high quality drinking water supply for City of San Diego residents. Much of the land owned by the City has the potential to influence the quantity and quality of source water that reaches the groundwater and Lake Hodges, one of the City's water supply reservoirs. The Water Department is responsible for managing these watershed lands and the groundwater basin to meet their water supply objectives.
- 3) In order to provide a comprehensive review of existing and proposed leases in the San Pasqual Valley, the City shall establish a multi-discipline review committee consisting of staff representatives from various City departments. The committee shall prepare an annual report summarizing the status of all leases in the San Pasqual Valley. This report shall also include the status of proposed habitat management actions, as well as the identification of obstacles related to implementation, and a study of leasehold boundaries, including identification of sensitive habitat encroachment. In addition to the report, the City shall establish an encroachment monitoring program to ensure the leaseholders activities are consistent with the terms and conditions of their lease. Finally, the annual report shall provide a summary of ongoing recreation projects in the Valley as well as identify potential areas appropriate for

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habitat restoration activities, consistent with the San Dieguito River Watershed Management Plan, which is currently being developed.

- 4) The City shall work with other public agencies to create a comprehensive interpretive program for the San Pasqual Valley, including the construction of an interpretive center. A major component of any successful habitat preservation project is to educate the citizenry about the importance of the natural features which are contained within that area. In order to ensure the long-term success of the San Pasqual Valley it is important for the residents of San Diego to recognize the Valley's unique natural habitat, its historical role in terms of watershed protection. The Valley is a unique natural and archaeological treasure that is envisioned to become a valuable educational and interpretive resource for the surrounding communities. Interpretive programs often encompass informational exhibits, interpretive stations, interpretive signage, educational resources and materials, as well as interpretive centers. The specific location of trails within the planning area would be proposed by organizations such as the San Dieguito River Park Joint Powers Authority (JPA) and reviewed and approved by the Water, Real Estate Assets and Development Services Departments. Existing resources, including the San Pasqual Battlefield State Historic Park, the San Diego Wild Animal Park, Sikes Adobe, the Mule Hill/San Pasqual Trail, the Orfilia Vineyards, the San Diego Archaeological Center and the Ruth Merrill Interpretive Trail should all become key components which will serve as hubs along a developed interpretive corridor. City staff shall work closely with public agencies, organizations and community members to provide a variety of interpretive and educational resources throughout the Valley.
- 5) The City shall establish a San Pasqual Land Use Task Force to devote its focus and attention to current issues which relate to present San Pasqual Valley leaseholds or which affect the integrity and preservation of the Valley. The Task Force shall evaluate the merits of long-term leases, in order to preserve, promote and sustain agricultural uses which are compatible with the protection of water quality. The San Pasqual Land Use Task Force shall be comprised of a total of nine to eleven members from various community groups, City departments and other agencies, including: the San Pasqual/Lake Hodges Community Planning Group, the Rancho Bernardo Community Planning Board, the San Diego Wild Animal Park, the City's Real Estate Assets Department, the City's Water Department, the City's Planning Department, the Farm Bureau, the Natural Resource Conservation District, and a resident selected by the City Councilmember with jurisdiction over the San Pasqual Valley. Members of the Task Force shall be appointed by the Councilmember with jurisdiction over the San Pasqual Valley. Following the completion of their evaluation of the leasehold process, the Task Force shall submit a report of their findings, including recommendations, to the Councilmember.
- 6) The City shall seek to establish cooperative relationships with the surrounding municipalities, agencies and community planning groups, adjacent to the San Pasqual Valley. Because issues such as water quality, ground water recharge and habitat preservation do not necessarily follow jurisdictional boundaries, governmental bodies and other organizations must work together to protect the beneficial uses of the watershed. In order to ensure that development proposed around the perimeter of the Valley, as well as upstream of the Valley, will not have a negative impact on the qualities and resources of the San Pasqual Valley, the City shall meet

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with neighboring entities to convey the importance of addressing onsite urban runoff and storm water issues, including attention to downstream conditions of concern, flooding, erosion and water quality. In addition, the City shall request that these entities institute a practice of regular notification to the City's Real Estate Assets Department, of any land use proposals around the perimeter of the Valley, which may potentially impact the Valley. This coordination should take account of both public and private development projects, including transportation and public utility projects. The entities involved in this collaborative partnership should specifically include the surrounding jurisdictions of Poway, Escondido and the County of San Diego, as well as other agencies and organizations, including the San Pasqual/Lake Hodges Community Planning Group, the Rancho Bernardo Community Planning Board and the San Dieguito River Park JPA.

- 7) All City Departments shall be required to notify both the San Pasqual/Lake Hodges Community Planning Group and the Rancho Bernardo Community Planning Board of any proposals, public or private, that may affect the lands included within the boundaries of the San Pasqual Valley Plan area. Although the San Pasqual/Lake Hodges Community Planning Group is the City's officially-recognized community planning group for the San Pasqual Valley, per Council Policy 600-24, the Rancho Bernardo Community Planning Board has a long history of participation with land use issues related to the protection of the San Pasqual Valley, therefore will continue this role as well.
- 8) The City shall identify and review ways to ensure the long-term protection of the Valley's unique water, agricultural, biological and cultural resources. One option the City shall explore is the possibility of an amendment to the City Charter establishing the requirement that a majority vote of the people shall be obtained before any development which is inconsistent with the Council-adopted San Pasqual Valley Plan can be approved within the Valley. Included in this potential City Charter amendment should be the language that a majority vote of the people would also be required prior to the sale of any City-owned property within the San Pasqual Valley for purposes other than agriculture or habitat preservation. The City shall also explore the possible establishment of a conservation easement or appropriate land dedication over the Valley to permanently protect water, agricultural and biological resources. Included in this action, the City Attorney shall provide a legal analysis of the applicability of the Williamson Act to publicly-owned agricultural land. Additionally, the City shall explore the potential to dedicate all of the City-owned parcels within the San Pasqual Valley as parkland. All of the above options should take into account the understanding that they would most likely require that the City reimburse the Water Department for the acquisition of the property, as the property was originally purchased for "water storage" purposes. Finally, the City shall study the potential for further land acquisitions to expand the boundaries of the San Pasqual Valley. By exploring these and other options, the City can develop a feasible solution to permanently protecting the precious resources of the San Pasqual Valley.

PHASING:

The eight steps outlined as the implementation actions in this policy represent a comprehensive strategy for accomplishing the vision for the San Pasqual Valley, to ensure the long-term protection of the Valley's unique water, agricultural, biological and cultural resources.

Initial steps to implement the vision should include:

- A rezone action for all City-owned property in the San Pasqual valley to AG-1-1 (with the exception of the Wild Animal Park).
- A Land Development Code Amendment to the AG-1-1 zone as to forbid a number of non-agricultural uses that are not appropriate in the Valley.
- A Community Plan Amendment to the San Pasqual Valley Plan.
- On a case-by-case basis, consider entering into long-term leases with those uses that are clearly compatible with the vision for the Valley.
- Ensuring that both the San Pasqual/Lake Hodges Community Planning Group and the Rancho Bernardo Community Planning Board are informed of all planning and land use issues that pertain to the San Pasqual Valley Plan Area.
- Exploration of ways to permanently protect the San Pasqual Valley.

Mid-term implementation actions should include:

- Preparation of a San Pasqual/Lake Hodges Surface Water and Groundwater Basin Management Plan.
- Establishment of a San Pasqual Land Use Task Force.
- Creation of a comprehensive interpretive program.

Long-term/ongoing actions include:

- Construction of an interpretive center.
- Preparation of annual status report on leasehold activities.
- Establishment of collaborative partnerships among the adjacent jurisdictions.
- Implementation of the San Dieguito Watershed Management Plan.

HISTORY:

Adopted by Resolution R-300588 06/27/2005