

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 21, 2010
POSITION: Neutral

BILL NUMBER: SB 1124
AUTHOR: G. Negrete McLeod
RELATED BILLS: Chapter 377, Statutes of 2004

BILL SUMMARY: Land Conservation

This bill would repeal Chapter 377, Statutes of 2004 to allow San Bernardino County (County) to pursue another land consolidation or land swap strategy for lands purchased with Proposition 70 funds in the Chino Agricultural Preserve if certain conditions are met.

FISCAL SUMMARY

This bill would have no fiscal impact to the state.

COMMENTS

This bill would have no fiscal impact and concerns a policy matter on which we are neutral.

In 1988, the voters passed Proposition 70. The Proposition provided \$185.4 million to the Department of Parks and Recreation for grants to local agencies, including a \$20-million grant to the County for the acquisition of land primarily through the use of conservation easements within the Chino Agricultural Preserve. Proposition 70 also required its grant recipients to maintain and operate the property acquired, developed, rehabilitated, or restored with the bond dollars in perpetuity.

The author indicates that the purpose of this bill is to ensure that \$20 million in public funds awarded to the County from Proposition 70 in 1988 are protected and used in the manner intended by the voters. When the County was awarded the funds, it agreed to place any land it obtained under an agricultural conservation easement. The County also adopted a resolution stating its intent to place easements on the property. Over 20 years later, none of the approximately 370 acres purchased by Proposition 70 funds is under any kind of easement or other deed restriction.

Chapter 377, Statutes of 2004 allows a land swap for the land acquired by Proposition 70 funds, as long as the land eventually retained by the County is placed under easement. To date such a plan has not been implemented.

This bill would allow the County to continue to pursue a land consolidation or land swap strategy, as long as the following conditions are met:

- The County, by April 1, 2011, places a temporary deed restriction on each of the properties it purchased with the Proposition 70 funds.
The County develops a detailed land plan within one year, identifying those lands it intends to retain, and those it intends to sell or exchange.
The County places conservation easements on the lands it intends to retain.
The County places conservation easements on those it acquires in exchange.
The County demonstrates there will be no net loss in acreage or agricultural and open space value.

(Continued)

Analyst/Principal (0633) M. Almy Date Program Budget Manager Karen Finn Date

Department Deputy Director Date

Governor's Office: By: Date: Position Approved Position Disapproved

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

AUTHOR

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SUMMARY OF CHANGES

Amendments to this bill since our analysis of the April 6, 2010 version have completely replaced the prior language. The scope of the bill is narrowed, and it now only applies to the County and the Chino Agricultural Preserve.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code	
	LA	(Dollars in Thousands)								
	CO	PROP	2010-2011		2011-2012		2012-2013			
	RV	98	FC	FC	FC	FC				
3790/Parks & Rec	SO	No	----- No/Minor Fiscal Impact -----							0001