

## **ATTACHMENT 1**

### **OAK WOODLAND MANAGEMENT PLAN** – As recommended by the Planning Commission March 13, 2008

#### **Findings**

#### **1.0 CEQA FINDINGS**

- 1.1 The proposed Oak Woodland Management Plan (OWMP) is the implementation of mitigation measures developed in the 2004 General Plan EIR to protect oak trees while allowing land development. Pursuant to State CEQA Guidelines §15177, El Dorado County conducted an initial study. The initial study showed that there is no substantial evidence that the OWMP may have a significant effect on the environment; therefore, a Negative Declaration has been prepared for this project.
- 1.2 The conditions described in State CEQA Guidelines §15177 have been met:
  - 1.2.1 El Dorado County is the lead agency for the OWMP and was identified as the lead agency in the 2004 General Plan EIR;
  - 1.2.2 El Dorado County has prepared an initial study on the proposed OWMP;
  - 1.2.3 El Dorado County determines that no additional significant environmental effect will result from the proposed OWMP; no new additional mitigation measures or alternatives are required; and the proposed OWMP is within the scope of the 2004 General Plan EIR;
  - 1.2.4 The proposed OWMP is implementation of mitigation measures set forth in the 2004 General Plan EIR;
  - 1.2.5 El Dorado County has provided notice as required under State CEQA Guidelines §15087; and
  - 1.2.6 El Dorado County shall file a notice as required by State CEQA Guidelines § 15075 when the OWMP is approved, pursuant to § 15177.
- 1.3 The Initial Study identifies that this project proposes a less than significant impact on the environment, and would be beneficial to the environment due to the long-term preservation of a variety of oak woodland habitats. Cumulative impacts to the environment would be less than significant and would generally be beneficial to the environment as oak woodland is preserved over time, and adaptive management would provide annual monitoring and allow the County to make changes to the OWMP to rectify unanticipated cumulative effects, if necessary. Adverse impacts to humans as a result of the OWMP would be less than significant, and any infrequent Priority

Conservation Area management activities would conform to existing laws and regulations, and would be subject to additional CEQA review at the project level.

- 1.4 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County, has been completed in compliance with CEQA, and is adequate for this project.

## **2.0 GENERAL PLAN CONSISTENCY FINDINGS**

- 2.1 The OWMP implements General Plan Policy 7.4.4.4. This policy sets standards for oak canopy retention and outlines mitigation for new development projects that will remove oak canopy.
- 2.2 The OWMP represents the initial oak woodland portion of El Dorado County's Integrated Natural Resources Management Plan (INRMP), which is required by General Plan Policy 7.4.2.8, which protects important habitat (important habitat will be defined through the INRMP).

## **3.0 STATE OF CALIFORNIA PUBLIC RESOURCES CODE 21083.4 CONSISTENCY FINDINGS**

- 3.1 The OWMP meets or exceeds PRC §21083.4. This code requires counties to determine if projects involving the conversion of oak woodlands will have a significant impact on the environment, and to apply mitigation to offset the impact. El Dorado County, through the adoption of the OWMP, has implemented guidelines which meet or exceed the following PRC §21083.4 alternatives to mitigate the significant effect of the conversion of oak woodlands (underlined text refers to Section 21083.4 alternatives).
  - 3.1.1 Conserve oak woodlands, through the use of conservation easements. The OWMP offers the use of conservation easements as a mitigation alternative in both Option A and Option B, and utilizes the Conservation Fund In-Lieu Fees collected to acquire conservation easements in identified Priority Conservation Areas;
  - 3.1.2 Plant an appropriate number of trees, including maintaining plantings and replanting dead or diseased trees; maintain trees for seven years after the trees are planted; mitigation pursuant to planting shall not fulfill more than one-half of the mitigation requirement for the project; and the requirements in this paragraph also may be used to restore former oak woodlands. The OWMP offers the alternative of replanting trees through Option A. Option A fulfills the requirement that no more than one-half of the mitigation shall be through replanting by requiring oak canopy retention as the remainder of the mitigation. The OWMP requires maintenance of replanted trees for seven years and requires replanting if success criteria are not met at the end of the seven years maintenance;

- 3.1.3 Other mitigation measures developed by the county. The OWMP provides as an alternative the option of payment of a Conservation Fund In-Lieu Fee into the County Conservation Fund to acquire oak woodland conservation easements in identified Priority Conservation Areas. This mitigation substitutes for contribution of funds to the (State) Oak Woodlands Conservation Fund;
- 3.1.4 Exceptions to these requirements are described in PRC §21083.4 for affordable housing projects, agricultural operations, and projects exempt from CEQA requirements under PRC §21080.5. The OWMP provides a reduction in oak canopy requirements for affordable housing projects and exempts agricultural operations. PRC §21080.5 is not applicable to El Dorado County.