



COMMUNITY DEVELOPMENT SERVICES

LONG RANGE PLANNING

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TO: Planning Commission Agenda of: February 22, 2018

FROM: Tom Purciel, Associate Planner

DATE: January 18, 2018

RE: GOV18-0001/Rare Plant Mitigation Land Acquisition-DeWolff Family Partnership
Allocation of Ecological Preserve Special Revenue Funds
APN: 109-230-12

Recommendation:

Planning Services recommends that the Planning Commission find that County acquisition of 51.23 acres (APN 109-230-12) in Cameron Park for the purposes of protection of and mitigation for impacts to Gabbro Soil rare plants is consistent with the El Dorado County General Plan, pursuant to Government Code Section 65402.

Location:

The subject property is located on the north side of Durock Road at the intersection with Durock Road and Shingle Lime Mine Road in the Cameron Park Area (Exhibit A).

APN: 109-230-12 (Exhibit B)
Acreage: Approximately 51.123 Acres
Zoning: Industrial Light (IL) (Exhibit C)
General Plan: Industrial (I) (Exhibit D)
Supervisory District: District 2

The subject property is located in Mitigation Area 1, defined by the Rare Soils Study as the area of rare plant soils outside of designated Ecological Preserves. The site is located approximately 250 feet southwest of one portion of the protected Pine Hill preserve (Cameron Park Unit) and approximately 1,500 feet southeast of a second portion of the same preserve (Exhibit E). The site contains four of the eight Pine Hill Endemic rare plant species and will contribute significantly to the conservation goals outlined in the 2002 U.S. Fish and Wildlife Service's (USFWS) Gabbro Soil Plants for the Central Sierra Nevada Foothills Recovery Plan.

The property is also consistent with the December 30, 2014 letter of support from USFWS and the California Department of Fish and Wildlife [Cal DFW] (Exhibit F), including the five criteria for property acquisition from both agencies: 1) The property is located within a designated conservation area; 2) The property contains known populations of rare plants; 3) The property has limited habitat disturbance; 4) The property does not have hazardous materials; and 5) The property is over 10 acres in size.

A botanical survey conducted in 2017 confirmed significant populations of listed plants throughout the eastern portion of Parcel 109-230-12.

General Plan Consistency:

Pursuant to Government Code 65402 (Restrictions on acquisition and disposal of real property), the acquisition or sale of a property by a public agency must be reviewed by the planning agency for consistency with the General Plan. The planning agency for El Dorado County is the Planning Commission. The Commission must make a determination whether the proposed purchase of the 51.123 acre property is consistent with the General Plan. The Board of Supervisors is responsible for approving the release of funds for the purchase. The money used to acquire the land would come from the Ecological Preserve Special Revenue Fund, which as of January 10, 2018, has a balance of \$1,659,223.

Although the site has a general plan land use designation of Industrial (I), because of regulatory constraints of the rare plant habitat, the owners have offered the land for sale as rare plant habitat rather than attempt to develop it industrially. The site is currently undeveloped and vegetated by chaparral and widely scattered grey pine and live oak trees as shown on Exhibit A.

The acquisition of land does not require the County to amend the General Plan, or Zoning. However, after the property is acquired, the land may be re-designated to an Open Space designation and/or Ecological Preserve overlay, as part of the County's periodic General Plan review and update procedures.

The acquisition of APN 109-230-12 is consistent with the General Plan because it is consistent with the Goals, Objectives, Policies, and Implementation Measures of the General Plan listed below.

Objective 7.4.1

The County shall protect Pine Hill rare plant species and their habitats consistent with Federal and State laws.

Policy 7.4.1.1

The County shall continue to provide for the permanent protection of the eight sensitive plant species known as the Pine Hill Endemics and their habitat through the establishment and management of ecological preserves consistent with County Code Chapter 130.71 and the USFWS's Gabbro Soil Plants for the Central Sierra Nevada Foothills Recovery Plan (USFWS 2002).

Policy 7.4.1.2

Private land for Pine Hill rare plant preserve sites will be purchased only from willing sellers.

Implementation Measure CO-K

Work cooperatively with the State Department of Fish and Game, U.S. Fish and Wildlife Service, and Bureau of Land Management to implement the Gabbro Soils rare plant ecological preserve and recovery program and to develop a long-term preserve strategy. Develop implementation measures to incorporate in County development standards for ministerial and discretionary projects, which may include:

- Identification of compatible land uses within preserve sites, which may include passive recreation, research and scientific study, and interpretive education; and
- Fuels management and fire protection plans to reduce fire hazards at the interface between rare plant preserve sites and residential land uses

[Policies 7.4.1.1, 7.4.1.2, and 7.4.1.3]

The site is recognized as rare plant habitat containing four of the eight Pine Hill rare plant species and is located within a USFWS-recommended rare plant conservation area. Use of the rare plant mitigation fund for acquisition is consistent with Chapter 130.71 of the Zoning Ordinance, is supported by the United States Fish and Wildlife Service, and the owners are willing sellers. In conclusion, the proposed acquisition of the property would be consistent with the applicable policies of the 2004 General Plan.

RECOMMENDATION:

Staff recommends that the Planning Commission make the findings of General Plan consistency, pursuant to Government Code Section 65402, because the acquisition of APN 109-230-12 is consistent with the General Plan Goals, Objectives, Policies, and Implementation Measures listed above.

ATTACHMENTS:

- Exhibit ALocation Map
- Exhibit BAssessor’s Parcel Page
- Exhibit CZoning Map
- Exhibit DGeneral Plan Land Use Map
- Exhibit E.....Ecological Preserves Map
(Pine Hill Preserve – Protected Lands, Cameron Park Area)
- Exhibit F.....U.S. Fish and Wildlife Service and California Department
of Fish and Wildlife Letter of Support;
December 30, 2014