

# **El Dorado County General Plan Biological Policies**

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**June 22, 2015**



# Background and Previous BOS Hearings

Hearing Date	Discussion
July 28, 2014	Review History/Background and Policy Options memos
Sept 2, 2014	Follow-up discussion of oak resources
Oct 7, 2014	Direction to proceed with Policy Option 3, the Mitigation/Conservation approach
Nov 21 and Dec 7, 2014	Additional discussion of Oak Woodland Management Plan (OWMP) and in-lieu fee
Jan 13, 2015	Established policy update timeline and key decision points, direction provided on Decision Point 1
Jan 26, 2015	Discussion and direction provided on Decision Points 2-3
Feb 23, 2015	Discussion and direction provided on Decision Points 4-7
Mar 30, 2015	Discussion and direction provided on Decision Points 8-10
May 18, 2015	Initial presentation of proposed draft policies and draft Oak Resources Management Plan (ORMP)



# Purpose of Workshop

- Review revisions to draft General Plan biological resources policies and draft ORMP
- Review draft Oak Resources In-Lieu Fees Nexus Study
- Following public comment, Board to provide direction and consider adoption of Resolution of Intention



# Policy Update Timeline

Task	2015												2016				
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
<b>Biological Policies/OWMP</b>																	
Board meetings	█	█	█		█	█											
Draft policy language/OWMP			█	█													
Final draft policy language/OWMP				█	█												
Final policy language/OWMP															█	█	█
<b>Environmental Impact Report</b>																	
Administrative Draft IS/NOP			█	█													
Notice of Preparation					█	█											
Scoping Meeting							█										
Administrative Draft EIR								█	█								
Draft EIR										█	█						
Public meetings on Draft EIR											█	█					
Administrative Final EIR													█	█	█		
Final EIR																█	█



# Biological Policy Update Process

- Board selection of conservation/mitigation option (October 2014)
- Board direction to update OWMP (December 2014)
- Identification of 10 Decision Points (January 2015)
- 4 Board hearings to provide direction on Decision Points (January – March 2015)
- Board direction on the basis of revised policies and ORMP (May – June 2015)



# Potential Infill Exemption Analysis

- February 23, 2015 Board hearing discussion
- Potential exemption for impacts to oak resources
- Parcels 5-acres and smaller, vacant, abut at least 2 developed parcels

Summary of Parcel Sizes with Oak Woodlands in El Dorado County			
Parcel Size	Total in County	Total Infill Parcels in County	Quantity of Infill Parcels with Oak Woodlands (% of Total)
<= 1 acre	50,999	5,873	1,181 (1.3%)
> 1 and <= 2 acres	6,806	1,694	326 (0.4%)
> 2 and <= 5 acres	10,318	3,439	828 (0.9%)
<b>Total:</b>	<b>68,123</b>	<b>11,006</b>	<b>2,335 (3.4%)</b>



# Draft Policy Comments

- Integration of Biological Resource Objectives/Policies
  - Relationship of objectives 7.4.1 and 7.4.2
- Pine Hill Preserve: Integrate into 7.4.2.8
- Biological Resources In-Lieu Fee
- Habitat Mitigation Summary Table
  - Mitigation for habitat not individual species
  - Federal and state permitting agencies may require lower mitigation ratios than Policy 7.4.2.8



# Draft Policy Comments (cont.)

- CEQA Streamlining
- Conservation Management Program
  - Factor management costs into in-lieu fee
  - Monitor success of conservation
- Important Biological Corridors not Updated
- Willing Sellers Program
  - Educating public
  - Active approach





# Draft Policy Revisions

General Plan Policy	Changes Made
<b>Policy 7.4.1.6</b>	<ul style="list-style-type: none"><li>• Text revised and moved to Policy 7.4.2.1.</li></ul>
<b>Policy 7.4.1.7</b>	<ul style="list-style-type: none"><li>• Text moved to Policy 7.4.2.2.</li></ul>
<b>Policy 7.4.2.8</b>	<ul style="list-style-type: none"><li>• Text added to clarify that the Habitat Mitigation Summary Table in Section D does not apply to Pine Hill rare plant species habitat</li></ul>



# Draft ORMP Comments

- Other Exemptions
  - 1-acre “disturbance area”
  - 1-acre parcel size exemption – subdivision clarification
  - Road widening
- Priority Conservation Areas
  - Importance of conservation within US 50 corridor, Community Regions, and Rural Centers
  - Cattle grazing
- Retention Standards



# Draft ORMP Comments (cont.)

- Native Oak Size
- Heritage Oak Tree Size
- Replacement Planting
  - Acorn planting
  - Monitoring
- Oak Resources Mitigation
  - Current maps, comparison with historic coverage
  - Ministerial development



# Draft ORMP Revisions

- Exemptions:
  - Clarify agricultural exemption, exclude commercial firewood operations
  - Added exemption for approved Timber Harvest Plans
- Permits:
  - Included process and findings for issuance of permits and described fines
- Mitigation:
  - Deed restriction/conservation easement over retained woodlands and off-site conservation areas



# Draft ORMP Revisions

- Replacement Guidelines:
  - Clarified survival thresholds, tree sizes, and responsible parties
- Conservation Areas
  - Clarified option to purchase land or easements
  - Clarified standards regarding contiguous habitat
- Clarified fee payment phasing tied to impact timing
- Definitions:
  - Clarified 'Impact', added 'Replacement Tree' definition



# In-Lieu Fee Nexus Study

- Context
  - One of three mitigation options for non-exempt activities
- Purpose
  - Establish the basis for the in-lieu fees
  - Consistent with AB 1600
- Two In-Lieu Fees
  - Oak Woodland Areas (OWA)
  - Individual Oak Trees (IOT)



# In-Lieu Fee Nexus Study

- Level of Service (LOS) Approach
  - Amount of Oak Resources conserved through In-Lieu Fees is unknown
  - Mitigation costs determined per acre (OWA) and per diameter-inch (IOT)
- Data Collection
  - OWAs: Reviewed acquisition, maintenance and monitoring costs from several land conservation organizations (LCOs)
  - IOTs: Received estimates replacement planting, management, and monitoring costs from Dudek/HRS.
  - Focused on El Dorado and Placer counties



# In-Lieu Fee Nexus Study

- Development Of Cost Assumptions: OWAs
  - Acquisition: recent comparable transactions for direct acquisition and conservation easements.
  - Initial M&M: planning efforts for Placer County Conservation Plan
  - Long-Term M&M: LCO financial records & interviews
- Development Of Cost Assumptions: IOTs
  - Acquisition & Planting: from local nurseries, habitat restoration professionals, and LCOs
  - Initial M&M: typical maintenance costs for oak tree establishment projects





# In-Lieu Fee Nexus Study

- Mitigation Cost Components per acre (OWA)

Item	Amount per Acre
OWA Cost Components	
Acquisition	\$4,400
Initial M&M (Years 1-5)	\$2,300
Endowment (for Long Term M&M)	\$875
Subtotal Cost	\$7,575
Administration (5%)	\$379
Total Cost	\$7,954

*Prepared by New Economics & Advisory, May 2015.*



# In-Lieu Fee Nexus Study

- Proposed Fee Rates (OWA)

Item	Oak Woodland Areas (OWAs)		
	0.01 - 50.0%	50.01 - 75.0%	75.01 - 100.0%
	Impact	Impact	Impact
	<i>per acre</i>		
Fee Rate	\$7,954	\$11,931	\$15,908



# Fee Comparison: OWAs

Jurisdiction	Fee Amount	Metric	Status
<i>Proposal El Dorado OWA</i>	\$7,954-\$15,908	<i>Acre</i>	<i>Proposed</i>
Butte County	\$4,415	Acre	County plans to implement in 2016. Some cities may also implement later.
Tuolumne County	\$5,985	Acre	Planning to update fee to include M&M.
San Joaquin County	\$13,295	Acre	Current rate (2014-2015)
Santa Clara Valley (Willow & Mixed Riparian Forest, Woodland, & Scrub)	\$142,838 - \$260,898	Acre	Current rate (2014-2015)



# In-Lieu Fee Nexus Study

- Mitigation Cost Components per diameter inch (IOT)

Item	Amount per Diameter Inch
Cost Components	
Acquisition	\$120.00
Initial M&M (Years 1-7)	\$56.70
Endowment (for Long Term M&M)	N/A
Subtotal Cost	\$176.70
Administration (5%)	\$8.84
Cost per Diameter Inch	\$185.54
Total Cost (Rounded)	\$186.00



# In-Lieu Fee Nexus Study

- Proposed Fee Rates (IOT)

Item	Heritage Oak Trees	Native Oak Trees
	<i>per diameter inch</i>	
Cost Per Acre	\$186	\$186
Mitigation Ratio	3 : 1	1 : 1
Total Fee Per Acre	\$558	\$186



# Fee Comparison: IOTs

Jurisdiction	Mitigation Rate (Individual Tree)		Mitigation Rate (Heritage/Landmark Tree)	
	Amount	Metric	Amount	Metric
Proposed El Dorado IOT	\$186	Per Inch at DBH	\$558	Per Inch at DBH
Rocklin	\$96	Per Inch at DBH	\$96	Per Inch at DBH
Loomis	\$100-\$140	Per Inch at DBH	\$100-\$140	Per Inch at DBH
Roseville	\$118	Per Inch at DBH	\$118	Per Inch at DBH
Elk Grove	\$200	Per Inch at DBH	\$200	Per Inch at DBH
West Sacramento	\$325	Per Inch at DBH	\$325	Per Inch at DBH
Sacramento County	\$325	Per Inch at DBH	\$325	Per Inch at DBH
Tuolumne County	\$1,000	Per Tree	\$3,000	Per Tree
Folsom	\$750-\$2,000	Per Tree	\$2,500-\$6,000	Per Tree

Note: Davis, Placerville, Auburn, Placer County, Nevada County, San Joaquin County fees calculated on Case by Case basis.



# Example 1



## Site Information:

Parcel: 2.4 acres

Oak Woodland: 1.1 acres

Individual Oak Trees: 5 (all 8" diameter)

## Project Impacts:

Development Area: 0.5 acres

Oak Woodlands: 0.3 acres (27%)

Individual Oak Trees: 2 (16 total inches)

## Mitigation:

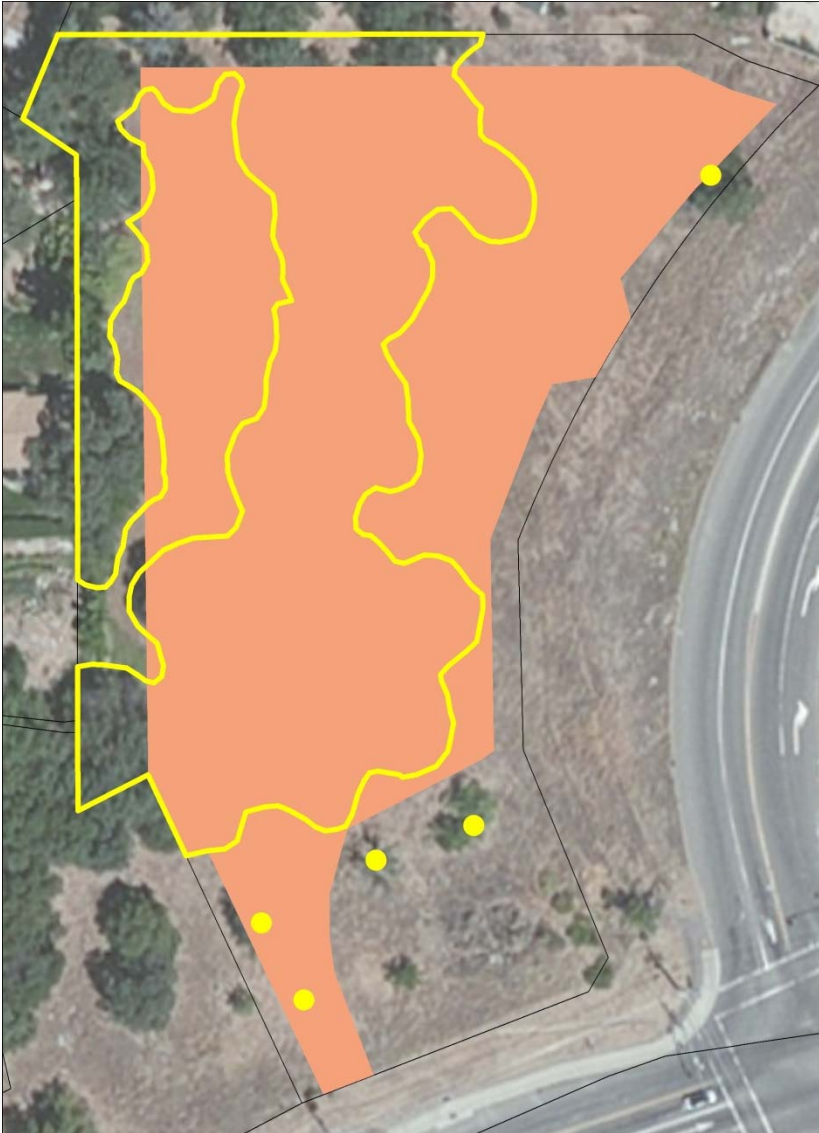
### **Oak Woodlands**

- Ratio: 1:1 (<50%)
- Plant, Conserve, and/or Fee (\$2,386)

### **Individual Oak Trees**

- Inch-for-Inch Replacement
- Plant and/or Fee (\$2,976)

# Example 2



## Site Information:

Parcel: 2.4 acres

Oak Woodland: 1.1 acres

Individual Oak Trees: 5 (all 8" diameter)

## Project Impacts:

Development Area: 1.6 acres

Oak Woodlands: 0.8 acres (72%)

Individual Oak Trees: 3 (24 total inches)

## Mitigation:

Oak Woodlands

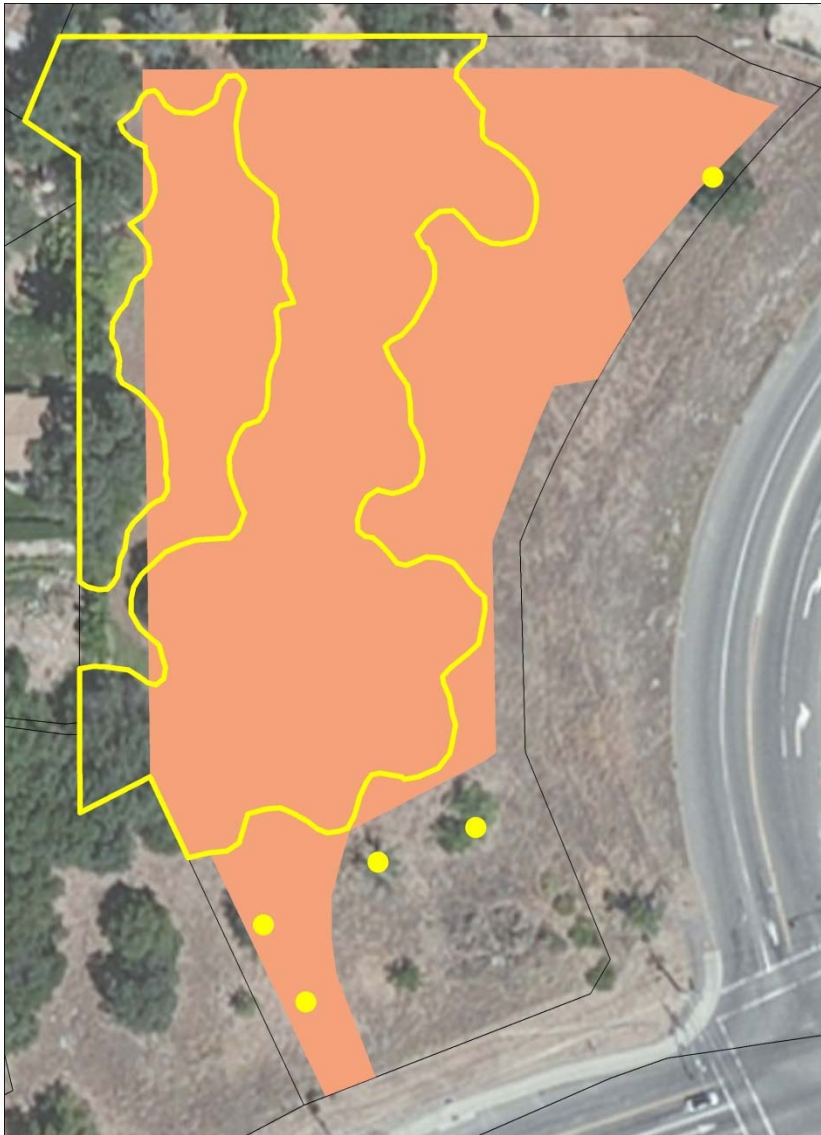
- Mitigation Ratio: 1.5:1 (50-75%)
- Plant, Conserve, and/or Fee (\$9,545)

Individual Oak Trees

- Inch-for-Inch Replacement
- Plant and/or Fee (\$4,464)



# Example 2 (Affordable Housing)



## Site Information:

Parcel: 2.4 acres

Oak Woodland: 1.1 acres

Individual Oak Trees: 5 (all 8" diameter)

50% of units are 'Lower' income

## Project Impacts:

Development Area: 1.6 acres

Oak Woodlands: 0.8 acres (72%)

Individual Oak Trees: 3 (24 total inches)

## Mitigation:

Oak Woodlands

- Adjusted Mitigation Ratio: 0.75:1
- Plant, Conserve, and/or Fee (\$4,772)

Individual Oak Trees

- Inch-for-Inch Replacement
- Plant and/or Fee (\$4,464)

# Next Steps – CEQA Process

- July 2015
  - Notice of Preparation
  - Scoping Meeting
- Fall 2015 Environmental Impact Report

