



# COMMUNITY DEVELOPMENT SERVICES

## LONG RANGE PLANNING

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TO: Board of Supervisors Agenda of: November 19, 2019

FROM: Michael Nihan, Planning Manager

DATE: November 19, 2019

RE: Pine Hill Preserve – Property Additions  
Allocation of Ecological Preserve Endowment Funds  
Assessor Parcel Numbers: 109-230-012; 070-261-082; and 070-261-077,-079,-080,  
and -081

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### **DEPARTMENT RECOMMENDATION:**

Planning and Building Department, Long Range Planning Unit recommending the Board of Supervisors (Board):

- 1) Authorize the Director of to allocate Ecological Preserve Endowment Funds to pay for the preparation of an Immediate Needs Assessment (to define first year estimated operations and management costs) and a Management Plan for three properties previously acquired by the County to be added to the Pine Hill Preserve, Cameron Park Unit:
  - a. Detmold property (APN 070-261-082);
  - b. Scariot-DeWolf property (APN 109-230-012); and
  - c. Carriage Hills property (APNs: 070-261-077,-079,-080, and -081);
- 2) Authorize the Planning and Building Director to allocate Ecological Preserve Endowment Funds in the not-to-exceed amount of \$194,000 to perform any specialized cleanup and maintenance work included in the first year operations and management program that might be required by the Immediate Needs Assessment; and
- 3) Find that the use of Ecological Preserve Endowment Funds to pay for the preparation of the Immediate Needs Assessment and Management Plan, as well to pay for the first year operations and management tasks for the three properties, is consistent with the El Dorado County General Plan, pursuant to Government Code Section 65402 and Chapter 130.71 (Ecological Preserve Fee) of the County Ordinance Code.

**FUNDING:** Ecological Preserve Endowment Fund

### **DISCUSSION/ BACKGROUND**

The County maintains two separate funds for fees collected on building permits for the rare plant ecological preserve (pursuant to Title 130, Article 7, Chapter 130.71 – Ecological Preserve Fee),

of the County Code of Ordinances. The Special Revenue Fund is used only for land acquisitions. The Endowment Fund is used for the operation and maintenance of the Preserve.

The Pine Hill Preserve was established in April 2001 to ensure that the habitat for eight rare plant species growing on gabbro soils in western El Dorado County would be protected from factors threatening their survival and recovery. Currently, the Preserve provides management for 4,042 acres of rare plant habitat, 3,154 of which lie within a US Fish and Wildlife Service (USFWS) area of 5,001 acres designated for recovery of the rare plants. (see Exhibit A).

The three properties to be added to the Pine Hill Preserve were acquired previously by the County for purposes of long-term management and protection by the Bureau of Land Management (BLM), as well as on-going mitigation for impacts to the Gabbro Soils. The 20.11 acre Carriage Hills property acquisition was approved by the Board January 26, 2010 (Legistar 10-0056); the 8.93 acre Detmold property acquisition was approved by the Board on November 9, 2010 (Legistar 10-1206); and the 51.12 acre Scariot-DeWolf property acquisition was approved by the Board on July 17, 2018 (Legistar 18-0941).

An Immediate Needs Assessment is requested to identify near term management activities and first year start-up costs to protect the three properties from illegal trespass, especially from off-road vehicles and transients. These activities and costs will include boundary surveys, a record of survey, erosion control, fuel management, security, fencing, weed management, cleanup, and restriction of the public access, to be prepared by County staff and Consultants as needed.

The Bureau of Land Management (BLM), Preserve Manager, is requesting a Management Plan be prepared in order to add the three properties to the Pine Hill Preserve. The Management Plan will provide guidance for the management of these properties and will update the overall BLM Pine Hill Preserve Management Plan.

The County has contracted with Sycamore Environmental Consultants, Inc. (Consultant) to develop the Immediate Needs Assessment and the Management Plan for a not-to-exceed amount of \$62,000.

**Location:**

The three subject properties are located adjacent to and on the north and south sides of State Highway 50 just east of the Cameron Park interchange (see Exhibit B). For APNs, see Exhibit C; for Zoning, see Exhibit D; and for General Plan, see Exhibit E.

The Detmold property is located at the eastern terminus of Palmer Drive in Cameron Park and is adjacent to the Carriage Hills property. The site's eastern boundary is immediately adjacent to the Ponderosa 50 property which is part of the protected Pine Hill Preserve (Cameron Park Unit).

APN: 070-261-082  
Acreage: Approximately 8.93 Acres  
Zoning: Open Space (OS)  
General Plan: Commercial (C)  
Supervisorial District: District 4

The Scariot-DeWolf property is located on Durock Road at the intersection with Durock Road and Shingle Lime Mine Road in the Cameron Park Area. 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 (see Exhibit B).

APN: 109-230-012  
Acreage: Approximately 51.123 Acres  
Zoning: Industrial Light (IL)  
General Plan: Industrial (I)  
Supervisorial District: District 2

Both the Detmold and Scariot-DeWolf properties are located in Mitigation Area 1, defined by the Rare Soils Study as the area of rare plant soils outside of designated Ecological Preserves. Both sites contain 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. Rare Plant Mitigation Funds were used to purchase the Detmold property in 2010 and the Scariot-DeWolf property in 2018.

The Carriage Hills property is located at the eastern terminus of Palmer Road in the Cameron Park immediately north of and borders the Detmold property. The site's eastern boundary is immediately adjacent to and borders the Ponderosa 50 property which is part of the protected Pine Hill Preserve (Cameron Park Unit (see Exhibit B).

APN: 070-261-077,-079,-080, and -081  
Acreage: Approximately 20 Acres  
Zoning: Open Space (OS)  
General Plan: Multi-Family Residential (MFR)  
Supervisorial District: District 4

The Carriage Hills 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. This property was purchased in 2010 by the County's Department of Transportation (DOT) with DOT General Fund monies for mitigation on future County road projects. At the time of purchase (2010) the site contained five 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.

These three properties have been previously purchased by El Dorado County and are consistent with the December 30, 2014 letter of support from USFWS and the California Department of Fish and Wildlife [Cal DFW] (see Exhibit F), meeting the five criteria for property acquisition from both agencies:

- 1) property is located within a designated conservation area;
- 2) property contains known populations of rare plants;
- 3) property has limited habitat disturbance;
- 4) property does not have hazardous materials; and

5) property is over 10 acres in size.

(Note: The Detmold property is 8.9 acres but is also adjacent to the Carriage Hills 20 acre property. The two properties are both vacant and will be managed as one wherever possible).

Previous botanical surveys confirmed significant populations of listed plants throughout the three properties and these surveys will be updated as part of the future Management Plan.

### **Immediate Needs Assessment**

An Immediate Needs Assessment will be prepared by the Consultant to identify near term management activities to be executed the first year, or until the property is officially transferred to the BLM, to protect the properties from illegal trespass, especially from off-road vehicles and transients. Reducing on-going disturbances will allow the parcels to be preserved in a better condition ahead of the official incorporation into the Pine Hill Preserve system to be managed by BLM. The BLM will assume management responsibilities once the property is officially incorporated into the Pine Hill Preserve system.

The cost of first year preliminary operations and management costs for these three properties, comprising 80 acres, is estimated to not exceed \$194,000, and will include (but will not be limited to) the following tasks: individual property boundary surveys, low cost access protection (logs, boulders, fencing), security patrols, erosion control and fuel management for the three properties. The Consultant will refine and confirm preliminary estimated first year start-up costs with BLM.

### **Management Plan**

The County acquired these three properties over the past ten years with the intent that they become part of the Pine Hill Preserve as soon as possible. The BLM intends to update the overall existing Pine Hill Preserve Management Plan in 2020, and has requested the County prepare a management plan for the three parcels prior to incorporation into the Preserve. The County's Management Plan for the three properties may become an appendix in the overall Pine Hill Preserve Management Plan, and will have chapters covering ecological background, existing biological resources, public access, fire safety, restoration and erosion abatement, education and outreach, and estimated start-up costs and endowment.

The Board is responsible for approving the release of funds for various rare plant related expenditures. Staff is requesting that the Ecological Preserve Endowment Fund be used to pay for the Immediate Needs Assessment, Management Plan and first year Operations and Management program. As of October 8, 2019, the fund has a balance of \$3,730,732.

### **General Plan Consistency:**

The Planning Commission made the determination that the acquisition of the three properties was consistent with the Goals, Objectives, Policies, and Implementation Measures of the General Plan. For details see Planning Commission Hearings of: January 14, 2010 (Carriage Hills); October 10, 2010 (Detmold); and February 22, 2018 (Scariot-DeWolf).

Use of the rare plant mitigation fund for expenditures for the three properties is consistent with the following General Plan Objective, Policies and Implementation Measure:

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 7.4.1.3

Limit land uses within established Pine Hill rare plant preserve areas to activities deemed compatible. Such uses may include passive recreation, research and scientific study, and education. In conjunction with use as passive recreational areas, develop a rare plant educational and interpretive program.

Policy 7.4.1.4

The Pine Hill Preserves, as approved by the County Board of Supervisors, shall be designated Ecological Preserve (-EP) overlay on the General Plan land use map.

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

Staff concludes that use of the rare plant mitigation fund for the preparation of the Management Plan and first year assessment and the first year operations and management costs for the properties would be consistent with the applicable policies of the 2004 General Plan.

**ZONING ORDINANCE CONSISTENCY**

The three sites are recognized as rare plant habitat: two sites (Detmold and Scariot-DeWolf) contain four and one site (Carriage Hills) contains five of the eight Pine Hill rare plant species and are located within a USFWS-recommended rare plant conservation area. Use of the rare plant mitigation fund for expenditures is consistent with Chapter 130.71(Ecological Preserve) of the Zoning Ordinance (Title 130), and is supported by the USFWS. In conclusion, the preparation of the Management Plan and first year assessment and any specialized cleanup and maintenance work for the properties would be consistent with the applicable policies of the Zoning Ordinance.

**ALTERNATIVES**

The Board could decide not to approve this item to allocate the Ecological Preserve Endowment Funds. However, this would delay the acceptance of the properties into the Pine Hill Preserve resulting in increased maintenance costs and may jeopardize the protection of the rare plants. Additional expenses may impact the General Fund.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Department of Transportation, County Counsel, Environmental Management, Chief Administrative Office, CAL FIRE, and the BLM.

**FINANCIAL IMPACT**

There is no Net County Cost associated with this item. Ecological Preserve Endowment Funds are collected as a fee associated with development projects in the area and are intended for maintenance and management of land within the Pine Hill Preserve.

**CLERK OF THE BOARD FOLLOW-UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Public Safety - effective management of these properties it will improve fire prevention and reduce transient occupancy of the property

Good Governance - Implements interagency coordination to create, maintain and expand rare plant habitat and Preserve.

**CONTACT**

Tiffany Schmid  
Director, Planning and Building Department

**ATTACHMENTS:**

- Exhibit A .....Ecological Preserves Map  
.....(Pine Hill Preserve – Protected Lands, Cameron Park Area)
- Exhibit B .....Location Map
- Exhibit C .....Assessor’s Parcel Page
- Exhibit D .....Zoning Map
- Exhibit E.....General Plan Land Use Map
- Exhibit F.....U.S. Fish and Wildlife Service and California Department  
of Fish and Wildlife Letter of Support; December 30, 2014