



**COMMUNITY DEVELOPMENT AGENCY
LONG RANGE PLANNING DIVISION**

**2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-4650, Fax (530) 642-0508**

January 26, 2015

TO: Board of Supervisors

FROM: Shawna Purvines, Principal Planner

Subject: Biological Policy Update Project: Provide Direction on Ten Project Decision Points Identified to Update the General Plan Biological Resource Policies

Recommendation

The Community Development Agency, Long Range Planning Division, recommending the Board:

- 1) Identify "oak woodland" as the preferred method of measurement for determining oak resource impacts and quantifying mitigation requirements; and
- 2) Require, when necessary, undercrossings for future four (4)-, six (6)-and eight (8)-lane roadway projects to provide for wildlife movement.

FUNDING: There is no change to Net County Cost associated with this agenda item.

Fiscal Impact/Change to Net County Cost

There is no change to Net County Cost associated with this agenda item.

Background

The court decision overturning the Oak Woodland Management Plan (OWMP) has prompted the County to address, at a minimum, the implementation of certain oak tree policies in the General Plan. These policies are interrelated with several other biological policies. After reviewing options presented on September 24, 2012, the Board determined that all the related biological policies should be reviewed and considered for revisions to ensure that the goals and objectives of the General Plan can be achieved.

On March 11, 2014 the Board approved and authorized the Chair to sign Agreement 425-S1411 with an outside consulting firm, Dudek, for a term of three (3) years to proceed with a program to review and potentially amend several General Plan policies related to biological resources.

On July 28, 2014, the Board received information on the historical work completed to date on the Integrated Natural Resource Management Plan (INRMP) and OWMP in the Background Memo (Attachment 5B) and a set of draft options in the Policy Options

January 26, 2015

Biological Policy Update Project Continuation of Discussion of the 10 Project Decision Points Identified to Update the General Plan Biological Resource Policies

Page 2 of 4

Memo (Attachment 5C) for Board consideration to determine next steps. The Policy Options Memo outlined four (4) broad policy approaches available to the County moving forward. The Policy Options Memo included an analysis of each potential option, including the pros and cons, public involvement opportunities and approaches, rough timelines for completing the process, and examples of how policies would be implemented for several hypothetical development scenarios. In addition to Attachments 5B and 5C, the Background Memo and Policy Option Memo can be found on the projects dedicated webpage at:

<http://www.edcgov.us/Government/LongRangePlanning/Environmental/BioPolicyUpdate.aspx>

On October 7, 2014, the Board conducted a workshop and directed staff to proceed with Policy Option 3 (mitigation/conservation option), and the timely implementation of the OWMP, specifically related to Option B of General Plan Policy 7.4.4.4 (oak woodland in-lieu fee option), with direction given to include a methodology within the OWMP for re-establishment of the In-Lieu Fee program. Under Policy Option 3, the intent is to amend the General Plan policies to redefine the County's program for management of and mitigation for biological resource impacts.

On November 21, 2014, the Board selected Approach A and directed staff to bring back a schedule outlining decision points, critical steps and key milestones for the project.

On January 13, 2015, the Board approved the project schedule, determined that the oak woodland in-lieu fee adopted in 2008 should be re-analyzed to ensure consistency with existing state laws, and authorized Amendment I to Agreement for Services with Dudek, expanding the scope of work to include the re-analysis of the oak woodland mitigation in-lieu fee adopted in the 2008 OWMP.

Discussion and Reason for Recommendation

The January 26, 2015 Board meeting is part of a continuing discussion on the ten (10) project decision points identified to update the General Plan biological resources policies. An overview of the ten (10) project decision points were presented on January 13, 2015, and can be found in Exhibit 9B of this agenda item. Additional analysis and exhibits specific to Decision Points #2 and #3 are provided as Attachment 10B. A summary of these two decision points and staff recommendations are provided below.

- **Decision Point #2:** Board determines which method of oak woodland measurement (woodland area or canopy cover area) would be used for impact calculations and mitigation area determination.

As discussed in Dudek's January 13, 2015 Memo (Exhibit 9B), using oak woodland as a method of measurement is the recommended approach as it: 1)

retains consistency with state regulations (Kuehl Bill); 2) allows for like-for-like mitigation based on type of oak woodland impacted; 3) considers habitat value of oak woodlands; and 4) eliminates the potential need to mitigate project-related impacts twice (once for trees [canopy] and again for habitat [woodland]).

- **Decision Point #3:** Board determines whether to require undercrossings for future four (4)-, six (6)-and eight (8)-lane roadway projects to provide for wildlife movement.

As discussed in Dudek's January 13, 2015 memo, there appears to be a few locations where future four (4)-, six (6)- and eight (8)-lane roads may form barriers to wildlife movement and have an adverse effect on established wildlife movement patterns. Generally, roads that cross through or along wildlife movement corridors experience higher than average animal mortality rates and also present greater hazards for motorists.

Requiring that new or widened roads include undercrossings to facilitate wildlife movement may reduce the potential for significant adverse effects and may support the County's efforts to minimize the effects of habitat fragmentation by maintaining connections between large areas of natural habitat. However, the addition of new or widened roads to include undercrossings would increase the cost of development, including projects within the County's Capital Improvement Program.

At this point in the development of the project description, the recommendation is for the Board to determine if roadway undercrossings would be required, if necessary, to minimize adverse effects on wildlife movement and roadway safety. Should this ultimately be included in the project description, additional analysis would need to be prepared to determine financial feasibility.

Next Steps

The Board provided direction on decision point #1 on January 13, 2015. The Board will have the opportunity to provide direction at this workshop on decision point #'s 2 and 3. Following the next two (2) workshops, all outcomes will inform the preparation of a project description which may include revisions of the identified policies and the OWMP. Future workshops will discuss the following:

February 23, 2015

4. Determine a threshold for selection for the two (2) -tiered oak mitigation approach where smaller projects mitigate for tree impacts and larger projects mitigate for oak woodland impacts. This discussion will follow from the Board's direction on Decision Points #2 and #3 above.

January 26, 2015

Biological Policy Update Project Continuation of Discussion of the 10 Project Decision Points Identified to Update the General Plan Biological Resource Policies

Page 4 of 4

5. Determine whether exemptions to oak woodland impact mitigation requirements included in the current OWMP and General Plan biological resource policies shall remain and/or be revised.
6. Determine whether Priority Conservation Areas (PCA's) will be updated.
7. Determine appropriate mitigation requirements specific to each category of special-status resources (e.g., vegetation communities, plants, wildlife) for inclusion in policies.
8. Determine specific standards for the establishment of IBCs, such as minimum parcel size, contiguous areas, and minimum corridor widths.

March 30, 2015

9. Determine which important ecological areas identified by the Plant and Wildlife Technical Advisory Committee (PAWTAC) (e.g., aquatic environments, important habitat for migratory deer herds, Pine Hill areas, valley oak woodland, etc.) to include with the PCAs and IBCs as we develop a conservation strategy.
10. Define the County's requirements for maintaining a database of willing sellers within PCA's and IBC's and/or other important biological areas.

May 18, 2015

Present to the Board a draft project description for review and comment. The draft project description will include draft policies proposed for amendment and revised OWMP. Upon approval of a draft project description, staff will begin the environmental review process.

Public Outreach

Public notification of the project timeline and workshops, key milestones, and the ten (10) project decision points was released on January 15, 2015 to the County's media contact list. Notification and all documents prepared to date were posted on the County's dedicated project website. The website notification was sent to more than 700 individual e-mails signed up to receive Long Range Planning project notifications. In addition, the notification was sent out to the County "News and Hot Topics" notification list.

Clerk of the Board Follow Up Actions

None.

Contact

Shawna Purvines, Principal Planner
Community Development Agency, Long Range Planning Division