

El Dorado County General Plan Biological Policies CEQA Scoping Meeting

August 13, 2015



Scoping Session Overview

- Draft General Plan Biological Resources policies and Oak Resources Management Plan (ORMP)
- Programmatic Environmental Impact Review (EIR) Process Review
- Public Comments on what should be addressed in the Draft EIR

Background - 2012 Board Direction

- “1) Direct staff to prepare a Resolution of Intention to Amend General Plan Policies 7.4.2.8, 7.4.2.9, 7.4.4.4, 7.4.4.5, 7.4.5.1 and 7.4.5.2 and their related Implementation Measures to clarify and refine the County's policies regarding oak tree protection and habitat preservation and
- 2) Direct the Chief Administrative Officer to prepare a Request for Proposal to hire a consultant to assist the County to prepare the policies and Environmental Impact Report (EIR)”



Policy Update Considerations

- Streamline environmental review process
- Develop self-implementing policies
- Develop easily-understood standards and mitigation requirements
- Consistency with state and federal regulations
- Remove conflicting or unclear terminology



Biological Policy Update Process

- Selection of a conservation/mitigation approach for policy update
- Direction to update Oak Woodland Management Plan
- Draft policies and ORMP form CEQA Project Description



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)
June 22, 2015	Review draft Oak Resources In-Lieu Fees Nexus Study and addressed public comments to date and draft document revisions



Policy Update Timeline

Task	2015												2016				
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Biological Policies/OWMP																	
Board meetings	█	█	█		█	█											
Draft policy language/OWMP			█	█													
Final draft policy language/OWMP				█	█												
Final policy language/OWMP															█	█	█
Environmental Impact Report																	
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 Resources Policies

- Objectives Related to Biological Resources:
 - 7.4.3: Consolidated coordination of wildlife and vegetation programs with Federal and State agencies into Policy 7.4.1.5

- Policies Related to Biological Resources:
 - 7.4.1.1 through 7.4.1.4: Slight language modifications to clarify focus on Pine Hill plants
 - 7.4.1.5, 7.4.1.6, 7.4.2.1, and 7.4.2.6: Incorporated into Policy 7.4.2.8



Biological Resources Policies

- Policies Related to Biological Resources (cont'd):
 - 7.4.2.2: Incorporated wildlife movement language into Policy 7.4.2.9
 - 7.4.2.4: Replaced “establish and manage” with “protect and preserve”
 - 7.4.2.7: Policy removed: not required to maintain PAWTAC but not precluded from re-convening as-needed



Biological Resources Policies

- Policies Related to Biological Resources (cont.):
 - 7.4.2.8: Modifications to this policy include:
 - Establishes mitigation ratios for special-status biological resources.
 - Requirement for wildlife movement studies for 4-, 6-, and 8- lane roadway projects.
 - Establishes requirements of Biological Resources Assessments.
 - Identification of criteria for conservation lands.
 - Establishes a voluntary database of willing sellers.



Biological Resources Policies

- Policies Related to Biological Resources (cont.):
 - 7.4.2.9: Modifications to this policy include:
 - Requires applicants for discretionary projects (and applicants for ministerial projects within the Weber Creek canyon IBC) to evaluate project-specific compatibility with the -IBC overlay.
 - Requires no net loss of wildlife movement function and value for special-status species, as well as large mammals within the -IBC overlay.
 - Mitigation measures may include land use siting and design tools.



Biological Resources Policies

- Implementation Measures Related to Biological Resources:
 - CO-L: Updated to reflect changes to Policy 7.4.2.8
 - CO-M: Updated to reflect changes to Policy 7.4.2.8
 - CO-N: Updated to reflect changes to Policy 7.4.2.9
 - CO-U: Updated to reflect changes to Policy 7.4.2.8



Biological Resources Policies

- Objectives Related to Oak Resources:
 - 7.4.4 (oak woodlands) and 7.4.5 (oak trees) merged; focus on protection of oak resources
- Policies Related to Oak Resources:
 - 7.4.4.2: 'Conservation' added to the list of encouraged activities
 - 7.4.4.3: Development clustering encouraged
 - 7.4.4.4, 7.4.4.5, 7.4.5.1, and 7.4.5.2: Consolidated and detailed oak tree and woodland impact determination and mitigation requirements moved to the ORMP



Biological Resources Policies

- Implementation Measures:
 - CO-P: Updated to reflect changes to oak-related policies



Oak Resources Management Plan

- Re-title to Oak Resources Management Plan
- Consolidates 2004 General Plan, 2008 OWMP, and Interpretive Guidelines (Policy 7.4.4.4)
- Oak woodlands used as the unit of measurement
- Heritage Trees defined (36” oaks)
- Exemptions and mitigation reductions (affordable housing) refined and consolidated
- Retention requirements replaced with incentive-based approach



Oak Resources Management Plan

- Two-tiered mitigation approach for oak trees and oak woodlands
- Mitigation options clarified to include planting, conservation, and in-lieu fee payment
- Permit and reporting requirements identified
- Conservation standards outside of PCAs
- Consistent terminology and definitions



Frequently Asked Questions

- Why are there separate policies for Pine Hill rare plants and oak resources?
 - Pine Hill species are addressed in unique policies due to ongoing planning effort
 - Consistent with current GP oak resources are called out
- Explain the Habitat Mitigation Summary Table.
 - Mitigation for habitat not individual species
 - Mitigation ratios consistent with local regional habitat conservation plans
 - Addresses cumulative impacts and maintains current range and distribution of special-status species within County



Frequently Asked Questions

- How does the draft ORMP affect my property?
 - Removal of individual native oak trees over 6” diameter and removal of oak woodland requires permits
 - Describes which activities are exempt from ORMP requirements
 - Clarifies oak tree and oak woodland mitigation requirements



Frequently Asked Questions

- How are Impacts to Oak Trees Mitigated?
 - Mitigation based on total number of diameter inches removed
 - Replacement Tree Planting (on or off site) and/or Fee Payment



Frequently Asked Questions

- How are Impacts to Oak Woodlands Mitigated?
 - Oak woodland mitigation ratios determined by percentage of woodlands impacted
 - Mitigation implemented by one or combination of:
 - Conservation
 - Easement, deed restriction, and/or property acquisition (on-site and off-site options)
 - Replacement Tree Planting (up to 50% of mitigation)
 - On-site (if space available) and/or off-site
 - In-lieu Fee Payment



Environmental Review Process

- California Environmental Quality Act (CEQA) requires disclosure of environmental effects
- El Dorado County is the CEQA Lead Agency
- Program Environmental Impact Report required
 - A Program EIR may be prepared on a series of actions that can be characterized as one large project, such as issuance of rules, regulations or plans
 - A Program EIR allows the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts



Environmental Review Process

CEQA Requirements

- Evaluate and disclose environmental effects of the proposed project
- Identify mitigation to avoid or reduce significant impacts
- Identify and evaluate alternatives that would avoid or reduce significant impacts

Environmental Review Process

Program EIR

- Program EIR evaluates range of potential impacts related to policies and ORMP
- Adoption of GP policies and ORMP does not approve any construction or specific development projects
- Project-specific CEQA compliance required

Environmental Review Process

Potential Issues

- Land Use
- Biological Resources
- Aesthetics
- Agricultural and Forestry Resources
- Greenhouse Gas Emissions



Environmental Review Process

EIR Process

- Draft Program EIR will:
 - Describe the proposed project
 - Identify impacts and level of significance
 - Recommend mitigation measures to reduce significant impacts
 - Evaluate project alternatives that could reduce or avoid significant impacts
- Draft Program EIR circulated for a 45-day review and comment period

Environmental Review Process

EIR Process

- Final Program EIR prepared following Draft Program EIR circulation
- Final Program EIR will include:
 - Draft Program EIR comments and responses
 - Revisions to Draft Program EIR, if necessary
 - Mitigation Monitoring and Reporting Program
- Final Program EIR certified by El Dorado County before adoption of GP policies and ORMP

Environmental Review Process

Scoping

- Scoping meeting to receive community and agency input on range of issues to be evaluated in the Program EIR
- Notice of Preparation circulated on July 17, 2015

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

- Comment period ends August 17, 2015

Environmental Review Process

Scoping

- Purpose of today's meeting is to receive oral and written comments pertaining to the environmental review
- All comments will be considered in preparation of the Program EIR

Public Comments

- Please state your name
- Please focus your comments on issues pertaining to the environmental review
- Written comments due no later than August 17, 2015
- Written comments can be submitted to:

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Long Range Planning Division
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Placerville, CA 95667

