

**APPENDIX B**  
*Proposed General Plan Policies*





## EL DORADO COUNTY GENERAL PLAN CONSERVATION AND OPEN SPACE ELEMENT

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### **PRINCIPLE**

*Consistent with the objectives, goals, and policies set forth in the Land Use Element, the Plan must conserve and improve the County's existing natural resources and open space, including agricultural and forest soils, mineral deposits, water and native plants, fish, wildlife species and habitat, and federally classified wilderness areas; and preserve resources of significant biological, ecological, historical or cultural importance.*

### **INTRODUCTION**

The purpose of the Conservation and Open Space Element of the General Plan is to address the management, preservation, and conservation of natural resources and open space of El Dorado County. Management of the County's resources will assure the availability of those resources to future generations and the realization of their full economic potential.

Pursuant to Government Code Section 65302, both a conservation and an open space element must be included in a general plan. The General Plan combines these two elements into the Conservation and Open Space Element and as such satisfies the legal requirements for the Conservation and Open Space Elements defined in the Government Code, Sections 65302(d) and 65560, respectively.

### **RELATIONSHIP TO OTHER ELEMENTS**

This element contains provisions for the conservation and protection of soils, minerals, water, wildlife and fisheries, vegetation, cultural resources, and open space. The issues of this element are closely linked to those of almost all other elements of this General Plan. The intensity of development and issues of land use compatibility relating to resource protection and/or production are discussed in the Land Use, Agriculture and Forestry, and Parks and Recreation Elements.

Natural resources and soil preservation are also discussed in the Agriculture and Forestry Element. The Agriculture and Forestry Element focuses primarily on conservation of

agricultural lands and timber forest lands and identifies the types of uses which are compatible with resource utilization.

Measures necessary for the protection of life and property, as well as ecological values, are also discussed in the Public Health, Safety, and Noise Element.

The Parks and Recreation Element discusses the provision and maintenance of parks, recreation facilities, and trails to serve El Dorado County while the Conservation and Open Space Element deals with the conservation of open space for outdoor recreation.

The Public Services and Utilities Element discusses the conservation of reusable resources and land by recycling and waste management techniques.

**ORGANIZATION OF THE ELEMENT**

The Conservation and Open Space Element discusses significant natural resources including geology and soils, extractive minerals, water, biological resources, cultural resources, and open space resources. Goals, objectives, and policies are included in this element for each of the topics listed.

**POLICY SECTION**

**SOIL CONSERVATION**

**GOAL 7.1: SOIL CONSERVATION**

**Conserve and protect the County’s soil resources.**

**OBJECTIVE 7.1.1: SOILS**

**Long-term soil productivity.**

Policy 7.1.1.1 Conserve and maintain important agricultural soils for existing and potential agricultural and forest uses by limiting non-agricultural/non-forestry development on those soils.

**OBJECTIVE 7.1.2: EROSION/SEDIMENTATION**

**Minimize soil erosion and sedimentation.**

Policy 7.1.2.1 Development or disturbance shall be prohibited on slopes exceeding 30 percent unless necessary for access. The County may consider and allow development or disturbance on slopes 30 percent and greater when:

- Reasonable use of the property would otherwise be denied.

- The project is necessary for the repair of existing infrastructure to avoid and mitigate hazards to the public, as determined by a California registered civil engineer or a registered engineering geologist.
- Replacement or repair of existing structures would occur in substantially the same footprint.
- The use is a horticultural or grazing use that utilizes “best management practices (BMPs)” recommended by the County Agricultural Commission and adopted by the Board of Supervisors.

Access corridors on slopes 30 percent and greater shall have a site specific review of soil type, vegetation, drainage contour, and site placement to encourage proper site selection and mitigation. Septic systems may only be located on slopes under 30 percent. Roads needed to complete circulation/access and for emergency access may be constructed on such cross slopes if all other standards are met.

- Policy 7.1.2.2 Discretionary and ministerial projects that require earthwork and grading, including cut and fill for roads, shall be required to minimize erosion and sedimentation, conform to natural contours, maintain natural drainage patterns, minimize impervious surfaces, and maximize the retention of natural vegetation. Specific standards for minimizing erosion and sedimentation shall be incorporated into the Zoning Ordinance.
- Policy 7.1.2.3 Enforce Grading Ordinance provisions for erosion control on all development projects and adopt provisions for ongoing, applicant-funded monitoring of project grading.
- Policy 7.1.2.4 Cooperate with and encourage the activities of the three Resource Conservation Districts in identifying critical soil erosion problems and pursuing funding sources to resolve such problems.
- Policy 7.1.2.5 The Department of Transportation, in conjunction with the Resource Conservation Districts and Soil Conservation District, shall develop a road-side maintenance program to manage roads in a manner that maintains drainage and protects surface waters while reducing road-side weed problems.
- Policy 7.1.2.6 The County shall encourage the Soil Conservation Service to update the 1974 Soil Survey and to digitize all soils mapping units on the Geographic Information System (GIS).
- Policy 7.1.2.7 The County shall require agricultural grading activities that convert one acre or more of undisturbed vegetation to agricultural cropland to obtain an agricultural permit through the Agricultural Commissioner’s office which may require approval of the Agricultural Commission. All erosion control measures included in the agricultural permit would be

implemented. All agricultural practices, including fuel reduction and fire protection, that do not change the natural contour of the land and that use “best management practices” as recommended by the County Agricultural Commission and adopted by the Board of Supervisors shall be exempt from this policy.

## **CONSERVATION OF MINERAL RESOURCES**

### **GOAL 7.2: MINERAL RESOURCES**

**Conservation of the County’s significant mineral deposits.**

#### **OBJECTIVE 7.2.1: IDENTIFY MINERAL RESOURCES**

**Identification of the County’s important mineral resources.**

Policy 7.2.1.1 In accordance with California Code of Regulations, Sections 3675-3676, the County shall maintain all Mineral Land Classification reports produced by the State Department of Conservation, California Geological Survey, which pertain to El Dorado County. El Dorado County hereby recognizes, accepts, and adopts by reference those State Classification Reports as they currently exist and as may be amended, or supplemented, in the future. These reports are as follows:

1. Kohler, S.L. 1983. Mineral Land Classification of the Georgetown 15' Quadrangle, El Dorado, and Placer Counties, California. Open File Report 83-35. Prepared for the California Department of Conservation.
2. Kohler, S.L. 1984. Mineral Land Classification of the Auburn 15' Quadrangle, El Dorado and Placer Counties, California. Open File Report 83-37. Prepared for the California Department of Conservation.
3. Loyd, R.C., T.P Anderson, and M.M Bushnell.1983. Mineral Land Classification of the Placerville 15' Quadrangle, El Dorado, and Amador Counties, California. Open File Report 83-29. Prepared for the California Department of Conservation.
4. Loyd, R.C. 1984. Mineral Land Classification of the Folsom 15' Quadrangle, Sacramento, El Dorado, Placer, and Amador Counties, California. Open File Report 84-50. Prepared for the California Department of Conservation.
5. Loyd, R.C., and S.L. Kohler. 1987. Mineral Land Classification of the Camino and Mokelumne Hill 15' Quadrangles, El Dorado, Amador, and Calaveras Counties, California. Open File Report 87-02. Prepared for the California Department of Conservation.

6. Busch, Lawrence L. 2001. Mineral Land Classification of El Dorado County, California. Open File Report 2000-03. Prepared for the California Department of Conservation.

Policy 7.2.1.2 Areas designated as Mineral Resource (-MR) overlay on the General Plan Land Use Map shall be identified by the Mineral Resource (-MR) combining zone district on the zoning maps when the likely extraction of the resource through surface mining methods will be compatible with adjacent land uses as determined by Policy 7.2.2.2.

Policy 7.2.1.3 The County shall request the State Department of Conservation to conduct a County-wide study to assess the location and value of non-metallic mineral materials. Once completed, the County may recognize them in the General Plan and zone them and the surroundings to allow for mineral resource management.

**OBJECTIVE 7.2.2: PROTECTION FROM DEVELOPMENT**

**Protection of important mineral resources from incompatible development.**

Policy 7.2.2.1 The minimum parcel size within, or adjacent to, areas subject to the -MR overlay shall be twenty (20) acres unless the applicant can demonstrate to the approving authority that there are no economically significant mineral deposits on or adjacent to the project site and that the proposed project will have no adverse effect on existing or potential mining operations. The minimum parcel size adjacent to active mining operations which are outside of the -MR overlay shall also be twenty (20) acres.

Policy 7.2.2.2 The General Plan designations, as shown on the General Plan land use maps, which are considered potentially compatible with surface mining shall include:

- Natural Resource (NR)
- Agricultural Land (AL)
- Open Space (OS)
- Industrial (I)
- Public Facilities (PF)
- Rural Residential (RR)
- Commercial (C)
- Low-Density Residential (LDR)

All other General Plan designations are determined to be incompatible for surface mining. Industrial uses shall be limited to those compatible with mineral exploration.

- Policy 7.2.2.3 The County shall require that new nonmining land uses adjacent to existing mining operations be designed to provide a buffer sufficient to protect the mining operation between the new development and the mining operation(s).

### **OBJECTIVE 7.2.3: ENVIRONMENTAL/LAND USE COMPATIBILITY**

#### **Regulation of extraction of mineral resources to ensure that environmental and land use compatibility issues are considered.**

- Policy 7.2.3.1 The extraction of mineral resources within the County shall only be allowed following the approval of a special use permit and a reclamation plan conforming to the California Surface Mining and Reclamation Act (SMARA).

- Policy 7.2.3.2 In analyzing the environmental effects of mining operations, the County shall consider, at a minimum, the following issues in granting a new permit:

- A. Natural vegetation and topography for buffering;
- B. Central location of processing equipment and equipment storage;
- C. Dust control;
- D. Circulation and construction standards for access roads;
- E. Erosion control;
- F. Revegetation and re-establishment of natural appearing features on the site following mining activities;
- G. Ultimate land use;
- H. Hours of operation;
- I. Night lighting;
- J. Security fencing;
- K. Noise impacts;
- L. Protection of water quality, sensitive wildlife habitat and/or sensitive plant communities; and
- M. Phased reclamation that proceeds concurrently with surface mining.

- Policy 7.2.3.3 Existing development (commercial, residential, and public facilities), as well as undeveloped private lands, shall be protected from significant

adverse environmental effects caused by mining through use permit conditions, mitigation measures, and the Noise Element standards.

Policy 7.2.3.4 Surface access to subsurface mining is conditionally permitted only in compatible General Plan designations as defined in these policies. However, vent and escape shafts are permitted in incompatible General Plan designations where surface disturbance is minimal.

Policy 7.2.3.5 The County shall require satisfactory forms of accessible security including irrevocable letters of credit, cash deposits, escrowed negotiable securities, or performance bonds for all mining projects to cover all damages which may stem from the projects and to make sure that all reclamation is carried out. These securities shall be reviewed annually to ensure that there are sufficient funds available to repair potential damage at current costs.

Policy 7.2.3.6 Time limits for special use permits for each project shall be established on a case-by-case basis. Time limits shall be based on the reasonably expected life of the mining operation and potential conflicts with future neighboring land uses. Each project shall have a periodic review for compliance with the use permit. In no case shall such review time period exceed five years. Said review shall be funded by the applicant.

Policy 7.2.3.7 Exploration for economic mineral or ore deposits is permitted in compatible General Plan designations as defined in these policies. A special use permit shall be required if:

- A. Overburden or mineral deposits in excess of 1,000 cubic yards are disturbed; or
- B. The operation in any one location disturbs one acre or more in size; or
- C. De-watering will occur or water will be discharged from the site as a result of the operation.

Policy 7.2.3.8 Exploration for economic mineral or ore deposits is permitted in incompatible General Plan designations, provided that:

- A. Methods of geological survey, geophysical, or geochemical prospecting are used; or
- B. Bore holes and trial pits not exceeding 100 cubic yards of overburden or other mineral disturbance may be created; and
- C. No explosives may be used; there may be no drifting or tunnelling; and de-watering or water discharge is not allowed.

Policy 7.2.3.9 All exploratory operations shall require a reclamation plan and a bond to ensure its completion if:

A. Overburden or mineral deposits in excess of 1,000 cubic yards are disturbed; or

B. The operation in any one location disturbs one acre or more in size.

Policy 7.2.3.10 In those instances where a reclamation plan is not required, an erosion control plan shall be required for those operations in which over 50 cubic yards or more of overburden are disturbed.

Policy 7.2.3.11 Recreational mining, which is the extraction of minerals for recreation on a seasonal basis and the use of such devices as pans, rockers, and dredges with intakes eight inches in diameter or less, shall not require a special use permit. However, certain Federal or State regulations and local building and sanitation regulations may apply.

Policy 7.2.3.12 Except as provided for in Policy 2.2.2.7, zone changes removing the -MR Combining Zone District from the base zone district shall be considered by the County only when specific studies similar in nature to State Classification Reports prove that a significant mineral deposit no longer exists.

Policy 7.2.3.13 Regardless of the General Plan designation, subsurface mining shall be conditionally permitted throughout the County. Said mining shall be allowed only after impacts to the environment and affected surface land uses have been adequately reviewed and found to be in compliance with CEQA. Of particular importance shall be the impact of the operation on surface land uses, water quantity and quality, and noise and vibration impacts associated with surface access. All other related impacts shall also be addressed.

## **CONSERVATION AND PROTECTION OF WATER RESOURCES**

### **GOAL 7.3: WATER QUALITY AND QUANTITY**

**Conserve, enhance, and manage water resources and protect their quality from degradation.**

#### **OBJECTIVE 7.3.1: WATER RESOURCE PROTECTION**

**Preserve and protect the supply and quality of the County's water resources including the protection of critical watersheds, riparian zones, and aquifers.**

Policy 7.3.1.1 Encourage the use of Best Management Practices, as identified by the Soil Conservation Service, in watershed lands as a means to prevent erosion, siltation, and flooding.

- Policy 7.3.1.2 Establish water conservation programs that include both drought tolerant landscaping and efficient building design requirements as well as incentives for the conservation and wise use of water.
- Policy 7.3.1.3 The County shall develop the criteria and draft an ordinance to allow and encourage the use of domestic gray water for landscape irrigation purposes. (See Title 22 of the State Water Code and the Graywater Regulations of the Uniform Plumbing Code).

**OBJECTIVE 7.3.2: WATER QUALITY**

**Maintenance of and, where possible, improvement of the quality of underground and surface water.**

- Policy 7.3.2.1 Stream and lake embankments shall be protected from erosion, and streams and lakes shall be protected from excessive turbidity.
- Policy 7.3.2.2 Projects requiring a grading permit shall have an erosion control program approved, where necessary.
- Policy 7.3.2.3 Where practical and when warranted by the size of the project, parking lot storm drainage shall include facilities to separate oils and salts from storm water in accordance with the recommendations of the Storm Water Quality Task Force’s California Storm Water Best Management Practices Handbooks (1993).
- Policy 7.3.2.4 The County should evaluate feasible alternatives to the use of salt for ice control on County roads.
- Policy 7.3.2.5 As a means to improve the water quality affecting the County’s recreational waters, enhanced and increased detailed analytical water quality studies and monitoring should be implemented to identify and reduce point and non-point pollutants and contaminants. Where such studies or monitoring reports have identified sources of pollution, the County shall propose means to prevent, control, or treat identified pollutants and contaminants.

**OBJECTIVE 7.3.3: WETLANDS**

**Protection of natural and man-made wetlands, vernal pools, wet meadows, and riparian areas from impacts related to development for their importance to wildlife habitat, water purification, scenic values, and unique and sensitive plant life.**

- Policy 7.3.3.1 For projects that would result in the discharge of material to or that may affect the function and value of river, stream, lake, pond, or wetland features, the application shall include a delineation of all such features.

For wetlands, the delineation shall be conducted using the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual

Policy 7.3.3.2 *intentionally blank*

Policy 7.3.3.3 The County shall develop a database of important surface water features, including lake, river, stream, pond, and wetland resources.

Policy 7.3.3.4 The Zoning Ordinance shall be amended to provide buffers and special setbacks for the protection of riparian areas and wetlands. The County shall encourage the incorporation of protected areas into conservation easements or natural resource protection areas.

Exceptions to riparian and wetland buffer and setback requirements shall be provided to permit necessary road and bridge repair and construction, trail construction, and other recreational access structures such as docks and piers, or where such buffers deny reasonable use of the property, but only when appropriate mitigation measures and Best Management Practices are incorporated into the project. Exceptions shall also be provided for horticultural and grazing activities on agriculturally zoned lands that utilize “best management practices (BMPs)” as recommended by the County Agricultural Commission and adopted by the Board of Supervisors.

Until standards for buffers and special setbacks are established in the Zoning Ordinance, the County shall apply a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. These interim standards may be modified in a particular instance if more detailed information relating to slope, soil stability, vegetation, habitat, or other site- or project-specific conditions supplied as part of the review for a specific project demonstrates that a different setback is necessary or would be sufficient to protect the particular riparian area at issue.

For projects where the County allows an exception to wetland and riparian buffers, development in or immediately adjacent to such features shall be planned so that impacts on the resources are minimized. If avoidance and minimization are not feasible, the County shall make findings, based on documentation provided by the project proponent, that avoidance and minimization are infeasible.

Policy 7.3.3.5 Rivers, streams, lakes and ponds, and wetlands shall be integrated into new development in such a way that they enhance the aesthetic and natural character of the site while disturbance to the resource is avoided or minimized and fragmentation is limited.

**OBJECTIVE 7.3.4: DRAINAGE**

**Protection and utilization of natural drainage patterns.**

- Policy 7.3.4.1 Natural watercourses shall be integrated into new development in such a way that they enhance the aesthetic and natural character of the site without disturbance.
- Policy 7.3.4.2 Modification of natural stream beds and flow shall be regulated to ensure that adequate mitigation measures are utilized.

**OBJECTIVE 7.3.5: WATER CONSERVATION**

**Conservation of water resources, encouragement of water conservation, and construction of wastewater disposal systems designed to reclaim and re-use treated wastewater on agricultural crops and for other irrigation and wildlife enhancement projects.**

- Policy 7.3.5.1 Drought-tolerant plant species, where feasible, shall be used for landscaping of commercial development. Where the use of drought-tolerant native plant species is feasible, they should be used instead of non-native plant species.
- Policy 7.3.5.2 A list of appropriate local indigenous drought tolerant plant materials shall be maintained by the County Planning Department and made available to the public.
- Policy 7.3.5.3 The County Parks and Recreation Division shall use drought tolerant landscaping for all new parks and park improvement projects.
- Policy 7.3.5.4 Require efficient water conveyance systems in new construction. Establish a program of ongoing conversion of open ditch systems shall be considered for conversion to closed conduits, reclaimed water supplies, or both, as circumstances permit.
- Policy 7.3.5.5 Encourage water reuse programs to conserve raw or potable water supplies consistent with State Law.

**CONSERVATION OF BIOLOGICAL RESOURCES**

**GOAL 7.4: WILDLIFE AND VEGETATION RESOURCES**

**Identify, conserve, and manage wildlife, wildlife habitat, fisheries, and vegetation resources of significant biological, ecological, and recreational value.**

**OBJECTIVE 7.4.1: PINE HILL RARE PLANT SPECIES**

**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 where feasible 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.
- 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.
- Policy 7.4.1.5 *Intentionally blank.*
- Policy 7.4.1.6 *Intentionally blank.*
- Policy 7.4.1.7 *Intentionally blank.*

**OBJECTIVE 7.4.2: IDENTIFY AND PROTECT RESOURCES**

**Identification and protection, where feasible, of critical fish and wildlife habitat including deer winter, summer, and fawning ranges; deer migration routes; stream and river riparian habitat; lake shore habitat; fish spawning areas; wetlands; wildlife corridors; and diverse wildlife habitat.**

- Policy 7.4.2.1 The County will coordinate wildlife and vegetation protection programs with appropriate Federal and State agencies.
- Policy 7.4.2.2 The County shall continue to support the Noxious Weed Management Group in its efforts to reduce and eliminate noxious weed infestations to protect native habitats and to reduce fire hazards.

- Policy 7.4.2.3 Consistent with Policy 9.1.3.1 of the Parks and Recreation Element, low impact uses such as trails and linear parks may be provided within river and stream buffers if all applicable mitigation measures are incorporated into the design.
- Policy 7.4.2.4 Protect and preserve wildlife habitat corridors within public parks and natural resource protection areas to allow for wildlife use. Recreational uses within these areas shall be limited to those activities that do not require grading or vegetation removal.
- Policy 7.4.2.5 Setbacks from all rivers, streams, and lakes shall be included in the Zoning Ordinance for all ministerial and discretionary development projects.
- Policy 7.4.2.6 *Intentionally blank.*
- Policy 7.4.2.7 *Intentionally blank.*
- Policy 7.4.2.8 Conserve contiguous blocks of important habitat to offset the effects of increased habitat loss and fragmentation elsewhere in the County through a Biological Resource Mitigation Program (Program). The Program will result in the conservation of:
1. Habitats that support special status species;
  2. Aquatic environments including streams, rivers, and lakes;
  3. Wetland and riparian habitat;
  4. Important habitat for migratory deer herds; and
  5. Large expanses of native vegetation.
- A. Habitat Protection Strategy. The Program establishes mitigation ratios to offset impacts to special-status species habitat and special-status vegetation communities within the County.
- Special-status species include plants and animals in the following categories:
- Species listed or proposed for listing as Threatened or Endangered under the federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA);
  - Species considered as candidates for listing as Threatened or Endangered under ESA or CESA;
  - Wildlife species identified by California Department of Fish and Wildlife (CDFW) as Species of Special Concern;

- Wildlife species identified by US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) as Species of Concern;
- Plants listed as Endangered or Rare under the California Native Plant Protection Act;
- Animals fully protected under the California Fish and Game Code;
- Plants that have a California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) of 1A (plants presumed extirpated in California and either rare or extinct elsewhere), 1B (plants rare, threatened, or endangered in California and elsewhere), 2A (plants presumed extirpated in California, but more common elsewhere), or 2B (plants rare, threatened, or endangered in California, but more common elsewhere). The CNPS CRPRs are used by both CDFW and USFWS in their consideration of formal species protection under ESA or CESA.

With the exception of oak woodlands, which would be mitigated in accordance with the ORMP (see General Plan Policy 7.4.4.4), and Pine Hill rare plant species and their habitat, which would be mitigated in accordance with County Code Chapter 130.71 (see General Plan Policy 7.4.1.1), mitigation of impacts to vegetation communities will be implemented in accordance with the table below. Preservation and creation of the following vegetation communities will ensure that the current range and distribution of special-status species within the County are maintained.

Habitat Mitigation Summary Table			
Vegetation Type	Preservation	Creation	Total
Water	NA	1:1	1:1
Herbaceous Wetland	1:1	1:1	2:1
Shrub and Tree Wetlands	2:1	1:1	3:1
Upland (non-oak and non-Pine Hill rare plant species habitat)	1:1	NA	1:1

- B. Wildlife Movement for future 4- and 6- and 8-lane roadway construction projects. Consideration of wildlife movement will be given by the County on all future 4-, 6-, and 8-lane roadway

construction and widening projects. Impacts on public safety and wildlife movement for projects that include new roads of 4 or more lanes or the widening of roads to 4 or more lanes will be evaluated during the development review process (see Section C below). The analysis of wildlife movement impacts will take into account the conditions of the project site and surrounding property to determine whether wildlife undercrossings are warranted and, if so, the type, size, and locations that would best mitigate a project's impacts on wildlife movement and associated public safety.

- C. **Biological Resources Assessment.** A site-specific biological resources technical report will be required to determine the presence of special-status biological resources that may be affected by a proposed discretionary project. Vegetation communities and special-status plants shall be mapped and assessed in accordance with the CDFG 2009 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* and subsequent updates, and the *List of Vegetation Alliances and Associations* (CDFG 2010) and subsequent updates. The report will include an assessment of direct, indirect and cumulative impacts to biological resources, including vegetation communities, plant and wildlife species and wildlife movement. The results of the biological resources technical report shall be used as the basis for establishing mitigation requirements in conformance with this policy and the Oak Resources Management Plan (ORMP, see General Plan Policy 7.4.4.4).
- D. **Habitat Protection.** Mitigation for impacts to vegetation communities defined above in Section A will occur within the County on a minimum contiguous habitat block of 5 acres. Wetlands mitigation may occur within mitigation banks and/or outside the County if within the watershed of impact. Mitigation sites will be prioritized based on the following criteria:
- Location within PCAs and IBCs
  - Location within other important ecological areas, as defined in the Updated INRMP Initial Inventory and Mapping (June 2010);
  - Woodland, forest and shrub communities with diverse age structure;
  - Woodland and forest communities with large trees and dense canopies;
  - Opportunities for active land management to be used to enhance or restore natural ecosystem processes;
  - Presence of or potential to support special-status species;

- Connectivity with adjacent protected lands;
  - Parcels that achieve multiple agency and community benefits;
  - Parcels that are located generally to the west of the Eldorado National Forest; and
  - Parcels that would preserve natural wildlife movement corridors such as crossings under major roadways (e.g., U.S. Highway 50 and across canyons).
- E. Mitigation Assistance. The County will establish and maintain a database of willing sellers of land for mitigation of biological resource impacts within the County. The County will manage the database as a voluntary program wherein landowners must opt-in to be included in the database by contacting the County. The database will include the following information:
- Property owner name
  - Assessor's Parcel Number
  - Parcel acreage
  - General vegetation communities as mapped in the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) database
  - Location within Priority Conservation Area (PCA), Important Biological Corridor (IBC), or important ecological area, as defined in the Updated INRMP Initial Inventory and Mapping (June 2010).

Policy 7.4.2.9 The Important Biological Corridor (-IBC) overlay shall apply to lands identified as having high wildlife habitat values because of extent, habitat function, connectivity, and other factors. Lands located within the overlay district shall be subject to the following provisions except that where the overlay is applied to lands that are also subject to the Agricultural District (-A) overlay or that are within the Agricultural Lands (AL) designation, the land use restrictions associated with the IBC policies will not apply to the extent that the agricultural practices do not interfere with the purposes of the -IBC overlay:

- In order to evaluate project-specific compatibility with the -IBC overlay, applicants for discretionary projects (and applicants for ministerial projects within the Weber Creek canyon IBC) shall be required to provide to the County a biological resources technical report (meeting the requirements identified in Section A of Policy 7.4.2.8 above). The site-specific biological resources technical report will determine the presence of special-status species or habitat for such species (as defined in Section B of Policy 7.4.2.8

above) that may be affected by a proposed project as well as the presence of wildlife corridors particularly those used by large mammals such as mountain lion, bobcat, mule deer, American black bear, and coyote. Properties within the -IBC overlay that are found to support wildlife movement shall provide mitigation to ensure there is no net loss of wildlife movement function and value for special-status species, as well as large mammals such as mountain lion, bobcat, mule deer, American black bear, and coyote. Mitigation measures may include land use siting and design tools.

Wildland Fire Safe measures (actions conducted in accordance with an approved Fire Safe Plan for existing structures or defensible space maintenance for existing structures consistent with California Public Resources Code Section 4291) are exempt from this policy, except that Fire Safe measures will be designed insofar as possible to be consistent with the objectives of the Important Biological Corridor. Wildland Fire Safe measures for proposed projects are not exempt from this policy.

### **OBJECTIVE 7.4.3: INTENTIONALLY BLANK**

### **OBJECTIVE 7.4.4: FOREST, OAK WOODLAND, AND TREE RESOURCES**

**Protect and conserve forest, oak woodland, and tree resources for their wildlife habitat, recreation, water production, domestic livestock grazing, production of a sustainable flow of wood products, and aesthetic values.**

- Policy 7.4.4.1 The Natural Resource land use designation shall be used to protect important forest resources from uses incompatible with timber harvesting.
- Policy 7.4.4.2 Through the review of discretionary projects, the County, consistent with any limitations imposed by State law, shall encourage the conservation, protection, planting, restoration, and regeneration of native trees in new developments and within existing communities.
- Policy 7.4.4.3 Encourage the clustering of development to retain the largest contiguous areas of forests and oak woodlands possible.
- Policy 7.4.4.4 For all new development projects or actions that result in impacts to oak woodlands and/or individual native oak trees, including Heritage Trees, the County shall require mitigation as outlined in the El Dorado County Oak Resources Management Plan (ORMP). The ORMP functions as the oak resources component of the County's biological resources mitigation program, identified in Policy 7.4.2.8.

The ORMP identifies standards for oak woodland and native oak tree impact determination, mechanisms to mitigate oak woodland and native oak tree impacts, technical report submittal requirements, minimum qualifications for technical report preparation, mitigation monitoring and reporting requirements, and projects or actions that are exempt from this policy. The ORMP also establishes an in-lieu fee payment option for impacts to oak woodlands and native oak trees, identifies Priority Conservation Areas (PCAs) where oak woodland conservation efforts may be focused, and outlines minimum standards for identification of oak woodland conservation areas outside the PCAs. Requirements for monitoring and maintenance of conserved oak woodland areas and identification of allowable uses within conserved oak woodland areas are also included in the ORMP.

## **PRESERVATION OF CULTURAL RESOURCES**

### **GOAL 7.5: CULTURAL RESOURCES**

**Ensure the preservation of the County's important cultural resources.**

#### **OBJECTIVE 7.5.1: PROTECTION OF CULTURAL HERITAGE**

**Creation of an identification and preservation program for the County's cultural resources.**

Policy 7.5.1.1 The County shall establish a Cultural Resources Ordinance. This ordinance shall provide a broad regulatory framework for the mitigation of impacts on cultural resources (including historic, prehistoric and paleontological resources) by discretionary projects. This Ordinance should include (but not be limited to) and provide for the following:

- A. Appropriate (as per guidance from the Native American Heritage Commission) Native American monitors to be notified regarding projects involving significant ground-disturbing activities that could affect significant resources.
- B. A 100-foot development setback in sensitive areas as a study threshold when deemed appropriate.
- C. Identification of appropriate buffers, given the nature of the resources within which ground-disturbing activities should be limited.
- D. A definition of cultural resources that are significant to the County. This definition shall conform to (but not necessarily be limited to) the significance criteria used for the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR) and Society of Vertebrate Paleontology.

- E. Formulation of project review guidelines for all development projects.
- F. Development of a cultural resources sensitivity map of the County.

Policy 7.5.1.2 Reports and/or maps identifying specific locations of archaeological or historical sites shall be kept confidential in the Planning Department but shall be disclosed where applicable.

Policy 7.5.1.3 Cultural resource studies (historic, prehistoric, and paleontological resources) shall be conducted prior to approval of discretionary projects. Studies may include, but are not limited to, record searches through the North Central Information Center at California State University, Sacramento, the Museum of Paleontology, University of California, Berkeley, field surveys, subsurface testing, and/or salvage excavations. The avoidance and protection of sites shall be encouraged.

Policy 7.5.1.4 Promote the registration of historic districts, sites, buildings, structures, and objects in the National Register of Historic Places and inclusion in the California State Office of Historic Preservation’s California Points of Historic Interest and California Inventory of Historic Resources.

Policy 7.5.1.5 A Cultural Resources Preservation Commission shall be formed to aid in the protection and preservation of the County’s important cultural resources. The Commission’s duties shall include, but are not limited to:

- A. Assisting in the formulation of policies for the identification, treatment, and protection of cultural resources (including historic cemeteries) and the curation of any artifacts collected during field collection/excavation;
- B. Assisting in preparation of a cultural resources inventory (to include prehistoric sites and historic sites and structures of local importance);
- C. Reviewing all projects with identified cultural resources and making recommendations on appropriate forms of protection and mitigation; and
- D. Reviewing sites for possible inclusion in the National Register of Historic Places, California Register, and other State and local lists of cultural properties.

The County shall request to become a Certified Local Government (CLG) through the State Office of Historic Preservation. Certification would qualify the County for grants to aid in historic preservation projects. The Cultural Resources Preservation Commission could serve as the Commission required for the CLG program.

Policy 7.5.1.6 The County shall treat any significant cultural resources (i.e., those determined California Register of Historical Resources/National Register

of Historic Places eligible and unique paleontological resources), documented as a result of a conformity review for ministerial development, in accordance with CEQA standards.

## **OBJECTIVE 7.5.2: VISUAL INTEGRITY**

### **Maintenance of the visual integrity of historic resources.**

- Policy 7.5.2.1 Create Historic Design Control Districts for areas, places, sites, structures, or uses which have special historic significance.
- Policy 7.5.2.2 The County shall define Historic Design Control Districts (HDCDs). HDCD inclusions and boundaries shall be determined in a manner consistent with National Historic Preservation Act (NHPA) Historic District standards.
- A. The County shall develop design guidelines for each HDCD. These guidelines shall be compatible with NHPA standards.
  - B. New buildings and structures and reconstruction/restoration of historic (historic as per National Register of Historic Places [NRHP] and California Register of Historical Resources [CRHR] criteria) buildings and structures shall generally conform to styles of architecture prevalent during the latter half of the 19th century into the first decade of the 20th century.
  - C. Any historic building or structure located within a designated HDCD, or any building or structure located elsewhere in the county that is listed on the NRHP or CRHR, is designated a California Building of Historic Interest, or a California State Historic Landmark, or is designated as significant as per NRHP/CRHR criteria, shall not be destroyed, significantly altered, removed, or otherwise changed in exterior appearance without a design review.
  - D. In cases where the County permits the significant alteration of a historic building or structure exterior, such alteration shall be required to maintain the historic integrity and appearance of the building or structure and shall be subject to a design review.
  - E. In cases where new building construction is placed next to a historic building or structure in a designated HDCD or listed on the CRHR/NRHP, the architectural design of the new construction shall generally conform to the historic period of significance of the HDCD or listed property.
  - F. In cases where the County permits the destruction of a historic building or tearing down a structure, the building or structure shall first be recorded in a manner consistent with the standards of the NHPA

Historic American Building Survey (HABS) by a qualified professional architectural historian.

G. The County shall mandate building and structure design controls within the viewshed of the Marshall Gold Discovery State Historic Park. These design controls shall be consistent with those mandated for designated Historic Design Control Districts.

Policy 7.5.2.3 New buildings and reconstruction in historic communities shall generally conform to the types of architecture prevalent in the gold mining areas of California during the period 1850 to 1910.

Policy 7.5.2.4 The County shall prohibit the modification of all National Register of Historic Places (NRHP)/California Register of Historical Resources (CRHR) listed properties that would alter their integrity, historic setting, and appearance to a degree that would preclude their continued listing on these registers. If avoidance of such modifications on privately owned listed properties is deemed infeasible, mitigation measures commensurate with NRHP/CRHR standards shall be formulated in cooperation with the property owner.

Policy 7.5.2.5 In cases where the County permits the demolition or alteration of an historic building, such alteration or new construction (subsequent to demolition) shall be required to maintain the character of the historic building or replicate its historic features.

Policy 7.5.2.6 The County, in cooperation with the State, shall identify the viewshed of Coloma State Park and establish guidelines to be used for development within the viewshed. In addition, the County shall continue to support the relocation of State Route 49 to bypass the Park in order to protect its visual and physical integrity.

**OBJECTIVE 7.5.3: RECOGNITION OF PREHISTORIC/HISTORIC RESOURCES**

**Recognition of the value of the County’s prehistoric and historic resources to residents, tourists, and the economy of the County, and promotion of public access and enjoyment of prehistoric and historic resources where appropriate.**

**OBJECTIVE 7.5.4: PROTECTION OF CEMETERIES**

**Preservation and protection of existing cemeteries including access and parking.**

Policy 7.5.4.1 Protect access routes and parking at existing cemeteries. Development proposals will be evaluated to ensure that they do not interfere with cemeteries or their access and parking.

**PRESERVATION OF OPEN SPACE****GOAL 7.6: OPEN SPACE CONSERVATION**

**Conserve open space land for the continuation of the County's rural character, commercial agriculture, forestry and other productive uses, the enjoyment of scenic beauty and recreation, the protection of natural resources, for protection from natural hazards, and for wildlife habitat.**

**OBJECTIVE 7.6.1: IMPORTANCE OF OPEN SPACE****Consideration of open space as an important factor in the County's quality of life.**

Policy 7.6.1.1 The General Plan land use map shall include an Open Space land use designation. The purpose of this designation is to implement the goals and objectives of the Land Use and the Conservation and Open Space Elements by serving one or more of the purposes stated below. In addition, the designations on the land use map for Rural Residential and Natural Resource areas are also intended to implement said goals and objectives. Primary purposes of open space include:

- A. Conserving natural resource areas required for the conservation of plant and animal life including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, banks of rivers and streams and watershed lands;
- B. Conserving natural resource lands for the managed production of resources including forest products, rangeland, agricultural lands important to the production of food and fiber; and areas containing important mineral deposits;
- C. Maintaining areas of importance for outdoor recreation including areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes including those providing access to lake shores, beaches and rivers and streams; and areas which serve as links between major recreation and open space reservations including utility easements, banks of rivers and streams, trails and scenic highway corridors;
- D. Delineating open space for public health and safety including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality; and
- E. Providing for open spaces to create buffers which may be landscaped to minimize the adverse impact of one land use on another.

- Policy 7.6.1.2 The County will provide for Open Space lands through:
- A. The designation of land as Open Space;
  - B. The designation of land for low-intensity land uses as provided in the Rural Residential and Natural Resource land use designations;
  - C. Local implementation of the Federal Emergency Management Agency’s National Flood Insurance Program;
  - D. Local implementation of the State Land Conservation Act Program; and
  - E. Open space land set aside through Planned Developments (PDs).
- Policy 7.6.1.3 The County shall implement Policy 7.6.1.1 through zoning regulations and the administration thereof. It is intended that certain districts and certain requirements in zoning regulations carry out the purposes set forth in Policy 7.6.1.1 as follows:
- A. The Open Space (OS) Zoning District is consistent with and shall implement the Open Space designation of the General Plan land use map and all other land use designations.
  - B. The Agricultural (A), Exclusive Agricultural (AE), Planned Agricultural (PA), Select Agricultural (SA-10), and Timberland Production Zone (TPZ) zoning districts are consistent with Policy 7.6.1.1 and serve one or more of the purposes set forth therein.
  - C. Zoning regulations shall provide for setbacks from all flood plains, streams, lakes, rivers and canals to maintain Purposes A, B, C, and D set forth in Policy 7.6.1.1.
  - D. Zoning regulations shall provide for maintenance of permanent open space in residential, commercial, industrial, agricultural, and residential agricultural zone districts based on standards established in those provisions of the County Code. The regulations shall minimize impacts on wetlands, flood plains, streams, lakes, rivers, canals, and slopes in excess of 30 percent and shall maintain Purposes A, B, C, and D in Policy 7.6.1.1.
  - E. Landscaping requirements in zoning regulations shall provide for vegetative buffers between incompatible land uses in order to maintain Purpose E in Policy 7.6.1.1.

- F. Zoning regulations shall provide for Mineral Resource Combining Zone Districts and/or other appropriate mineral zoning categories which shall be applied to lands found to contain important mineral deposits if development of the resource can occur in compliance with all other policies of the General Plan. Those regulations shall maintain Purposes A, B, C, D, and E of Policy 7.6.1.1.

Policy 7.6.1.4 The creation of new open space areas, including Ecological Preserves, common areas of new subdivisions, and recreational areas, shall include wildfire safety planning.

**IMPLEMENTATION PROGRAM**

**MEASURE CO-A**

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- A. Incorporate tree canopy coverage standards outlined in Policy 7.4.4.4;
- B. Develop standards for use of native plants in landscaping [Policy 7.4.5.2];
- C. Establish Historic Design Control Combining Zone District and design guidelines for reconstruction and construction of new buildings and the demolition of existing buildings in such districts. Adopt an ordinance amendment implementing historic design review requirements and recordation procedures. [Policies 7.5.2.1, 7.5.2.2, and 7.5.2.4];
- D. Develop buffer standards for new nonmining land uses next to existing mining operations [Policy 7.2.2.3];
- E. Develop standards for minimizing erosion and sedimentation associated with earthwork and grading [Policy 7.1.2.2].

Responsibility:	Planning Department
Time Frame:	Update Zoning Ordinance within one year of General Plan adoption.

**MEASURE CO-B**

Coordinate with the Resource Conservation Districts to address erosion control issues. [Policy 7.1.2.4]

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Ongoing

**MEASURE CO-C**

In coordination with the Resource Conservation Districts, develop a roadside maintenance program that addresses roadside drainage, the protection of adjacent surface waters, and vegetation control. [Policy 7.1.2.5]

*Also refer to Measure CO-G.*

Responsibility:	Department of Transportation
Time Frame:	Develop and implement program within three years of General Plan adoption.

**MEASURE CO-D**

Develop and agricultural permit program that includes standards for agricultural operations comparable to those in the Grading Ordinance and considers other issues important to the protection of agricultural lands.

Responsibility:	Department of Transportation, Department of Agriculture, and Planning Department
Time Frame:	Within three years of General Plan adoption

**MEASURE CO-E**

Request that the California Geological Survey conduct a non-metallic mineral survey for the County and manage resources appropriately. [Policy 7.2.1.3]

Responsibility:	Planning Department
Time Frame:	Request survey by state within two years of General Plan adoption. Amend General Plan upon completion of survey by state.

**MEASURE CO-F**

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**MEASURE CO-G**

Create guidelines for development projects that may affect surface water resources. The guidelines should include:

- Definition(s) of surface water resources;
- Criteria for determining the presence of surface water resources;

- Buffer standards;
- Mitigation standards; and
- Use of Best Management Practices.

[Policies 7.3.1.1, 7.3.2.1, 7.3.2.3, 7.3.3.1, 7.3.3.2, and 7.3.4.2]

Also refer to Measure CO-C.

Responsibility:	Environmental Management, Department of Transportation, and Planning Department
Time Frame:	Within five years of General Plan adoption.

**MEASURE CO-H**

Prepare and adopt an ordinance revision to permit the use of domestic gray water for irrigation purposes. [Policy 7.3.1.3]

Responsibility:	Environmental Management and Building Department
Time Frame:	Develop ordinance within five years of General Plan adoption.

**MEASURE CO-I**

Evaluate alternatives to the use of salt for snow removal on County roads. [Policy 7.3.2.4]

Responsibility:	Department of Transportation
Time Frame:	Complete evaluation within two years of General Plan adoption.

**MEASURE CO-J**

Develop and implement a program to perform water quality analysis and monitoring of the County’s recreational waters. [Policy 7.3.2.5]

Responsibility:	Environmental Management and Department of Transportation
Time Frame:	Develop and implement program within eight years of General Plan adoption.

**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; and

[Policies 7.4.1.1, 7.4.1.2, and 7.4.1.3 and Objective 7.4.3]

Responsibility:	Planning Department
Time Frame:	Ongoing implementation to continue immediately upon General Plan adoption. Development standards to be incorporated into updated Zoning Ordinance and design standards programs.

**MEASURE CO-L**

Develop guidelines for the preparation of biological resources technical reports. [Policy 7.4.2.8]

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Develop guidelines within five years of General Plan adoption.

**MEASURE CO-M**

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**MEASURE CO-N**

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**MEASURE CO-O**

Prepare and adopt a riparian setback ordinance. The ordinance, which shall be incorporated into the Zoning Code, should address mitigation standards, including permanent protection

mechanisms for protected areas, and exceptions to the setback requirements. The ordinance shall be applied to riparian areas associated with any surface water feature (i.e., rivers, streams, lakes, ponds, and wetlands) and should be prepared in coordination with Measure CO-B. [Policy 7.4.2.5]

Responsibility:	Planning Department
Time Frame:	Within three years of General Plan adoption.

**MEASURE CO-P**

Develop and adopt an Oak Resources Management Plan. The plan shall address the following:

- Mitigation standards for oak resources impacts;
- Definitions of exempt projects and actions;
- Technical report requirements;
- Oak resources mitigation options and standards;
- Heritage Tree mitigation standards; and
- Oak resources mitigation monitoring and reporting requirements.
  
- [Policy 7.4.4.4]

Responsibility:	Planning Department
Time Frame:	Concurrent with biological resources policy update.

**MEASURE CO-Q**

Develop and adopt a Cultural Resources Preservation Ordinance, consistent with Policy 7.5.1.1.

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Adopt ordinance within two years of General Plan adoption.

**MEASURE CO-R**

Maintain a confidential cultural resources database of prehistoric and historic resources, including the location and condition of pioneer cemetery sites. Information may be made available consistent with state and federal law. [Policy 7.5.1.2]

Responsibility:	Planning Department
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Time Frame:	Ongoing
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**MEASURE CO-S**

Investigate becoming a Certified Local Government through the State Office of Historic Preservation. [Policy 7.5.1.5]

Responsibility:	Planning Department
Time Frame:	Report to the Board of Supervisors within five years of General Plan adoption.

**MEASURE CO-T**

Work with the State of California Department of Parks and Recreation to identify the viewshed of Marshall Gold Discovery State Historic Park (Coloma) and establish guidelines for development within that viewshed. [Policy 7.5.2.6]

Responsibility:	Planning Department
Time Frame:	Identify viewshed within four years of General Plan adoption. Adopt standards within six years.

**MEASURE CO-U**

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