

RESOLUTION NO. -2017

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN BIOLOGICAL RESOURCES POLICY UPDATE, OAK RESOURCES MANAGEMENT PLAN, AND OAK RESOURCES CONSERVATION ORDINANCE; MAKING ENVIRONMENTAL FINDINGS OF FACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND APPROVING THE MITIGATION MONITORING AND REPORTING PROGRAM

Exhibit C

Mitigation Monitoring and Reporting Program

DRAFT

Exhibit A-3

CEQA Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) requires the public agency approving a project for which an EIR was certified to adopt a reporting or monitoring program for the mitigation measures adopted in order to lessen, avoid, or compensate for the project's significant effects on the environment. (Public Resources Code Section 21081.6)

Section 9 (Mitigation Monitoring and Reporting Program) of Exhibit A (CEQA Findings of Fact) to Resolution No. ____-2017 states that as "required by Public Resources Code Section 21081.6, and Sections 15091(d) and 15097 of the CEQA Guidelines, the County, is adopting a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is designed to ensure that, during all phases of the Project, the County implements the adopted mitigation measures."

The County has taken the approach of including all feasible mitigation measures, as summarized below, in the adopted General Plan Biological Resources Policy Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance as policies or code provisions.

Mitigation Measure BIO-1: *Conservation Area Monitoring.*

The Biological Resource Mitigation Program developed by the County under Policy 7.4.2.8 shall include requirements for periodic monitoring of preserved lands by individual development project applicants or their designee to assess effectiveness of the Program for protection of special-status and native species. Prior to final approval of an individual development project, the applicant shall demonstrate to the County that they have a comprehensive monitoring strategy in place for preserved lands, and that funding is secured to implement the monitoring strategy in perpetuity.

Mitigation Measure BIO-2: *Require Mitigation for Valley Oak Tree and Valley Oak Woodland Impacts.*

The exemptions section of the ORMP and the Oak Resources Conservation Ordinance shall be revised such that no activities shall be exempt from the requirement to mitigate impacts to valley oak woodlands and individual valley oak trees.

Subsection (b) of CEQA Guidelines Section 15097 (14 California Code of Regulations 15097) provides that when the project at issue is the adoption of a general plan or zoning ordinance, "the monitoring plan shall apply to policies or any other portion of the plan that is a mitigation measure." The subsection further provides that "[t]he annual report on general plan status required pursuant to the Government Code is one example of a reporting program for adoption of ... a county general plan." Given this format, the Board of Supervisors has determined that no additional information or documentation is necessary or required in this MMRP.

El Dorado County Community Development Agency staff prepares and presents to the Board of Supervisors an annual report on the implementation status of the General Plan, as set out in General Plan Policy 2.9.1.1 (General Plan Monitoring and Review) and in Government Code Section 65400. This annual report will include information on the status of the Oak Resources Conservation Ordinance and its implementation.

This annual report fulfills the requirements of Government Code Section 65400 and is hereby found by the Board to constitute the mitigation monitoring and reporting program (MMRP) for the General Plan Biological Resources Policy Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance.

The Long Range Planning Division of the Community Development Agency is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the General Plan Biological Resources Policy Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance was based. Inquiries about the record of proceedings should be directed to:

Anne Novotny, Principal Planner
Community Development Agency
Long Range Planning Division
(530) 621-5931

The location of this information is:
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Long Range Planning Division
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