

EXHIBIT A

PLANNING COMMISSION MEETING 4/27/17, ITEM 9

A motion was made by Planning Commissioner Miller, seconded by Commissioner Williams, to recommend approval to the Board of Supervisors of staff's recommended actions, including the additional recommendations identified by the Planning Commission during the hearing.

(See Option 3 – Selective Recommendations to the Board of Supervisors)

Staff recommends Planning Commission forward a recommendation to Board of Supervisors to take the following actions:

1. **Adopt Resolution to Certify Final EIR for General Plan Biological Resources Policy Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance (Exhibit A)**
 - A. **Make Environmental Findings of Fact (Exhibit A-1)**
 - B. **Adopt Statement of Overriding Considerations (Exhibit A-2)**
 - C. **Approve Mitigation Monitoring and Reporting Program (Exhibit A-3)**
2. **Adopt Resolution to Amend the Biological Resources Policies, Objectives and Implementation Measures in El Dorado County General Plan (Exhibit B);**
3. **Adopt Resolution adopting Oak Resources Management Plan (Exhibit C); and**
4. **Adopt Oak Resource Conservation Ordinance (Exhibit D) to be incorporated into County Code of Ordinances, Title 130 (Zoning Ordinance) as Chapter 130.39 (Oak Resources Conservation)**

EXHIBIT A

Options for Preparing Final Recommendation to the Board

Option 1 – Recommend adoption of the Project as Proposed (without modifications)

- **Commission may choose to recommend adoption of the Project as proposed**

Option 2 – No Recommendation

- **Commission may choose not to offer a recommendation to the Board on any or some of the project components, as the Commission deems appropriate**

Option 3 – Selective Recommendations

- **Commission is not required to advise the Board on all of the policy changes and other components of the Project, and may choose to make selected recommendations only**

On April 27, 2017, the Planning Commission made the following selective recommendations:

- 1. Add language to Ordinance Enforcement section 130.39.080 in Ordinance to ORMP Maintenance and Monitoring Program**
- 2. Redefine Heritage Trees to 20 inch diameter**
- 3. Ordinance Section 130.39.090(B) change to annual reporting and includes expenses and income**
- 4. In-lieu fee – acquisition land values more in line with El Dorado County**
- 5. Enforcement – needs to be more effectively applied, in light of past performance and deficiencies**
- 6. Establish long-term funding for Mitigation and Monitoring in perpetuity**

EXHIBIT A

AGRICULTURAL COMMISSION MEETING 5/10/17, ITEM 5

A motion was made by Commissioner Neilsen, and seconded by Commissioner Walker, to recommend staff forward the following comments to the Board of Supervisors on the General Plan Biological Resources Policies Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance.

- 1. Heritage Oak size should not be less than 36 inches in diameter on Ag zoned lands or AL designated, and 20 inches on other lands.**
- 2. Personal Use Exemption – 8 tree limit per parcel seems impractical and needs more flexibility or criteria depending on the character of the parcel (e.g., size, density, number of dwelling units, number of owners, zoning or land use designation).**
- 3. Site Selection Criteria and Maintenance&Monitoring (M&M) cost in the in-lieu fee seems inadequate.**
- 4. Exclude mitigation CUP trigger in an Ag District or active Williamson Act contracted lands.**

A follow up to this agenda item was heard on 6/14/17 with additional comments and a motion made by Commissioner Draper, and seconded by Chair Boeger for staff to forward the additional recommendation to the Board of Supervisors on the General Plan Biological Resources Policies Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance.

Exemption from mitigation for Heritage Trees that are Live Oak species removed from Agricultural properties.