



Legislation Text

File #: 18-0562, **Version:** 1

Supervisor Ranalli recommending the Board consider the following:

- 1) Direct the Planning and Building Director, pursuant to his recommendation and Section 130.71.110 of the County Ordinance Code pertaining to the Ecological Preserve Fee, that Rare Plant Endowment funds be used for any specialized cleanup and/or maintenance work that might be required for the approximately 30 acres of County-owned land near Palmer Drive and Loma Drive acquired by the County for the purposes of rare plant preservation and project mitigation, with a not to exceed amount of \$20,000; and
- 2) Direct the Planning and Building Director and the Transportation Director to provide a report to the Board before the end of 2018, on the condition of this property following the completion of work to cleanup and secure this property. (Est. Time: 30 Min.)

The Planning and Building Director is recommending the use of Rare Plant Endowment funds in the event that specialized maintenance work is required or if hazardous waste/materials are encountered during the cleanup of this property. The handling, removal and disposal of hazardous waste/materials will require the services of an outside contractor.

In the event that special maintenance work and/or that an outside contractor is required to remove and dispose of any hazardous waste/materials discovered at this site, the Planning and Building Director recommends the use of Rare Plant Endowment funds for the following reasons:

- The Rare Plant Ecological Fee collected by the County on building permits is generally split into two funds: The Special Revenue Fund is used only for acquisition. The Endowment fund is intended for maintenance and management. The cleanup, fuel modification, and restriction of the public access are consistent with maintenance and management.
- The cleanup, fuel modification, and restriction of public access would be consistent with the County Rare Plant Ecological Fee Endowment fund.
- Specifically, the Economic Feasibility Study for the El Dorado County Ecological Preserves (EPS February 1997) states that "Fuel load management would be implemented for fire safety and enhancement of habitat for the rare plant species. Recreational use of off-highway vehicles and all camping would be prohibited."

DISCUSSION / BACKGROUND:

On January 26, 2010, the Board of Supervisors approved the purchase of approximately 20.11 acres of land commonly known as the Carriage Hills Property, located in Mitigation Area 1 on the rare plant preserve maps and adjacent to the existing Pine Hill Preserve, Cameron Park Unit. The property was purchased to preserve these lands for potential use as mitigation for a number of County Department of Transportation projects that could possibly affect gabbro soils rare plants. DOT/General Fund revenues were used to purchase this property.

At the time of purchase, five of the eight pine hill endemics were reported to be present on the property and a sixth sensitive plant was determined to have a high potential to occur on the property.

The U.S. Fish and Wildlife Service and the California Department of Fish and Game both indicated that properties in this general vicinity are particularly important for the ongoing success of several of the gabbro soil plants.

On November 9, 2010, the Board of Supervisors approved the purchase of approximately 8.93 acres of land commonly known as the Detmold Property, located in Mitigation Area 1 on the rare plant preserve maps and adjacent to the existing Pine Hill Preserve, Cameron Park Unit. The property is located in an area rich with the eight species of gabbro soil plants and was purchased for the purpose of rare plant habitat and ultimate inclusion in the Pine Hill Preserve, Cameron Park Unit. Rare Plant Mitigation Funds were used to purchase this property.

It was brought to the attention of County staff that conditions exist on this property that require immediate attention. These conditions are the result of the illegal dumping of solid waste/garbage and are due to individuals camping and living on this property without authorization.

Following County meetings at the property and with neighbors, the County identified the steps moving forward to address the issues on this property that include the cleanup/removal of solid waste and efforts to prevent trespassing. The County Environmental Management Department and the County Department of Transportation will coordinate the staff and equipment necessary to remove the solid waste and materials from the property. El Dorado Disposal has committed to provide dumpsters to dispose of the solid waste at this site, resulting in a cost savings to the County. Should hazardous materials/waste be encountered at the site, an outside contractor will be utilized for the handling, removal and disposal of the hazardous materials/waste.

In addition to the cleanup, staff is working to increase the security procedures at the site. The County's Department of Transportation is working to put road blocks in place, so individuals cannot access the dirt road to the property, which was used by those who illegally dispose of their solid waste/garbage and individuals who seek to access the property to camp.

CAL FIRE is also participating in the multi-agency response to address the conditions on this property. CAL FIRE will coordinate the fuel reduction and fire prevention work on the property once the County Environmental Management Department and the Transportation Department have completed the cleanup. The fire prevention work could include hand crews brushing the road and property line at a minimum of 30 feet. This will help to prevent and contain a fire and make the property less desirable for individuals to want to camp at the site.

Representatives from different County Departments (including DOT, Sheriff, and Facilities) are working with the Office of the County Counsel on appropriate signage for the property and will also work with the local, state, and federal agencies that participate in the Cooperative Management Agreement for the Pine Hill Preserve in developing signage for the property within the Pine Hill Preserve. The security of the property will be an ongoing matter that will require regular monitoring. Due to the ongoing matter of the security of the property and the presence of rare plants, it is recommended that the Director of the Planning and Building Department and the Director of the Transportation Department report back to the Board of Supervisors on how the new procedures are working.

On April 3, 2018, the Board of Supervisors provided conceptual approval to direct the Office of the County Counsel to prepare amendments to Chapter 9.55 of the El Dorado County Ordinance Code pertaining to the Camping and Storage of Personal Property on Private and Public Property. The conceptually approved amendments, as proposed, will prohibit camping on County-owned property that was obtained to preserve habitat for rare plants or oak woodlands. The Board also approved direction for the Office of the County Counsel to return to the Board on April 10, 2018, with the proposed Ordinance for First Reading.

ALTERNATIVES:

The Board could not approve this item. If not approved, County staff will look for alternative methods to fund the cleanup of the property. If this occurs, it will delay the cleanup of the property and CAL FIRE's planned fuel reduction and fire prevention work.

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

Chief Administrative Office, County Counsel, Sheriff's Office, Planning and Building, Environmental Management, Department of Transportation, and CAL FIRE.

CAO RECOMMENDATION:

It is recommended that the Board approve this item.

FINANCIAL IMPACT:

There is no Net County Cost to this item. Rare plant endowment funds will be used which are intended to be for the maintenance and management of rare plant properties.

CLERK OF THE BOARD FOLLOW UP ACTIONS

No action items for the Clerk.

STRATEGIC PLAN COMPONENT:

Public Safety and Healthy Community.

CONTACT

Supervisor Michael Ranalli