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**Conservation Strategy Overview:
Calaveras County Natural Communities
Conservation Plan/
Habitat Conservation Plan**

**Phase One for Western Calaveras County
June 2006**

The County of Calaveras would like to pursue a Natural Community Conservation Plan (NCCP) under the State of California Natural Community Conservation Planning Act and a Habitat Conservation Plan (HCP) under the Federal Endangered Species Act (FESA). The NCCP/HCP will be a comprehensive countywide plan for the conservation of all natural communities, endangered species and other less sensitive species of native wildlife, fish and plants. The NCCP/HCP is an important part of the land use, open space and conservation goals, policies and programs of the County General Plan and will help preserve the diversity of natural plant and animal communities and preserve agricultural land and open-space.

In addition, the NCCP/HCP planning process provides a scientific and legal basis for a series of regulatory permits from state and federal agencies that will make the environmental review of future public and private projects more consistent, more predictable and more efficient. (For more information about the planning process and regulatory permitting, please see the Natural Community Conservation Planning Agreement, dated _____).

Phase One of this _____ phase NCCP/HCP program will cover the western portion of the County (*To Be Developed: NCCP/HCP Phase One Boundary Map*). Ultimately the NCCP/HCP program will address all of the unincorporated area of Calaveras County and may include other participating agencies, including cities and special districts.

This *Conservation Strategy Overview* is a preliminary statement of the basic goals and the approach that is now being considered for the NCCP/HCP (the "Conservation Plan" or "Plan"). The *Overview* is general; the actual Conservation Plan will include explicit objectives and show how they will be attained. The goal of Phase One of the

Conservation Plan is to provide area-wide, long-term conservation to all natural communities and certain endangered and other special status plant and animal species in western Calaveras County. The *Overview* defines several principles in the Background and Principles section, outlines a Preliminary Conservation Plan approach, and summarizes conservation and development opportunity maps for the Phase One plan area.

A. Background and Principles

1. Western Calaveras County supports important natural communities including vernal pool grasslands, creeks, riparian corridors, and blue oak woodlands. Some of the species associated with these natural communities have been designated by the State or Federal government as threatened or endangered species, and some are species of concern that may be listed in the future. Retention of these natural communities and the species that live in them in a system of connected, ecologically healthy lands will be the foundation and focus of Phase One of the Conservation Plan.

2. The Value of Natural Communities. There are many reasons to conserve the County's natural communities. Natural communities of native plants, animals, and insects provide many benefits to the residents of Calaveras County. These benefits include controlling floods, improving local climate, preventing soil erosion, maintaining soil fertility, and controlling agricultural pests and disease vectors. Natural communities also contribute to the beauty of the County's landscapes and support a multitude of wildlife species, providing recreational opportunities for fishing, hiking, hunting, horseback riding and other activities, and generally enhancing the quality of life in the County.

3. Classification of Natural Communities. Natural communities are classified by their characteristic vegetation or land cover type (e.g., blue oak woodlands, vernal pool grasslands and freshwater creeks). Continuous patches of vegetation or land cover types larger than 10 acres are defined as "large patch communities." Small (less than 10 acres), isolated, communities that are biologically important, unique, or have rare species associated with them are defined as "small patch communities." On maps, these appear as point locations within large-patch communities. Small- and large-patch communities together with agricultural, commercial, and residential lands, form a mosaic at a landscape scale. The **Phase One Natural Resources Report** will describe the natural communities within each watershed in western Calaveras County. Sensitive species tend to be associated with one or more small- or large-patch natural communities. Thus, by conserving these communities, populations of sensitive species can also be conserved.

4. Broad conservation goals. The goals for this Conservation Plan are to: 1) sustain all present natural communities in the western Calaveras County landscape, 2) partially restore or enhance certain natural communities, 3) for certain individual species covered under the Plan, ensure population stability and sustainability, and contribute to the species' recovery, and 4) address cumulative impacts of intensive land use and urbanization in Calaveras County including, conservation of landscape connectivity and conservation and restoration of ecosystem processes and functions. The projected time frame for the implementation of the Conservation Plan will be on the order of 50 years. Western Calaveras County's natural communities now exist along hundreds of miles of creeks and on tens of thousands of acres of the landscape, although habitat degradation and fragmentation provides an unknown degree of stress upon the sustainability of these natural ecosystems in their current status. In other words, the size or range of existing natural communities may be reduced somewhat, but it will be necessary to maintain or increase the overall health of those communities.

5. Biological value is a measure of the Calaveras County landscape's capacity to achieve the Plan's conservation goals. The natural communities present in the County often respond well if they are actively managed. The Conservation Plan can be based on conservation of biological values achieved from a combination of natural land preservation, enhancement of biological value by active management of land, or by maintenance of values on lands with compatible uses. Agriculture and public recreation are often compatible with the conservation of natural communities and can be a component of the management effort required to sustain their biological values. Some agricultural activities help fulfill certain biological needs of natural communities and native species. For example, properly managed grazing can enhance vernal pool grasslands, active management of forest lands can benefit a multitude of species and annual and perennial crop production can provide valuable benefits to waterfowl and other wildlife. Conservation of agricultural lands and provision of low intensity public recreation has broad public support in the County and should be included in the Conservation Plan and considered along with conservation of the natural communities themselves.

6. Preserve Design is flexible. There are arguably few places in such pristine condition that preservation of just a few large parcels of land is enough for the Conservation Plan to be successful. Except for a few small patch ecosystems, there are few areas of such high resource value that they must be part of the ultimate Conservation Plan. The resources to be protected (e.g., vernal pool grasslands, riparian areas and blue oak woodlands) are, however, amenable to both preservation and restoration/enhancement and thus there is a wide range of possible geographic strategies that could accomplish that objective. This preserve design flexibility makes planning more difficult, but may make implementation easier. The flexibility in preserve design must be based upon scientifically sound principles of conservation biology, incorporating both our current understanding of the natural resources of western Calaveras and new information to be developed during the course of the development of the Conservation Plan.

7. Funding for land preservation, monitoring and adaptive management will come primarily from [list sources including the entitlement process for urbanization]. A comprehensive, long range Conservation Plan will require preservation and/or management of tens of thousands of acres of the landscape. Because of the extent of lands to be integrated into the Conservation Plan, implementation of the Plan will be costly, even with flexibility in geography and management options. Important progress can be made with available public funds such as grants and locally funded acquisitions, but public funds alone will be inadequate to fully develop the necessary components of a successful Conservation Plan. The majority, but not all, of the Conservation Plan will have to be put in place through land dedications or "in-lieu" fees with endowments as mitigation for urban/suburban development and other activities that could result in impacts to natural communities, agricultural land, or protected species. In a "pay-as-you go" mitigation fee program, implementation of conservation actions (such as land acquisition or easements and implementation of a specific management and monitoring strategy) will need to keep pace with and precede development impacts.

Additional funding from local, state or federal sources will be critical to ensure that implementation of the Conservation Plan does not depend entirely on funding determined by the rate or number of development projects. An approved conservation program will enhance the likelihood of financial support from state and federal funding programs and private conservation organizations, thereby defraying implementation costs. This will help to achieve conservation goals and benefits that could not be achieved using only a mitigation-based funding source.

8. A long-term conservation plan will provide greater certainty for public and private projects. The Conservation Plan will include a comprehensive environmental mitigation strategy that will be incorporated into the County and participating cities' land use approval process. The strategy will be designed to fulfill the requirements of the California Environmental Quality Act, the federal Endangered Species Act, the Natural Communities Conservation Planning Act, the California Oak Woodlands Conservation Act and the Clean Water Act. Once approved by the appropriate state and federal agencies, the mitigation strategy will simplify the environmental review of public and private projects, make mitigation requirements consistent and predictable, and ensure that the mitigation provided contributes to the overall goals of the Conservation Plan.

9. Preserve management will adapt as more knowledge is available. Present knowledge of biological resources ecology and population biology in Calaveras County is sufficient to support the Conservation Plan process in general. Less is known about practical land management and compatible agriculture and other land use effects, so the Conservation Plan will need to be adaptable based on information learned through Plan implementation. Preserve lands, protected in perpetuity, will need to be administered

by one or more entities capable of overseeing management, monitoring and adaptive management. This may entail expanded functions for existing local government or a new entity (e.g., JPA or special district).

10. There is a critical need to construct an efficient and effective Monitoring Program including both implementation and biological monitoring. Implementation monitoring will track changes in land use and assure fees or other conservation measures are fully executed. The biological monitoring program will become the basis for decisions concerning management activities of conservation lands that must result in making sure that the goals and the objectives of the Conservation Plan are being met. The link between management activities and the integrity of natural communities and the status of covered and listed species is only as strong as the ability of the biological monitoring plan to measure change and make recommendations on how to respond to change. This is part of an adaptive management program. This task will be costly and will require assured revenue sources but only through a meticulously developed monitoring plan can the success of the conservation plan be measured.

11. As part of the larger conservation strategy, mitigation measures will be implemented to minimize and compensate for loss of present and long-term biological value from public and private projects. Present value means the biological value of covered species or natural communities present on the landscape at a specific point in time; long-term value means the regional and cumulative biological value of a property that contributes to the ecological integrity, population stability, and recovery of species and natural communities.

a. Present biological value can be mitigated by a combination of on- and off-site conservation.

b. Mitigation measures will include preservation and protection of healthy natural communities and restoration/enhancement of degraded natural communities.

c. Mitigation measures will take into account cumulative impacts to natural communities and will contribute to the recovery of protected species.

12. In order to meet conservation objectives of key state and federal laws, including no net loss of wetlands and contribution to recovery of species, the Conservation Plan will need to show how Calaveras County will retain and enhance existing biological resource values. The Plan will likely rely on an assessment process and performance standards for individual future projects that will show how project impacts are being adequately mitigated through preservation and restoration/enhancement under the Plan's mitigation strategy. Appropriate land management and compatible land use, supported by an intensive monitoring and adaptive management program, can enhance biological values so that a network of

protected areas can support the species and natural communities addressed by the Conservation Plan. Nonetheless, the protected areas will need to be substantial and ecologically connected, particularly as they will inevitably support compatible land uses and multiple management objectives.

13. Regulatory coverage will depend on the extent and comprehensive scope of the Conservation Plan.

The scope of covered activities (**To Be Developed: Working List of Covered Activities**) is proposed to include local and regional public works projects, urban/suburban development and other related activities for the unincorporated area of the county. The County of Calaveras is the lead agency for the NCCP/HCP program, but the Conservation Plan has the potential to cover activities for “participating agencies,” including cities and special districts. The Conservation Plan may also be extended to rural residential development (1 d.u./ac to 1 d.u./10 acres) if the Plan can identify the potential for take and corresponding measures that can be undertaken to minimize and mitigate take for that land use.

14. Permit coverage is expected to cover all activities until 2050 . The Conservation Plan will be used to manage the biological resources of Calaveras County for the long term. State and federal permits are expected to run until 2050, but would describe a system of monitoring and adaptive management that would allow the program to run indefinitely. The planning focus of the Conservation Plan will be on the next twenty years because that period will allow the necessary conservation program to be established, but implementation of the Conservation would extend throughout the life of the permits.

15. Implementation will require new or amended land use policies and land use regulations.

As a result of the Conservation Plan the general plans of the County and any participating cities will likely be supplemented by policy amendments, specific implementing ordinances such as zoning ordinances, and procedural requirements for development permitting and CEQA compliance. A primary goal in creating the process for project review under the Conservation Plan will be to increase simplicity and, as much as possible, to fulfill the requirements of all applicable local, state and federal environmental requirements using one process (in other words, to provide “one-stop shopping”).

16. A range of tools may be used to ensure that the mitigation component of the Conservation Plan will be successful and will be equitable to landowners. These tools are not mutually exclusive and could be used in a variety of combinations.

a. Land dedication. Landowners needing to provide mitigation for proposed development could be given the option of dedicating other land they own (or purchase) to fulfill the mitigation requirement. The size and location of the land

necessary for mitigation, and requirements for restoration and management of the land would be determined based on the Conservation Plan.

b. Acquisition of conservation easements. As an alternative to acquiring or dedicating land outright, landowners could be given the option of acquiring a conservation easement on their own land, or land owned by another, that would protect the natural values of the land in perpetuity. The size and location of the conservation easement, and requirements for management of the land, would be determined based on the Conservation Plan.

c. Conservation Plan Impact fees. Landowners could be given the option of paying an impact fee in lieu of dedicating land or purchasing a conservation easement. As explained above, a fee assessed for development activities could partly fund implementation of the Conservation Plan. A fee could be assessed based on the size of the project site, the number of acres developed, or on the number of units constructed, and could vary depending on the value or rarity of the natural resources impacted by development. In the context of the Conservation Plan, payment of the fee could be the principal means of fulfilling the requirements of local, state and federal environmental laws and regulations.

d. Mitigation and conservation banking. The Conservation Plan could support the creation of mitigation and conservation banks. Landowners who own land containing valuable natural resources, and who do not intend to develop the land, could establish mitigation and conservation banks to sell credits to landowners who do intend to develop their land. The Conservation Plan could ease the creation of banks and establish a system for credit sales.

e. Transferable/tradable development rights. The Conservation Plan could help to establish a system in which landowners could buy or sell development rights. A landowner buying development rights could increase the number of units that could be constructed on his or her land, while the landowner selling the development rights would agree not to develop his or her land.

17. Formation of a JPA or partnership with a local land trust or other organization may assist long-term implementation. To provide increased capacity for long-term implementation of important elements of the Conservation Plan, a joint powers authority consisting of the County, participating cities, and special districts could be formed, or a partnership with a local land trust could be established, or both. This entity or entities could assume responsibility for collecting impact fees and using them to purchase land or conservation easements from willing landowners, accept lands dedicated for mitigation or other purposes, and develop and implement management plans for all such lands. The entity could potentially also seek additional funding for land acquisition and management consistent with the goals of the Conservation Plan.

18. The Conservation Plan can be amended and implementation actions adjusted consistent with its original intent. Implementing ordinances and general plan elements may need to be changed over the course of the Conservation Plan. The Conservation Plan would not limit the County's or participating cities' land use authority, including their authority to adopt ordinances or revise their general plans. However, amendments to the Conservation Plan itself will require the approval of the state and federal regulatory agencies that must approve the Plan (e.g., the United States Fish and Wildlife Service and the California Department of Fish and Game). If a new or revised ordinance or amendment to a general plan would require an amendment to the Conservation Plan, the state and federal regulatory agencies would have to be consulted about the possibility of amending the Conservation Plan.

B. Preliminary Conservation Plan: Phase One for Western Calaveras County

The goals and objectives of the Conservation Plan will be achieved through a mix of actions taken as the result of mitigation required pursuant to covered activities and other measures achieved via partnerships, grants and other funding sources. While much of the subsequent discussion revolves around mitigation needed for urban development, the Conservation Plan's mitigation strategy is only a component of the Plan (albeit a major component); additional conservation measures will also be implemented.

- 1. The Conservation Planning Horizon is to Year 2050.**
- 2. The current Calaveras County General Plan and General Plans of the cities would accommodate a significant portion of projected growth.** Existing General Plans could accommodate residential growth through the year 20__ and beyond provided that infrastructure could be delivered in a timely manner.
- 3. The Year 20__ is the base year for the Conservation Plan analysis of land use impact.**
- 4. The preliminary analysis of the current landscape of Calaveras County suggests that growth pressures through 20__ could be adequately mitigated.**
- 5. Preliminary analysis does not show how to fully mitigate growth projected beyond the year 20__.**
- 6. Year 20__ growth mitigation would likely be accommodated in the area _____.**

7. On-site mitigation will need to meet specific standards. Creeks, wetlands and vernal pool areas may be suitable for on-site conservation and restoration if, for example, the resources were adequately sized and protected from adjacent land use and hydrology impacts and are consistent with the conservation strategy. However, to be used for mitigation purposes, on-site preservation would require a management plan, assured funding and some form of permanent protection, such as a conservation easement.

8. Conservation lands should be located within Calaveras County. The Conservation Plan will be designed to protect natural communities within the County for the benefit of County residents. In addition, as a generality, mitigation measures should be implemented within a few miles of the impact to be mitigated. The Conservation Plan therefore attempts to identify sufficient land area within Calaveras County within which to mitigate impacts from public and private projects in the County. The final Conservation Plan may in limited circumstances allow conservation outside of Calaveras County to fulfill mitigation requirements where it is biologically justified for certain species or habitats. Examples of biological justification include watersheds or populations that cross County lines, or out-of-County conservation measures that benefit in-county populations by improving connectivity to or increasing the size of an in-County protected area.

9. Mitigation options will need to be in place before project impacts occur. Mitigating impacts from public and private projects by restoring/enhancing natural communities off-site is appropriate if: 1) the land on which the restoration occurs is managed and permanently protected by a conservation easement or other means, and 2) the natural communities' biological values are increased. To be an effective component of the Conservation Plan's mitigation strategy, off-site mitigation must keep pace with and precede impacts from public and private projects. Although the natural communities covered in the Conservation Plan respond fairly rapidly to restoration, it may take several years to meet performance standards and demonstrate success. This requires land, personnel, and funding to be available to begin management in that advanced time frame.

10. The Plan needs to show where the majority of conservation and development will be expected to take place. The Plan will use maps similar to those used ordinarily in General Plans. This map approach is meant to explicitly divide Calaveras County into areas suitable for development, with adequate mitigation, and areas suitable for other uses, including formal conservation areas to be established and managed as mitigation for development. The map will be used in the same manner as a General Plan map, to make broad, policy-level geographical designations. Not all of the area designated as potentially suitable for future development will be developed; not all of the area designated as suitable for conservation will be conserved. The map will be a tool for implementing the Plan and will be used to assess environmental impacts from public and private projects, establish appropriate mitigation measures and develop other conservation measures.

The map is not intended to supplant or be a substitute for a General Plan land use diagram. The areas identified in the Preliminary Conservation Plan for conservation are already designated as agricultural areas in the General Plan Land Use Diagram and zoned for large (> 10 acre) minimum parcel sizes. As stated above, one of the objectives of the Conservation Plan is to integrate agricultural conservation with the conservation of the biological function and value of the area's natural communities.

11. The NCCP/HCP should have a neighboring landowner protection component (in other words, an assurance package for owners of land adjacent to new preserves that their existing activities won't be effected by any increased production of endangered species in the preserve).

C. Conservation and Development Maps (To Be Developed)

1. Conservation Plan Alternatives.

a. **Conservation Opportunity Areas.**

b. **Development Opportunity Areas.**

c. **Relationship to the Calaveras County General Plan.** It is expected that the selected conservation plan alternative would be implemented, in part, by incorporation in the Calaveras County General Plan.

d. **Conservation Plan map revisions.** The final Conservation Plan will describe how and under what circumstances the Conservation and Development Opportunity Map could be changed, subject to certain limitations placed on the Conservation Plan by the permitting agencies.

2. Conservation and Development Map.

3. Conservation Plan Alternatives Discussion.