

To: The Calaveras County Board of Supervisors
From: Muriel Zeller, 2640 Stagecoach Drive, Valley Springs, CA 95252
Regarding: Agenda Number 18: Draft Oak Woodlands Ordinance
Date: November 6, 2023

Via Email

Honorable Supervisors,

Under 17.101.060 Oak Woodland Mitigation, the draft says, "The mitigation of oak woodlands shall take place within Calaveras County," but then mitigation measure C says, "Contribute funds to the Oak Woodlands Conservation Fund, as established under Fish and Game Code §1363 for the purpose of purchasing oak woodlands conservation easements as described in by [sic] Public Resources Code § 21083.4." If this mitigation measure is exercised, mitigation for the loss of oak woodlands in Calaveras County will not take place within Calaveras County.

PRC § 21083.4 says, in part, "If a county determines that there may be a significant effect to oak woodlands, the county shall require one or more of the following oak woodlands mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands." So there is no requirement to adopt the state fund as a mitigation measure.

In the minutes for the February meeting of the Hardwood Advisory Committee, it was noted that very few counties use in lieu fees as mitigation, because a costly nexus study is required. The HAC decided in lieu fees should be eliminated but would seek counsel from the supervisors. Now, the draft contains mitigation measure B, "In-lieu fee payment made to an accredited land trust or qualified land conservation organization." In the General Plan, COS-4D says, mitigation measures will be developed "pursuant to PRC §21083.4," which doesn't even mention in lieu fees.

I have attached information on in lieu fees from the California Council of Land Trusts. However, there are other mitigation measures that could be considered such as a fund for the restoration of oak woodlands damaged, for example, by overgrazing or wildfire. Restoration would also provide other ecosystem benefits such as increased carbon sequestration, improved water quality, and wildlife habitat.

Thank you for protecting our oak woodlands.

Sincerely,
Muriel Zeller

Attachment:

California Council of Land Trusts Information Sheet on In Lieu Fees

cc:

Gabriel Elliott

Tom Infusino, Calaveras Planning Coalition Facilitator

Megan Fiske, CAP/CPC Outreach Coordinator

Colleen Platt, Secretary, MyValleySprings.com

Joyce Techel, President, MyValleySprings.com