

ATTACHMENT 2
PLANNING COMMISSION COMMENTS
FEBRUARY 22, 2007

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Oak Woodland Management Plan
February 22, 2007 Planning Commission Meeting Comments

Planning Commission Comments:

1. What is a viable habitat? What about the 10 percent 1-acre versus the 10 percent 100-acre?
2. Regarding Table 5.12-1 (from General Plan DEIR): the acreage totals are different than those shown in the OWMP presentation. (Answered by Rick Lind).
3. To get to the Option B fee, we need to identify what species and what acres we want and need to protect. The ultimate fee is predicated on the amount of acreage. Why are we trying to protect more blue oak woodland? (Answered by Rick Lind).
4. There are economic impacts. How do we 'shrink' the acreages? How do we reduce the cost? What recommendations would EN2 make?
5. Was Policy 7.4.4.4 put in the General Plan to help resolve the lawsuit? (Answered by Paula Frantz).
6. Regarding slide 23 of the PowerPoint presentation: Do we have the ability to pull out any categories as to not be in the Important Oak Woodland Habitat category? Is it subject to interpretation? Can we shrink it?
7. This addresses five CWHR types. Montane riparian, not a large acreage area, is already included within one of the other five CWHR types.
8. If you look at definitions of species, and acreages, it goes back to why are we protecting some species? It is the canopy protection that is hindering development. Interior live oak is in blue oak woodland; can we take interior live oak out of blue oak woodland?
9. Does the 'digger' pine (grey pine) have any redeeming value?
10. If acreages can't be reduced, or you can't remove interior live oak and digger pine; whatever County employees can do for monitoring, private developers should be able to do the same thing for management.
11. If a developer prepares a map, works with an arborist, then there are 100 different homeowners – how do you implement the plan for 15 years?
12. The maps show a lot of IBCs. Our concern is economic impact on development. Dave's question was how we shrink acreages. How do you think we can achieve a balance?
13. What is the danger of amending the General Plan? More lawsuits?
14. There are specific trees to protect, but what about associated trees?
15. In the General Plan EIR, it defines valley oak woodland as sycamores, box elders, etc...and interior live oak. The chart doesn't include black oak. So is valley oak actually a species or does it consist of other types?
16. Based on the direction the General Plan provides you, this (criteria) works then. Policy 7.4.2.8 – other criteria listed on slide 22 and slide 23.

Public Comments:

Comments were received from Judy Ehrgotti (New York Creek property owner), Art Marinaccio, Kathy Russell, John Steltzmilller, Camille Courtney, Valerie Zetner (EDC Farm Bureau), Cindy Schaefer (Echo Lane Investors).

1. Get a better handle on arborist, RPF practices, definitions, etc. (e.g. health indicator of trees, 'good' versus 'fair'). Make definitions looser, look at health of the trees, not the type of the trees (oak woodland versus individual species). Option A should go out. We could be on Option B and just pay for healthy trees.
2. Read the studies included in the General Plan EIR. They are very specific about what we should do. Pin down a map of what the acreage is. The result is setting aside more acreage than there is. How do we shrink these areas down? There should be a focused approach on the type of habitat – e.g., blue oak woodland theoretically is having a regeneration problem; valley oak woodland is a sensitive habitat. Special status species is broader than listed (CESA, ESA) species; delineate existence; see the General Plan EIR. Special status species habitat should be the highest priority. We don't have one quarter million acres of highest priority habitat. Start mapping these to see what we have to concentrate on. Focus the approach on location (urban/rural): you are not going to apply important habitat criteria to community regions and rural centers. We don't have to save 5 acres oak woodland in an industrial park – it won't survive. Fix the General Plan mess. Policy 7.4.4.4 is a fiasco – it has no applicability to any studies. FRAP modeled Policy 7.4.4.4, and said that it is ridiculous. They re-did the work and came up with different results. Is Option A physically and economically feasible? We need to find a solution to this issue. Different oaks need different strategies because they have different sets of problems.
3. See the Business Alliance newsletter that was submitted today. I agree with the 'focus' comments made by Art. What is the connection between the INRMP and the Department of Defense? For the cost of the oak woodlands, use Prop 84 funds and other sources should be used to help finance implementation. Why do private property owners have to pay to save the trees. It doesn't make sense.
4. I'm giving you a document that I gave to the Board of Supervisors six months ago. It doesn't protect property rights, which you gentlemen are supposed to defend. What is the benefit to the people of El Dorado County? The Planning Department is always extreme with the goal of some this will get through. Only protect heritage oaks. You're just trying to obstruct and infuriate the people of El Dorado County. What about non-endangered species? Why protect? Here are your options: Send it to the Board of Supervisors; take it out of the General Plan; this has to be simplified; it's too complicated; we're at gridlock in El Dorado County. No one can do anything. Another option is just look at up to 1000' elevation. That is where they want oaks, 2000 – 4000 feet is where conifers are.
5. For Policy 7.4.4.4, use Option A OR use Option B. So, if retention can be achieved, why require replacement? There is an issue about replanting and where to replant. What are the effects? Oaks replenish themselves. You can't replant inside oak woodland. Policies 7.4.4.4 and 7.4.5.2 are internally inconsistent – dbh versus canopy. We need to decide on the approach – the cost of 'replanting' is \$60,000± per

- acre (focus replanting on restoration areas). I would rather pay into a fund to preserve important oaks. Urban and rural locational choices need to be made (e.g., onsite replanting within urban settings does not make sense). Why have a land use plan if you can't use it? I'm taking out 40 acres of oaks. I'm in a community region area, where housing is supposed to go. The more we reduce the species that require conservation, the less we pay for mitigation. A better policy is to identify special or sensitive corridors; that makes better sense.
6. Policy 7.4.5.2 encourages planting of trees, and then continues on to mandate mitigation. Voluntary and incentive based programs are better than regulatory approaches. Oak policies don't work in rural regions. I'm glad that you're looking at the habitat value of agricultural lands. We're sensitive to the environment, but if we can't put up a barn, etc., it's a problem. It's interesting to see how IBCs follow agricultural lands. How do you address habitat, canopy, heritage, and landmarks? Let people in rural areas do what they are doing to manage oak woodlands – we probably don't need these policies.
 7. The maps are the result of assumptions that went into creating the maps. I would recommend that you exclude developed properties because you can't manage them. Revisit 500 acres as the minimal area for large blocks; 500 acres is 0.2 percent of habitat. Use 1,000 or 2,000 acre increments to help determine oak woodland areas. Some species have ranges larger than 500 acres – this forces them into the urban/wildland interface.

PC Final Comments/For Next Meeting:

1. Start below 4,000 feet, without affecting major corridors;
2. Community Regions and Rural Centers need to be evaluated differently – take them out, or give them smaller values - the scoring system should reflect this. How do we protect South County more? Placerville is at 2,000 feet;
3. There is conflict between Policies 7.4.4.4 and 7.4.5.2 – if the 6 inches and under dbh were removed from canopy calculations, it would really help. How do we deal with habitat versus individual trees?
4. How do we deal with non-healthy trees? Figure out how to remove unhealthy trees from canopy calculations.
5. Identify environmentally sensitive corridors along with oaks to create an important sense of priority, where it makes sense to preserve oak trees.
6. On slide 17 – find where those five bullets are hitting and that should be the focus.
7. Define the habitat you are trying to preserve. Focus on natural conditions. Maybe Option B should be 1:1 into a fund preserving natural habitat. Option B can be used with varying ratios.
8. What is the goal, what are we trying to preserve?