






## Summary of Key Issues and Review of Alternatives










### Sections 10.3 Biological Resources





Section 10.3 Biological Resources				
Key Topics and Issues	Plan Update Approach (Alternative B)	Existing Framework Plan (Alternative D)	Alternative A	Alternative C
<p><b>Protection of Aquatic Habitat to Recover Salmon and Steelhead.</b> With improvements in forest practices, locally regulated land use activities; such as, road construction, site grading and vegetation clearing, will play a greater role in the recovery of salmon and steelhead species. Protection of riparian corridors is central to the protection of aquatic habitat.</p> <p>Should the County increase the size of buffers around rivers, stream and wetlands?</p> <p><b>Key Policies:</b> G1, P8, P9, (S1, S5, S7, S8 &amp; S12; IM3)</p>	<p>This element regulates development within stream channels and Streamside Management Areas (SMA's) to reduce impacts to aquatic habitat. (BR-P4 and 6, BR-S5-9). Defines applicable drainage courses (BR-P5). Excludes man-made drainage systems (BR-S5 (F)).</p> <p>Note: Additional aquatic habitat protection policies are contained in Chapter 11 Water Resources Element.</p>	<p>Roughly equivalent to B. Does not include specific SMA and Wetland map definitions. Does not include exemption for man-made drainage systems.</p>	<p>Expands SMA's for perennial streams to 150 ft and 75 ft (BR-S5). Disallows fire wood-cutting and clearing for pasturage within SMA's (BR-S7). Retains fallen snags and overstory canopy in SMA's (BR-S8).</p>	<p>No restrictions on the type of development within SMA's but all development would be subject to conditions and mitigations recommended by the Department of Fish and Game.</p>
<p><b>Achieving Consistency and Coordinating with State and Federal Biological Resource Laws and Responsible Agencies.</b> Land use is regulated locally but the majority of biological protections are codified in state and federal laws. Close</p>	<p>Incorporates state and federal goals, definitions and recovery strategies for threatened and endangered species and sensitive, critical and essential habitat (BR-G1-2,</p>	<p>Roughly equivalent to B. Relies on agency consultation within CEQA and NEPA reviews to consider and mitigate impacts to threatened and</p>	<p>Eliminates exclusion for agricultural operations from Sensitive Habitat policies (BR-S1). Includes preparation of a County-wide</p>	<p>Makes use of CEQA process to consider biological resource impacts directly related to County land use decisions (BR-P2). Relies on</p>



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<p>coordination with state and federal agencies is essential for efficient processes and conservation of biological resources and protection of threatened and endangered species.</p> <p>How should County land use policies and regulations be synchronized with state and federal laws and regulatory oversight?</p> <p><b>Key Policies:</b> P11 (S2) and IMx, IMx2, IMx3 and IMx4</p>	<p>BR-P1-3). Requires state and federal agency review for development proposed within Sensitive Habitat areas (BR-P11, BR-S2). Codifies use of Department of Fish and Game wetland definitions (BR-S11).</p>	<p>endangered species.</p>	<p>Natural Communities Conservation Plan and Habitat Conservation Plan (BR-G2, BR-IMx). Includes staff biologist (BR-IM3).</p>	<p>independent actions of state and federal agencies for other habitat and species protection efforts (BR-P4 and 6, BR-S7). Uses Corp of Engineers wetland definitions (BR-S11).</p>

## Plan Alternatives Comparison Chart

Plan Alternative				Section 10.3 Biological Resources	Staff Remarks/ Implementation	Position R,M,D
				<b>10.3.3 Goals</b>		
	<b>B</b>			<b>BR-G1. Threatened and Endangered Species.</b> Sufficient recovery of threatened and endangered species to support de-listing.		
<b>A</b>				<b>BR-G1. Threatened and Endangered Species.</b> Sustained implementation of a Natural Communities Conservation Plan and Habitat Conservation Plan and sufficient recovery of threatened and endangered species to support de-listing.	  	
		<b>C</b>		<b>BR-G1. Threatened and Endangered Species.</b> Managed land use activities which prevent the direct and incidental take of threatened and endangered species.		
<b>A</b>	<b>B</b>	<b>C</b>		<b>BR-G2. Sensitive, Critical, and Essential Habitat.</b> A mapped inventory of sensitive, critical, and essential habitat where biological resource protection policies apply.		
<b>A</b>	<b>B</b>	<b>C</b>		<b>BR-G3. Benefits of Biological Resources.</b> Fish and wildlife habitats protected on a sustainable basis to generate long-term public, economic, and environmental benefits.		
			<b>D</b>	<b>FRWK 3430. Maximize Benefits of Biological Resources.</b> To maximize where feasible, the long-term public and economic benefits from the biological resources within the County by maintaining and restoring fish and wildlife habitats.		
				<b>Policies</b>		
<b>A</b>	<b>B</b>			<b>BR-P1. Compatible Land Uses.</b> Land containing sensitive and critical habitats shall be planned and zoned for uses compatible with the long-term sustainability of the habitat. Discretionary land uses and building activity in proximity to sensitive and critical habitats shall be conditioned to prevent significant habitat degradation or harm to rare, threatened, or endangered species.	Leg, QJ, S1, IM-1  	
		<b>C</b>	<b>D</b>	<b>3431.1. Maintain Important Habitats.</b> Maintain values of significantly important habitat areas by assuring compatible adjacent land uses, where feasible.	FRWK 3431.1	

Plan Alternative		Section 10.3 Biological Resources		Staff Remarks/ Implementation	Position R,M,D
A	B		<b>BR-P2. Critical Habitat.</b> Discretionary projects that have the potential to impact critical habitat designated under the federal Endangered Species Act shall be conditioned to avoid significant habitat modification or destruction consistent with federally adopted Habitat Recovery Plans or interim recovery strategies.	QJ, Min, S2-4  	
		C	<b>3431.2. Critical Species Habitat.</b> Habitats for "critical species" shall be protected under provisions of NEPA and CEQA.	FRWK 3431.2	
A	B	C	<b>BR-P3. Essential Habitat.</b> Discretionary projects that have the potential to impact essential habitat designated under the California Endangered Species Act shall be conditioned to avoid significant habitat modification or destruction consistent with Department of Fish and Game guidelines or recovery strategies.	QJ, Min, S3-4  	
A	B		<b>BR-P4. Development within Stream Channels.</b> Development within stream channels shall be permitted when there is no lesser environmentally damaging feasible alternative, and where the best feasible mitigation measures have been provided to minimize adverse environmental effects. Development shall be limited to essential, non-disruptive projects as listed in Standard BR-S6 -Development within Stream Channels.	Same as FRWK 3431.3 QJ, S6 	
		C	<b>BR-P4. Development within Stream Channels.</b> Development within stream channels shall be required to obtain a Lake or Streambed Alteration Agreement from the Department of Fish and Game.		
A	B		<b>BR-P5. Streamside Management Areas.</b> To protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and interference with surface water flows, the County shall maintain Streamside Management Areas, along its blue line streams (as identified on the most recently published largest scale USGS topographic maps—1:24,000). Streamside Management Areas shall also apply to including intermittent streams that exhibit in-channel wetland characteristics and off-channel riparian vegetation.	QJ, Min, S5, IM-1  	
		C	<b>BR-P5. Streamside Management Areas.</b> To protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and interference with surface water flows, the County shall maintain Streamside Management Areas, along its blue line streams (as identified on the most recently published largest scale USGS topographic maps—1:24,000). Streamside Management Areas shall also apply to intermittent streams that exhibit in-channel wetland characteristics and off-channel riparian vegetation.	QJ, Min, S5, IM-1  	

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		D	<b>FRWK 3431.4 Streamside Management Areas.</b> To protect sensitive fish and wildlife habitats and to minimize erosion, runoff and interference with surface water flows, the County shall maintain Streamside Management Areas (SMA's), along its blue line streams as identified on the largest scale U.S.G.S. topographic maps most recently published, and any significant drainage courses identified through the CEQA process.		
A	B		<b>BR-P6. Development within Streamside Management Areas.</b> Development within Streamside Management Areas shall only be permitted where mitigation measures (Standards BR-S8 - Required Mitigation Measures, S9 - Erosion Control, and S10 - Development Standards) have been provided to minimize any adverse environmental effects, and shall be limited to uses as described in Standard BR-S7 - Development within Streamside Management Areas.	QJ, Min, S7-9  	
		C	<b>BR-P6. Development within Streamside Management Areas.</b> Development within Streamside Management Areas shall be permitted after consultation with the Department of Fish and Game and application of feasible mitigation measures.	Requires consultation with DFG but does not limit development	
		D	<b>3431.4. Development within Streamside Management Areas.</b> Development within the Streamside Management Areas shall be permitted where mitigation measures (Standard 8) have been provided to minimize any adverse environmental effects, and shall be limited to uses as described in Standard 7.	Does not include the word "only"	
A	B		<b>BR-P7. Wetland Identification.</b> The presence of wetlands in the vicinity of a proposed project shall be determined during the review process for discretionary projects and for ministerial building and grading permit applications, when the proposed building development activity involves new construction or expansion of existing structures or grading activities. Wetland delineation by a qualified biologist using criteria acceptable to the Department of Fish and Game may be necessary and shall be required when wetland characterization and limits cannot be easily inventoried and identified by informal site inspection.	QJ, Min, S10-11, IM-3  	
	B		<b>BR-P8. Oak Woodlands.</b> The voluntary protection of oak woodlands should be encouraged.	Pol, QJ,	
A			<b>BP-P8. Oak Woodlands.</b> Oak woodlands shall be protected through the review and conditioning of discretionary projects to minimize avoidable impacts to functional capacity and aesthetics.	Requires mitigations for oak woodlands	

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	B			<b>BR-P9. Invasive Plant Species.</b> The County shall cooperate with public and private efforts to control noxious and exotic invasive plant species.		
A				<b>BR-P9. Invasive Plant Species.</b> The County shall recommend measures to minimize the introduction of noxious and exotic invasive plant species in landscaping, grading and major vegetation clearing activities.		
A	B	C		<b>BR-P10. Biological Resource Maps.</b> Biological resource maps shall be consulted during the ministerial and discretionary permit review process in order to identify habitat concerns and guide mitigations that will reduce biological resource impacts to below levels of significance.	QJ, Min, IM-1 	
			D	<b>FRWK 3431.6 Biological Resource Maps.</b> The Biological Resource Maps shall be incorporated into the project review process in order to identify sensitive habitat concerns. These maps shall be kept up to date with the most recent information obtainable. Accommodation of new resource information on the Biological Resource Maps may require an amendment to the adopted General Plan.		
A	B			<b>BR-P11. Agency Review.</b> The County shall request the California Department of Fish and Game, as well as other appropriate agencies and organizations, to review plans for development within Sensitive Habitat areas, <del>and including Streamside Management Areas.</del> The County shall request NOAA Fisheries or Fish and Wildlife Service <del>review, as well as other appropriate agencies and organizations,</del> to review plans for development within critical habitat areas. Recommended mitigation measures to reduce impacts below levels of significance shall be incorporated into project approval.	QJ, Min, S2, IM-2   Modified to eliminate reference to other agencies and organizations.	
		C	D	<b>3431.7. Agency Review.</b> The County should request the Department of Fish and Game, as well as other appropriate agencies and organizations to review plans for development within sensitive habitat areas or Streamside Management Areas. Recommended mitigation measures shall be considered prior to project approval.	FRWK 3431.7	
				<b>10.3.4 Standards</b>		

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	B	C	D	<p><b>BR-S1. Development Excluded from Sensitive Habitat Policies.</b> Proposed development occurring within areas containing sensitive habitats shall be subject to the conditions and requirements of this chapter except for these exclusions (which do not preempt other County regulations or those of other agencies):</p> <ul style="list-style-type: none"> <li>A. Timber management and harvest activities under a timber harvesting plan or non-industrial timber management plan, or activities exempt from local regulation as per California Public Resources Code 4516.5(<del>f</del>e). These standards shall not be used to reduce buffers specified under the State Forest Practice Act.</li> <li>B. Any area proposed for development, which upon examination of the biological resource maps and field inspection is not actually within or does not contain the indicated habitat.</li> <li>C. Forest management activities that are needed to improve timber productivity regulated by <del>other agencies</del> CAL FIRE, which are otherwise consistent with this chapter.</li> <li>D. Agricultural operations that are needed to improve agricultural productivity, which are otherwise consistent with this chapter.</li> </ul>	<p>FRWK 3432.1 modified for clarity and grammar. Section A modified to correct citation ("f" relates to locally controlled harvest activities). Section C modified to define "other agencies." Title modified for clarity.</p>	
A				<p><b>BR-S1. Development Excluded from Sensitive Habitat Policies.</b> Proposed development occurring within areas containing sensitive habitats shall be subject to the conditions and requirements of this chapter except for these exclusions (which do not preempt other County regulations or those of other agencies):</p> <ul style="list-style-type: none"> <li>A. Timber management and harvest activities under a timber harvesting plan or non-industrial timber management plan, or activities exempt from local regulation as per California Public Resources Code 4516.5(f). These standards shall not be used to reduce buffers specified under the State Forest Practice Act.</li> <li>B. Any area proposed for development, which upon examination of the biological resource maps and field inspection is not actually within or does not contain the indicated habitat.</li> <li>C. Forest management activities that are needed to improve timber productivity regulated by CAL FIRE, which are otherwise consistent with this chapter.</li> </ul>	<p>Eliminates exemption D.</p>	

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A	B		<p><b>BR-S2. Agency Consultation.</b> For discretionary projects with potential to impact <u>critical, sensitive and/or essential habitats</u>, the County will seek specific recommendations from the California Department of Fish and Game, <u>NOAA Fisheries and Fish and Wildlife Service</u>, <del>and other agencies and organizations</del> <u>as applicable to the specific project location, class of development, or natural resource involved.</u></p>	Modified to define agencies, eliminate organizations, add "critical" and incorporate BR-S12 (F).	
		D	<p><b>FRWK 3432.2 Agency Consultation.</b> Recommendations from the Department of Fish and Game, agencies, and organizations shall be specific and cite relevant code sections and standards.</p>		
A	B	C	<p><b>BR-S3. Critical and Essential Habitat Defined.</b> Critical habitats are federally designated habitats necessary for the protection of threatened or endangered species listed under the Endangered Species Act. Essential habitats are state designated habitats necessary for the protection of threatened or endangered species listed under the California Endangered Species Act.</p>		
		D	<p><b>FRWK 3432.3 Critical and Essential Habitat Defined.</b> Critical habitats are sensitive habitats essential for a Federal or State designated endangered, threatened or rare species. This includes the portion of a critical species range which is essential to the existence of that species.</p>		
A	B	C	<p><b>BR-S4. Sensitive Habitat Defined.</b> Sensitive habitats are defined as a unique, limited, or an especially valuable habitat type for a species whose habitat requirements, if significantly changed, would cause a threatening change to the species population and may include the following:</p> <ul style="list-style-type: none"> <li>A. Critical <u>and essential habitat for rare, unique, threatened and endangered species</u></li> <li>B. Migratory deer winter range</li> <li>C. Roosevelt elk range</li> <li>D. Sensitive <u>avian species rookery and nest sites (e.g osprey, great blue heron and egret)</u></li> </ul>	Modified to include BR-S12 definitions to avoid duplication. "essential" habitat (state equivalent to federal "critical"	



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			<p>E. Streams and streamside areas</p> <p>F. Natural ponds, springs, vernal pools, marshes, and wet meadows exhibiting standing water all year long or riparian vegetation.</p> <p><u>G. Rare and endangered vascular plant communities as compiled by the California Native Plant Society or the Department of Fish and Game.</u></p> <p>H. Other sensitive habitats and communities as listed in the Department of Fish and Game's California Natural Diversity Data Base, as amended periodically.</p>	designation)	
		<b>D</b>	<p><b>FRWK 3432.4</b> Sensitive habitats are defined as a unique, limited or economically important habitat type for a species whose habitat requirements, if significantly changed, would cause a threatening change to the species population and may include the following:</p> <p>A. Critical Habitat</p> <p>B. Migratory Deer Winter Range</p> <p>C. Roosevelt Elk Range</p> <p>D. Sensitive Species Rookery and Nest Sites</p> <p>E. Streams and Streamside Areas</p> <p>F. Natural ponds, springs, vernal pools, marshes, and wet meadows exhibiting standing water year long or riparian vegetation.</p> <p>G. Other sensitive habitat and communities listed in the Department of Fish and Game California Natural Diversity Data Base as amended periodically.</p>	modified for update	
<b>B</b>			<p><b>BR-S5. Streamside Management Areas Defined.</b> Streamside Management Areas (SMA) are identified and modified as follows:</p> <p>A. Areas specifically mapped as SMA and Wetland (WR) Combining Zones, subject to verification and adjustment pursuant to site-specific biological reporting and review procedures.</p> <p>B. For areas not specifically mapped as SMA and Wetland (WR) Combining Zones and outside of Urban Development and Expansion Areas, the outer boundaries of the SMA shall be defined as:</p> <p>1) Consistent with the Forest Practice Rule stream buffer widths.</p>	Section D has been changed back to Alt. D policy (mapping was not intended to restrict case-by-case expansion of SMA). Section E. has been modified	

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	<p>2) 100 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams.</p> <p>3) 50 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams.</p> <p>C. For areas not specifically mapped as SMA and Wetland (WR) Combining Zones and inside of Urban Development and Expansion Areas, the outer boundaries of the SMA shall be defined as:</p> <p>1) 50 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams.</p> <p>2) 25 feet, measured as the horizontal distance from the, stream transition line on either side of intermittent streams.</p> <p>D. <del>Where not specifically mapped as a SMA and Wetland (WR) Combining Zone,</del> The width of Streamside Management Areas shall be expanded as necessary to include significant areas of riparian vegetation adjacent to the buffer area, slides, and areas with visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance. Where Forest Practice Rules designate wider stream buffer areas, the width of the SMA shall be expanded to be consistent with those regulations when they are applicable.</p> <p>E. The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that:</p> <p>1) The USGS mapping of the stream as perennial or intermittent is not accurate, and <del>typical stream flow can be shown to be less than that required to be classified as either perennial or intermittent</del> <u>there are no in-channel wetland characteristics and off-channel riparian vegetation;</u> and</p> <p>2) It will not result in cumulatively or individually significant adverse impacts to fish, wildlife, riparian habitat, or soil stability.</p> <p>F. SMAs do not include watercourses consisting entirely of a <u>man-made drainage ditch</u>, or other man-made drainage device, construction, or system.</p>	<p>to be consistent with Alt. B policy BR-P5.</p>	

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A	<p><b>BR-S5. Streamside Management Areas Defined.</b> Streamside Management Areas (SMA) are identified and modified as follows:</p> <ul style="list-style-type: none"> <li>A. Areas specifically mapped as SMA and Wetland (WR) Combining Zones, subject to verification and adjustment pursuant to site-specific biological reporting and review procedures.</li> <li>B. For areas <u>along fish-bearing streams</u> not specifically mapped as SMA and Wetland (WR) Combining Zones <del>and outside of Urban Development and Expansion Areas</del>, the outer boundaries of the SMA shall be defined as:                             <ul style="list-style-type: none"> <li>1) <del>Consistent with the</del> Forest Practice Rule stream buffer widths.</li> <li>2) 150 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams.</li> <li>3) 50 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams.</li> </ul> </li> <li>C. For areas <u>along non fish-bearing streams</u> not specifically mapped as SMA and Wetland (WR) Combining Zones <del>and inside of Urban Development and Expansion Areas</del>, the outer boundaries of the SMA shall be defined as:                             <ul style="list-style-type: none"> <li>1) 75 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams.</li> <li>2) 25 feet, measured as the horizontal distance from the, stream transition line on either side of intermittent streams.</li> </ul> </li> <li>C. The width of Streamside Management Areas shall be expanded as necessary to include significant areas of riparian vegetation adjacent to the buffer area, slides, and areas with visible evidence of slope instability, <del>not to exceed 200 feet measured as a horizontal distance.</del></li> <li>D. Where Forest Practice Rules designate wider stream buffer areas, the width of the SMA shall be expanded to be consistent with those regulations when they are applicable.</li> <li>E. The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that the <del>USGS</del> mapping of the <del>stream as</del></li> </ul>		

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	<p>perennial or intermittent SMA is not accurate, and there are no in-channel wetland characteristics or off-channel riparian vegetation.</p> <p>F. SMAs do not include watercourses consisting entirely of a <u>man-made</u> drainage ditch, or other man-made drainage device, construction, or system.</p>		

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	<p><b>D FRWK 3432.5 Streamside Management Areas Defined.</b> Streamside Management Areas (SMA) are identified and modified as follows:</p> <p>A. In areas outside of Urban Development and Expansion Areas, the outer boundaries shall be defined as:</p> <ol style="list-style-type: none"> <li>1. 100 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams.</li> <li>2. 50 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams.</li> </ol> <p>B. In areas inside of Urban Development and Expansion Areas, the outer boundaries shall be defined as:</p> <ol style="list-style-type: none"> <li>1. 50 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams.</li> <li>2. 25 feet, measured as the horizontal distance from the, stream transition line on either side of intermittent streams.</li> </ol> <p>C. Where necessary, the width of Streamside Management Areas shall be expanded to include significant areas of riparian vegetation adjacent to the buffer area, slides and areas with visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance.</p> <p>D. The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that:</p> <ol style="list-style-type: none"> <li>1. The USGS mapping of the stream as perennial or intermittent is not accurate, and typical stream flow can be shown to be less than that required to be classified as either perennial or intermittent, or</li> <li>2. It will not result in a significant adverse impact to fish, wildlife, riparian habitat, or soil stability.</li> </ol>	<p>Does not include SMA and Wetland map definitions. Does not include exemption for man-made drainage systems.</p>	

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A	B	C	D	<p><b>BR-S6. Development within Stream Channels.</b> Development within stream channels may be approved where consistent with Policy BR-P4 - Development within Stream Channels, and is limited to the following projects.</p> <ul style="list-style-type: none"> <li>A. Fishery, wildlife, and aquaculture enhancement and restoration projects.</li> <li>B. Road crossings consistent with Standard BR-S9 - Erosion Control of this section.</li> <li>C. Flood control and drainage channels, levees, dikes, and floodgates.</li> <li>D. Mineral extraction consistent with other County regulations.</li> <li>E. Small-scale hydroelectric power plants in compliance with applicable County regulations and those of other agencies.</li> <li>F. Wells and spring boxes, and agricultural diversions.</li> <li>G. New fencing, so long as it would not impede natural drainage <u>or wildlife movement</u> and would not otherwise adversely effect the stream environment or wildlife.</li> <li>H. Bank protection, provided it is the least environmentally damaging alternative.</li> <li>I. Other essential projects, including municipal groundwater pumping stations, provided they are the least environmentally damaging alternative, or necessary for the protection of the public's health and safety.</li> </ul>	FRWK 3432.6 modified for clarity	
	B			<p><b>BR-S7. Development within Streamside Management Areas.</b> Development within Streamside Management Areas may be approved where consistent with Policy BR-P6 - Development within Streamside Management Areas, and shall be limited to the following uses:</p> <ul style="list-style-type: none"> <li>A. Development permitted within stream channels per BR-S6 - Development within Stream Channels.</li> <li>B. Timber management and harvests not otherwise excluded by provisions of Standard BR-S1 - Development Excluded from Policies, as well as noncommercial cutting of firewood and clearing for pasturage, provided:                             <ul style="list-style-type: none"> <li>1) Cottonwoods are retained.</li> <li>2) Remaining willows and alders, as well as other unmerchantable hardwoods and</li> </ul> </li> </ul>		

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	<p>shrubs are to be protected from unreasonable damage.</p> <p>3) Integrity of tree canopy to be maintained within temperature impaired water bodies consistent with applicable TMDL's.</p> <p>C. Road, bridge, and trail replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.</p> <p>D. Removal of vegetation for disease control or public safety purposes.</p> <p>E. <u>Setbacks may be reduced when the prescribed buffer would prohibit development of the site for the principle use for which it is designated, provided mitigations are applied that result in the least environmentally damaging feasible project.</u></p>		
A	<p><b>BR-S7. Development within Streamside Management Areas.</b> Development within Streamside Management Areas may be approved where consistent with Policy BR-P6 - Development within Streamside Management Areas, and shall be limited to the following uses:</p> <p>A. Development permitted within stream channels per BR-S6 - Development within Stream Channels.</p> <p>B. Timber management and harvest activities under a timber harvesting plan or non-industrial timber management plan, or activities exempt from local regulation as per California Public Resources Code 4516.5(e).</p> <p>C. Road, bridge, and trail replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.</p> <p>D. Removal of vegetation for disease control or public safety purposes.</p> <p>E. <u>Setbacks may be reduced when the prescribed buffer would prohibit development of the site for the principle use for which it is designated, provided mitigations are applied that result in the least environmentally damaging feasible project.</u></p>	Eliminates non-commercial cutting of firewood and clearing for pasturage.	

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	C		<b>BR-S7. Development within Streamside Management Areas.</b> Development within streamside management areas shall be conditionally permitted subject to mitigations recommended by the Department of Fish and Game.		
	D		<p><b>FRWK 3432.7 Development within Streamside Management Areas.</b> Development within Streamside Management Areas shall be limited to the following uses:</p> <p>A. Development permitted within stream channels.</p> <p>B. Timber management and harvests not otherwise excluded by Applicability Section as well as noncommercial cutting of firewood and clearing for pasturage, provided:</p> <ol style="list-style-type: none"> <li>1) Cottonwoods are retained.</li> <li>2) Remaining willows and alders, as well as other unmerchantable hardwoods or shrubs should be protected from unreasonable damage.</li> </ol> <p>C. Road and bridge replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.</p> <p>D. Removal of vegetation for disease control or public safety purposes.</p>		



Plan Alternative	Section 10.3 Biological Resources		Staff Remarks/ Implementation	Position R,M,D
B		<p><b>BR-S8. Required Mitigation Measures.</b> Mitigation measures for development within Streamside Management Areas shall, at a minimum, include:</p> <ul style="list-style-type: none"> <li>A. Retaining snags unless felling is required by CAL-OSHA, by the <del>California Department of Forestry</del> CAL FIRE forest and fire protection regulations, or for public health and safety reasons. The felling must be approved by the <del>appropriate County</del> CDS Department. Felled snags shall be left on the ground if consistent with fire protection regulations as long as they have no economic value.</li> <li>B. Retain live trees with visible evidence of use as nesting sites by hawks, owls, eagles, osprey, herons, or egrets.</li> <li>C. Replanting of disturbed areas with riparian vegetation (including such species as alders, cottonwoods, willows, sitka spruce, etc.) shall be required prior to the completion of the development project.</li> <li>D. Erosion control measures (as per Standard BR-S9- Erosion Control).</li> </ul>	<p>Changed CDF to CAL FIRE</p>	
A		<p><b>BR-S8. Required Mitigation Measures.</b> Mitigation measures for development within Streamside Management Areas shall, at a minimum, include:</p> <ul style="list-style-type: none"> <li>A. Retaining snags unless felling is required by CAL-OSHA, by CAL FIRE forest and fire protection regulations, or for public health and safety reasons. The felling must be approved by the CDS Department. Felled snags shall be left on the ground if consistent with fire protection regulations.</li> <li>B. Retain live trees with visible evidence of current or historical use as nesting sites by hawks, owls, eagles, osprey, herons, kites or egrets.</li> <li>C. Replanting of disturbed areas with riparian vegetation (including such species as alders, cottonwoods, willows, sitka spruce, etc.) shall be required prior to the completion of the development project.</li> <li>D. Erosion control measures (as per Standard BR-S9- Erosion Control).</li> <li>E. Maximum feasible retention of overstory canopy in riparian corridors. <del>adjacent to Clean Water Act designated temperature impaired water bodies.</del></li> </ul>		

Plan Alternative			Section 10.3 Biological Resources	Staff Remarks/ Implementation	Position R,M,D
		<b>C</b>	<b>BR-S8. Required Mitigation Measures.</b> Mitigation measures for development within Streamside Management Areas shall consider the recommendations by the Department of Fish and Game.		
		<b>D</b>	<p><b>FRWK 3432.8 Required Mitigation Measures.</b> Mitigation measures for development within Streamside Management Areas shall, at a minimum, include:</p> <p>A. Retaining snags unless felling is required by CAL-OSHA, or by California Department of Forestry forest and fire protection regulations, or for public health and safety reasons, approved by the appropriate County department. Felled snags shall be left on the ground if consistent with fire protection regulations as long as they have no economic value.</p> <p>B. Retain live trees with visible evidence of use as nesting sites by hawks, owls, eagles, osprey, herons, or egrets.</p> <p>C. Replanting of disturbed areas with riparian vegetation (including such species as alders, cottonwoods, willows, sitka spruce, etc.) shall not be required unless natural regeneration does not occur within two years of the completion of the development project.</p> <p>D. Erosion control measures (Standard 9).</p>		
<b>A</b>	<b>B</b>	<b>D</b>	<p><b>BR-S9. Erosion Control.</b> Erosion control measures for development within Streamside Management Areas shall include the following:</p> <p>A. During construction, land clearing and vegetation removal will be minimized, following the provisions of the Water Resources Element and the standards listed here.</p> <p>B. Construction sites will be planted with native or naturalized vegetation and mulched with natural or chemical stabilizers to aid in erosion control and ensure revegetation.</p> <p>C. Long slopes will be minimized to increase infiltration and reduce water velocities down cut slopes by such techniques as soil roughing, serrated cuts,</p>		

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	<p>selective grading, shaping, benching, and berm construction.</p> <p>D. Concentrated runoff will be controlled by the construction and continued maintenance of culverts, conduits, non-erodible channels, diversion dikes, interceptor ditches, slope drains, or appropriate mechanisms. Concentrated runoff will be carried to the nearest drainage course. Energy dissipaters may be installed to prevent erosion at the point of discharge, where discharge is to natural ground or channels.</p> <p>E. Runoff shall be controlled to prevent erosion by on-site or off- site methods. On-site methods include, but are not limited to, the use of infiltration basins, percolation pits, or trenches. On-site methods are not suitable where high groundwater or slope stability problems would inhibit or be aggravated by on-site retention or where retention will provide no benefits for groundwater recharge or erosion control. Off-site methods include detention or dispersal of runoff over non-erodible vegetated surfaces where it would not contribute to downstream erosion or flooding.</p> <p>F. Disposal of silt, organic, and earthen material from sediment basins and excess material from construction will be disposed of out of the Streamside Management Area to comply with Department of Fish and Game and the North Coast Regional Water Quality Control Board requirements.</p> <p>Winter operations (generally October 15 thru April 15) shall employ the following special considerations:</p> <p>G. Slopes will be temporarily stabilized by stage seeding and/or planting of fast germinating seeds, such as barley or rye grass, and mulched with protective coverings such as natural or chemical stabilizations.</p> <p>H. Runoff from the site will be temporarily detained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site. Drainage controls are to be maintained as long as necessary to prevent erosion throughout construction.</p>		
C	<b>BR-S9. Erosion Control.</b> Erosion control measures shall follow best management practices to		

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			reduce off-site sediment transport to the maximum extent feasible.		
A	B		<b>BR-S10. Development Standards for Wetlands and Other Wet Areas.</b> Development for <u>wetlands and other wet areas</u> ; including natural ponds, springs, vernal pools, marshes, wet meadows (exhibiting standing water all year long or riparian vegetation), and wetlands as defined in the California Fish and Game Code Section 2785(g), shall be consistent with the standards for streamside management areas, as applicable, including <del>recommended</del> required buffer setbacks.	Re-worded for clarity.	
		C	<b>BR-S10. Development Standards for Wetlands and Other Wet Areas.</b> Development for wetlands and other wet areas; including natural ponds, springs, vernal pools, marshes, wet meadows (exhibiting standing water all year long or riparian vegetation), and wetlands as defined in the California Fish and Game Code Section 2785(g), shall be consistent with the standards for streamside management areas.		
		D	<b>FRWK 3432.10 Development Standards for Wetlands and Other Wet Areas.</b> For natural ponds, springs, vernal pools, marshes and wet meadows (exhibiting standing water yearlong or riparian vegetation): Development except for wells and springboxes shall be consistent with the standards for streamside management areas, where appropriate.		
A	B		<b>BR-S11. Wetlands Defined.</b> The County shall follow the identification and classification policies of the Department of Fish and Game which considers wetlands as lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports hydrophytes, (2) the substrate is predominantly undrained hydric soil, and (3) the substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year.		
		C	<b>BR-S11. Wetlands Defined.</b> The County shall follow the identification and classification policies of the Corp of Engineers (Wetlands Delineation Manual). Wetlands must have evidence of a minimum of one positive wetland indicator from each wetland parameter (hydrophytes, hydric soil, and periods of inundation).		

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			<p><del><b>BR-S12. Sensitive and Critical Habitats.</b> In addition to the preceding policies for streams, adjacent streamside areas, wetlands, and buffer areas adjacent to wetlands, several other sensitive and critical habitat areas exist within community planning areas. These include:</del></p> <ul style="list-style-type: none"> <li><del>A. Habitat for listed and candidate rare, unique, threatened, and endangered species in the federal and state endangered species acts.</del></li> <li><del>B. Sensitive avian species rookery and nest sites (e.g., osprey, great blue heron, and egret).</del></li> <li><del>C. Rare and endangered vascular plant communities as compiled by the California Native Plant Society or the Department of Fish and Game.</del></li> <li><del>D. Other sensitive habitats and communities as listed in the Department of Fish and Game's California Natural Diversity Data Base, as amended periodically.</del></li> <li><del>E. As part of the review of all discretionary development project applications, the County will consult with the Department of Fish and Game, the U.S. Fish and Wildlife Service, NOAA Fisheries Service, and other regional, state, and federal resource and trustee agencies, as applicable to the specific project location, class of development, or natural resource involved.</del></li> </ul>	Incorporated into BR-S4 and BR-S2 to avoid duplication.	
	B		<p><del><b>BR-S1312. Discretionary Review within Oak Woodlands.</b> Staff should encourage applicants for discretionary projects in oak woodlands (defined as lands on which the majority of the trees are of the genus <i>Quercus</i>) to design the project to reduce ecological and aesthetic impacts. Ideally, the placement of proposed roads and structures should avoid oak trees and their drip lines and site layout and design should minimize the destruction of trees.</del></p>	Titled for clarity.	
	A		<p><del><b>BR-S1312. Discretionary Review within Oak Woodlands.</b> Discretionary projects proposed for oak woodlands (defined as lands on which the majority of the trees are of the genus <i>Quercus</i>) shall be analyzed for ways to reduce ecological and aesthetic impacts. The placement of proposed roads and structures shall avoid oak trees and their drip lines, if feasible and site layout and design shall minimize impacts.</del></p>		
	B	C	<p><del><b>BR-S1413. Principally Permitted Accessory Use.</b> Non-commercial invasive plant species</del></p>		

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				control measures shall be considered a principally permitted accessory use in all zones.		
				<b>10.3.5 Implementation Measures</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>BR-IM1. Biological Resource Maps.</b> The County shall maintain best available data in the form of GIS maps for the location and extent of wetlands, critical habitats, streamside management areas, rookeries, and ranges of species identified in the California Natural Diversity Database.		
<b>A</b>	<b>B</b>	<b>C</b>		<b>BR-IM2. State and Federal Agency Permitting Coordination.</b> The County shall maintain efficient and timely procedures for project referral to state and federal agencies for biological review and consultation.		
	<b>B</b>	<b>C</b>		<b>BR-IM3. Staff Training.</b> Building and Planning Division staff shall receive periodic training related to the field identification of biological resources and mitigation of impacts. The County shall maintain efficient and timely procedures for project referral to state and federal agencies for biological review and consultation.		
<b>A</b>				<b>BR-IM3. Staff Training and Expertise.</b> Building and Planning Division staff shall receive periodic training related to the field identification of biological resources and mitigation of impacts. The County shall also have on staff or retain a qualified biologist to conduct site visits, work with resource agencies, review applicant prepared biological reports and formulate and monitor project conditions and mitigation measures.		
<b>A</b>				<b>BR-IMx. Natural Communities Conservation Plan and Habitat Conservation Plan.</b> For biological conservation and the protection of threatened and endangered species, the County shall work with Department of Fish and Game, NOAA Fisheries and the US Fish and Wildlife Service to develop and adopt a County-wide Natural Communities Conservation Plan and Habitat Conservation Plan(California Fish and Game Code 2800-2835 and section 10(a)(1)(B) of the Endangered Species Act)		
<b>A</b>				<b>BR-IMx2. Humboldt Bay and Eel River Delta Wetlands Bank.</b> The County shall facilitate and assist in the development of a wetlands banking system for the Humboldt Bay and Eel River Delta areas.		
<b>A</b>				<b>BR-IMx3. Oak Woodlands Conservation Program.</b> The County shall develop an Oak Woodland Management Plan and attain eligibility for Oak Woodland Preservation Program		

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				funding (Fish and Game Code, Section 1360, Division 2, Chapter 4) to conserve and protect high-value oak woodlands.		
<b>A</b>	<b>B</b>			<b>BR-IMx4. Streamside Management Areas Definition Review.</b> The County shall review and revise as necessary existing Streamside Management Area (SMA) and wetland buffer requirements in consultation with the Department of Fish and Game and shall consider adopting more conservative SMA buffers, if such measures are necessary to reduce impact levels to less than significant. Such review should utilize stream designations determined by qualified biologists in the field, and/or by using the most recently available stream and fish habitat data, such as the DFG Eureka Office stream files, and "CalFish," the multi-agency cooperative fish and aquatic habitat on-line data program.		