



January 28, 2014

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Chairperson Robert Morris
Humboldt County Planning Commission
3105 H Street
Eureka, CA 95501

RE: Biological Resources Chapter 10.3

Dear Chair Morris & Commissioners:

In our review of the Biological Resources Chapter, we were surprised to see the original Planning Commission draft in today's staff report.

At their December 2, 2013 General Plan Update meeting, the Board of Supervisors instructed staff to work with the Ad-Hoc Working Group regarding incorrectly defined terms in the Biological Resources Chapter. Attached is the Ad-Hoc Working Group's input correcting the definitions for the following terms as presented by Jennifer Kalt and Craig Compton:

- Critical Habitat
- Essential Habitat
- Sensitive Habitat
- Critical Species
- Endangered Species
- Rare Species
- Sensitive Species
- Environmentally Sensitive Areas
- Special treatment Areas
- Streamside Management Areas
- Stream Channel
- Stream Transition Line



We support the Ad-Hoc Working Group's work. Chapter 10.3 should be rewritten by staff to incorporate their recommendations before consideration by the Planning Commission.

All goals, policies, standards and implementation measures need to be consistent, using the correct definition of each term in the correct context.

Thank you,



Victoria Copeland, Co-Chair
General Plan Sub-Committee

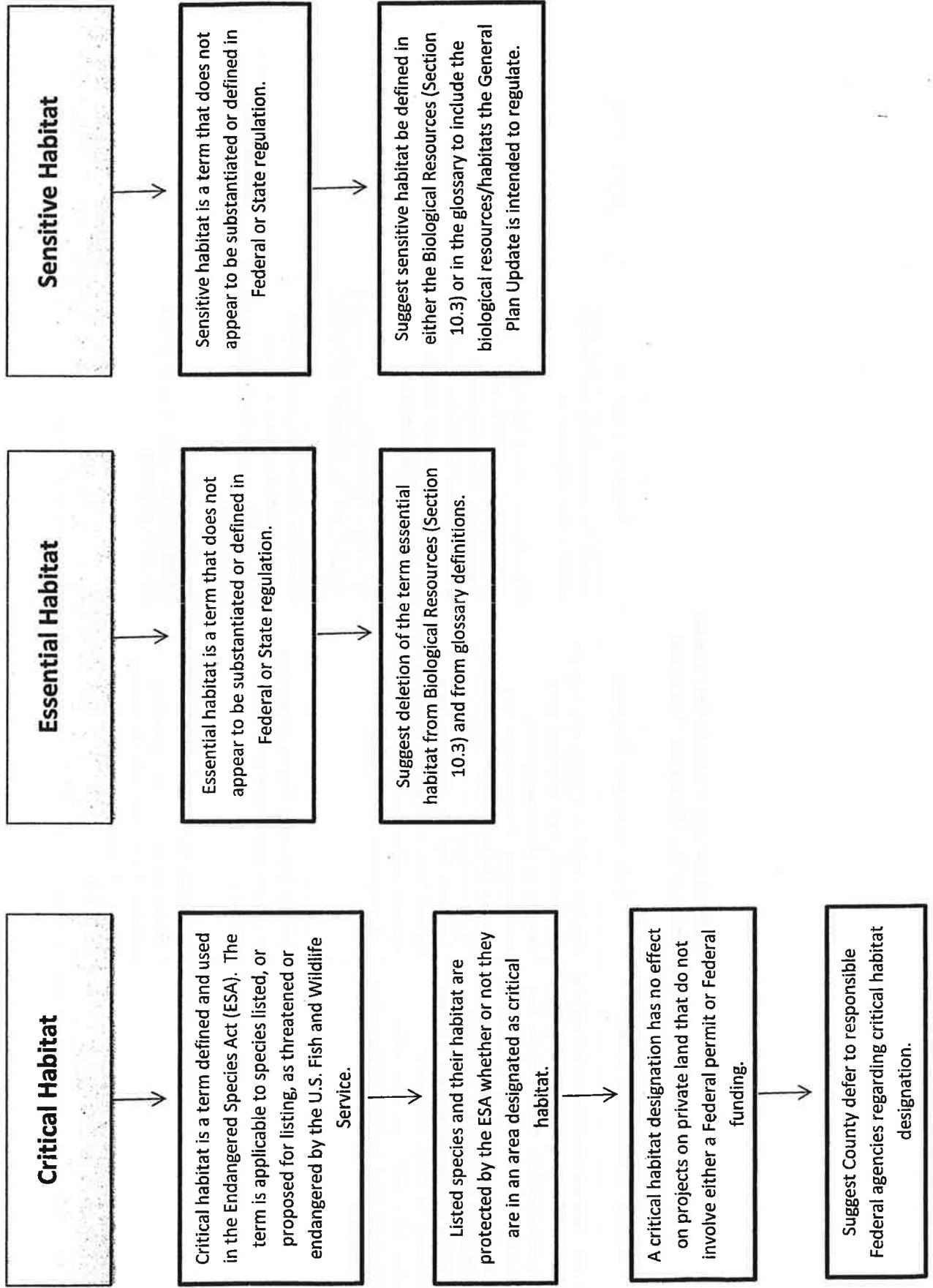


Debbie Provolt, Co-Chair
General Plan Sub-Committee

Enclosure

Cc: Kevin Hamblin, Planning Director
Michael Richardson, Senior Planner

Humboldt County General Plan Update
Open Space and Conservation Element; Biological Resources (Section 10.3)



Humboldt County General Plan Update
Section 10.3 Biological Resources

Planning Commission Version	Definition from Glossary	Recommendation
<p>BR-S3. Critical and Essential Habitat Defined. Critical habitats are federally designated habitats necessary for the protection of threatened or endangered species listed under the federal 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>	<p>Critical Habitat: Critical habitats are sensitive habitats essential for a Federal or State designated endangered, threatened or rare species (listed as high priority by the Department of Fish and Game California Natural Diversity Data Base.) This includes the portion of the species habitat which is essential to the existence of that species.</p>	<p>Revise for consistency with <u>S</u>etate and <u>F</u>ederal regulations.</p> <p>Discussion: Critical habitat is designated by <u>F</u>ederal agencies and is specific to <u>F</u>ederally-listed species. Essential habitat should be deleted, since it is not defined in <u>S</u>etate and/<u>or</u> <u>F</u>ederal law.</p> <p>http://www.fws.gov/midwest/endangered/saving/CriticalHabitatFactSheet.html</p>
	<p>Critical Species: Plants or animals which are dependent on a critical habitat.</p>	<p>Delete for consistency with <u>S</u>etate and <u>F</u>ederal regulations. <u>Term</u> defined and used in the <u>Endangered Species Act</u>.</p>
	<p>Sensitive and Critical Habitat: Those natural resource areas providing habitat to plant and animal species limited or impacted in their range or numbers.</p>	<p>Delete/<u>Revise</u> (both <u>should be</u> defined separately).</p>

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BR-S4. Sensitive Habitat Defined.

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:

- A. Critical and essential habitat for rare, unique, threatened and endangered species
- B. Migratory deer winter range
- C. Roosevelt elk range
- D. Sensitive avian species rookery and nest sites (e.g osprey, great blue heron and egret)
- E. Streams and streamside areas
- F. Natural ponds, springs, vernal pools, marshes, and wet meadows exhibiting standing water all year long or riparian vegetation.
- G. Rare and endangered vascular plant communities as compiled by the California Native Plant Society or the Department of Fish and Game.
- H. Other sensitive habitats and communities as listed in the Department of Fish and Game's California Natural Diversity Data Base, as amended periodically.

Sensitive Habitats: Unique, limited, or economically important habitat for a species whose habitat requirements, if significantly changed would cause a threatening change to the existence of that species. See Standard in Plan.

Revise glossary definition for consistency with BR-S4.

		<p>Endangered Species: These species' prospects for survival and reproduction are in immediate jeopardy from one or more causes.</p>	<p>Revise for consistency with <u>Setate and/or F</u> federal regulations and <u>Biological Resources (Section 10.3)</u>.</p>
		<p>Rare Species: These species may not presently be in danger of extinction, but are of such few number that survival is threatened if its habitat is degraded.</p>	<p>Revise for consistency with <u>Setate and/or</u> federal regulations and <u>Biological Resources (Section 10.3)</u>.</p>
		<p>Sensitive Species: Plants or animals which are dependent on a sensitive habitat.</p>	<p>Revise for consistency with <u>Setate and/or</u> federal regulations and <u>Biological Resources (Section 10.3)</u>.</p>
		<p>Environmentally Sensitive Areas: Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act Section 30107.5), including: areas of special biological significance as identified by the State Water Resources Control Board; rare and endangered species</p>	<p>It appears that this definition refers to both Coastal Zone & non-Coastal Zone. The language needs to be revised and separated for clarity.</p>

	<p>habitat identified by the State Department of Fish and Game; all coastal wetlands and lagoons; all marine, wildlife and education and research reserves; nearshore reefs; tidepools; sea caves; islets and offshore rocks; kelp beds; indigenous dune plant habitats; and wilderness and primitive areas.</p>	
	<p>Special Treatment Area Standards: Those criteria and requirements found in Title 14, Chapter 4 of the California Code of Regulations, regarding the harvesting of timber in designated environmentally sensitive habitat areas. As intended in this Plan, only those performance standards for the protection of Streamside Management Areas associated with non-commercial, personal-use firewood cutting apply (i.e., retention of snags and live trees with visible evidence of nesting by eagles, osprey, herons, egrets or any endangered species, as identified by the Department of Fish and Game; minimized ground disturbance and erosion; avoidance of watercourse siltation and sedimentation). Standards regarding timber re-stocking, silvicultural</p>	<p>Revise to avoid potential overlap or confusion with Forest Practice Rules.</p>

	<p>Endangered Species: These species' prospects for survival and reproduction are in immediate jeopardy from one or more causes.</p>	<p>Revise for consistency with <u>Setate and/or Federal regulations and Biological Resources (Section 10.3)</u>.</p>
	<p>Rare Species: These species may not presently be in danger of extinction, but are of such few number that survival is threatened if its habitat is degraded.</p>	<p>Revise for consistency with <u>Setate and/or federal regulations and Biological Resources (Section 10.3)</u>.</p>
	<p>Sensitive Species: Plants or animals which are dependent on a sensitive habitat.</p>	<p>Revise for consistency with <u>Setate and/or federal regulations and Biological Resources (Section 10.3)</u>.</p>
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<p>BR-S4. Sensitive Habitat Defined. 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"> A. Critical and essential habitat for rare, unique, threatened and endangered species B. Migratory deer winter range C. Roosevelt elk range D. Sensitive avian species rookery and nest sites (e.g osprey, great blue heron and egret) E. Streams and streamside areas F. Natural ponds, springs, vernal pools, marshes, and wet meadows exhibiting standing water all year long or riparian vegetation. G. Rare and endangered vascular plant communities as compiled by the California Native Plant Society or the Department of Fish and Game. 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>Sensitive Habitats: Unique, limited, or economically important habitat for a species whose habitat requirements, if significantly changed would cause a threatening change to the existence of that species. See Standard in Plan.</p>	<p>Revise <u>glossary</u> definition for consistency with BR-S4.</p>
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