



AGENDA ITEM NO.

COUNTY OF HUMBOLDT

For the meeting of September 8, 2014

Date: August 26, 2014

To: Board of Supervisors

From: Kevin Hamblin, Director of Planning and Building Department 

Subject: Continued Board review of the Planning Commission Approved Draft General Plan. In particular, deliberations on Chapter 10 Conservation and Open Space Element, Section 10.3 Biological Resources, Section 10.4 Mineral Resources and Section 10.5 Waste Management,

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing.
2. Continue deliberations on Chapter 10 Conservation and Open Space Element, Section 10.3 Biological Resources.
3. Deliberate on Chapter 10 Conservation and Open Space Element, Section 10.4 Mineral Resources.
4. Deliberate on Chapter 10 Conservation and Open Space Element, Section 10.5 Waste Management.
5. Deliberate as necessary regarding the Board's review schedule for the Draft General Plan.
6. Continue deliberation to September 22, 2014 beginning at 1:30 p.m. or as soon thereafter as possible.

Prepared by 
 Michael Richardson, Senior Planner

CAO Approval _____

REVIEW:
 Auditor _____ County Counsel _____ Human Resources _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

PREVIOUS ACTION/REFERRAL:

Board Orders No. C-1

Meetings of: beginning June 12, 2012, and continuing through July 14, 2014

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor
 Seconded by Supervisor

Ayes _____
 Nays _____
 Abstain _____
 Absent _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

By: _____
Kathy Hayes, Clerk of the Board

SOURCE OF FUNDING:

General Fund and General Plan User Fees.

DISCUSSION:

Section 10.3, Biological Resources

At the August 18, 2014 meeting, the Board straw-voted all the following items in the third section of the Conservation and Open Space Element, Section 10.3 Biological Resources:

Changes to Chapter 10, Conservation and Open Space

Section 10.3, Biological Resources

- BR-S6. Development within Stream Channels.
- BR-S7. Development within Streamside Management Areas.
- BR-S8. Required Mitigation Measures.
- BR-S9. Erosion Control.
- BR-S10. Development Standards for Wetlands ~~and Other Wet Areas~~.
- BR-S12. Discretionary Review within Oak Woodlands.
- BR-IM1. Biological Resource Maps.
- BR-IM2. State and Federal Agency Permitting Coordination.
- BR-IM3. Biological Review and Referral.
- BR-IMx3. Oak Woodlands Conservation Program.

The approved wording appears in the revised Attachment 1 of this staff report which is the standard large-format worksheet for Section 10.3 Biological Resources. The revisions are also shown in the revised Chapter 10 - Conservation and Open Space on the GPU website:

<http://www.humboldt.gov/572/Board-of-Supervisors-Draft>

Staff recommends the following grammatical correction to one item that was straw voted by the Board at the previous meeting:

“BR-IM3. Biological Review and Referral. Building and Planning Division staff shall receive periodic training, and ~~encourage~~ **be encouraged to receive** certification, related to the field identification of biological resources and mitigation of impacts.”

Alternative to Wetland Protection Standards to Exempt Man-made Features: At the August 18, 2014 GPU meeting, the Board requested staff provide an alternative to the wetland protection standards to exempt man-made features that exhibit wetland characteristics. Staff recommends the Board consider adding a sentence to **BR-S10. Development Standards for Wetlands** to exempt man-made features as shown below in blue highlight.

“BR-S10. Development Standards for Wetlands. Development standards for wetlands shall be consistent with the standards for Streamside Management Areas as applicable, except that the widths of the SMA for wetlands are as follows:

seasonal wetlands = 50 ft.

perennial wetlands = 150 ft.

and the setback begins at the edge of the delineated wetland. Buffers may be reduced based on site specific information and consultation with the California Department of Fish and Wildlife. **No buffer shall be required for man-made wetlands except wetlands created for mitigation purposes.”**

Alternatives to BR-S5. Streamside Management Areas Defined: At the August 18, 2014 GPU meeting, the Board requested staff provide alternatives to the “edge of riparian” language in the staff recommendation:

“...B. For areas along **fish-bearing** streams not specifically mapped as SMA and Wetland (WR) Combining Zones, the outer boundaries of the SMA shall be defined as:

~~1) Consistent with the Forest Practice Rule stream buffer widths.~~

~~2-1) 150 **100** feet, measured as the horizontal distance from the **stream transition line top of bank or edge of riparian drip-line whichever is greater** on either side of perennial streams.~~

~~3-2) 50 feet, measured as the horizontal distance from the **stream transition line top of bank or edge of riparian drip-line whichever is greater** on either side of intermittent streams.”~~

Two main concerns with the proposed language were raised by individual Board members at the meeting. First, there was a concern that the “edge of riparian” language is too open-ended, and may apply to areas far from a stream without a clear relationship to protection of the stream. To address this concern, staff recommends the Board consider inserting the 200 foot maximum width of an SMA from the 1984 Framework Plan¹ by adding a sentence to the above paragraph:

“3. The width of Streamside Management Areas shall not exceed 200 feet measured as a horizontal distance from the top of bank.”

Staff recommends similar language also be added to paragraph (C) (shown in blue highlight):

“C. The width of Streamside Management Areas shall be expanded **to up to 200 feet measured as a horizontal distance from the top of bank as necessary to include slides, and areas with visible evidence of slope instability.**”

The full text of the proposed standards are shown in Attachment 1 of this staff report.

The second main concern was that people with existing homes close to a stream could be prohibited from adding to their structure or building an adjoining garage. To address this, staff recommends inserting a 500 square foot exemption for existing structures from the current SMA

¹ “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.” (Section 3432(5)(C) of the 1984 Framework Plan).

ordinance² by adding language to **BR-IMx4. Modifications to the Streamside Management Area Ordinance:**

“BR-IMx4. Modifications to the Streamside Management Area Ordinance. The County shall modify the SMA Ordinance for consistency with BR-S5 and to allow reductions to SMA widths through ministerial review in consultation with California Department of Fish and Wildlife. **The SMA Ordinance shall provide exemptions for minor additions of up to 500 square feet for buildings or structures existing on April 25, 1995.”**

Section 10.4, Mineral Resources

The purpose of the Mineral Resources chapter is to identify the county's known mineral resources and support the conservation, development, and utilization of these resources. The Board of Supervisors identified Policy MR-P11, Permit Conditions to Reduce Impacts, as the only “short list” item for the Mineral Resources section. The General Plan Update Draft Environmental Impact Report (DEIR) includes several modifications to Mineral Resources policies. Also, the Ad Hoc Working Group proposed a new Mineral Resources policy, and the office of Harrison, Temblador, Hungerford and Johnson suggested modifications to several policies. The standard large-format worksheet for the Mineral Resources section (Attachment 2) includes the short list item, proposed DEIR modifications, Ad Hoc Working group policy proposal, and public comments for your Board's consideration. Background information for the Mineral Resources section is in Attachment 3 of this staff report.

Section 10.5 Waste Management

The Waste Management section describes the County's approach to solid waste management. The policies support the County's Integrated Waste Management Plan currently administered on a multi-jurisdictional basis by the Humboldt Waste Management Authority (HWMA).

Planning staff coordinated with the Humboldt County Division of Environmental Health and HWMA in the preparation and review of Section 10.5 Waste Management. There were no short list items identified by the Board of Supervisors for the Waste Management section. HWMA suggests revisions to Waste Management policies, standards, and implementation measures as well as the background narrative. The HWMA recommended changes are included in the large-format worksheet for the Board's consideration in Attachment 4 of this staff report. Background information for the Waste Management section is provided in Attachment 5 of this staff report.

GPU Review Schedule

Attachment 6 is the updated draft schedule for completion of the remaining GPU tasks for review and comment.

FINANCIAL IMPACT:

The cost of preparing this staff report is borne by the General Fund through the Planning and Building Department, Advance Planning Division's FY 2014-2015 budget, and the General Plan User Fees Trust Fund 3698.

² “(4) Minor Additions” means an exception to these standards for additions to buildings or structures existing on April 25, 1995, of up to 500 square feet of floor area. From this date forward, any number of individual additions to an existing building or structure may be permitted provided the aggregated total increase in square footage for all changes does not exceed 500 square feet of floor area. A “minor addition” is not “construction” as defined in these standards. Note: Physical additions to a building or structure where a condition or a prior discretionary permit or subdivision approval indicated that any future additions would be prohibited are not minor additions as defined in these Implementation Standards.” (Section 314-61.1(4) of Humboldt County Code).

OTHER AGENCY INVOLVEMENT:

The General Plan Update program has been a multi-year project. Multiple agencies have been involved in the review and preparation of the Planning Commission approved Draft General Plan. The County has been in communication with the Planning Commissioners, County Counsel and the County Administrator's office on the transmittal of these draft documents.

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board's discretion.

ATTACHMENTS:

- Attachment 1 Board worksheet for Chapter 10, Section 10.3 – Biological Resources
- Attachment 2 Board worksheet for Chapter 10, Section 10.4 – Mineral Resources
- Attachment 3 Report #1 for Mineral Resources
- Attachment 4 Board worksheet for Chapter 10, Section 10.5 – Waste Management
- Attachment 5 Report #1 for Waste Management
- Attachment 6 Updated Draft Schedule for Completion of the Remaining GPU Tasks

Attachment 1

Board Worksheet for Chapter 10, Section 10.3 – Biological Resources

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2012 Planning Commission Version BR-G1. Threatened and Endangered Species. Sufficient recovery of threatened and endangered species to support de-listing.</p>		<p>Approve the 2012 Planning Commission Version Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-G2. Sensitive, Critical, and Essential Habitat. A mapped inventory of sensitive, critical, and essential habitat where biological resource protection policies apply.</p>		<p>Approve the Board of Supervisors Revisions: BR-G2. Sensitive, <u>and</u> Critical, <u>and</u> Essential Habitat. A mapped inventory of sensitive, <u>and</u> Ccritical, <u>and</u> Eessential habitat where biological resource protection policies apply. Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-G3. Benefits of Biological Resources. Fish and wildlife habitats protected on a sustainable basis to generate long-term public, economic, and environmental benefits.</p>		<p>Approve the 2012 Planning Commission Version Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-P1. Compatible Land Uses. 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.</p>		<p>Approve the Board of Supervisors Revisions: BR-P1. Compatible Land Uses. Land <u>Area</u> 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 <u>or otherwise permitted</u> to prevent significant habitat degradation <u>of sensitive habitat, to the extent feasible consistent with Department of Fish and Wildlife guidelines or recovery strategies</u> or harm to rare, threatened, or endangered species. Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-P2. Critical Habitat. Discretionary projects that have the potential to impact critical habitat shall be conditioned to avoid significant habitat modification or destruction consistent with federally adopted Habitat Recovery Plans or interim recovery strategies.</p>		<p>Approve the Board of Supervisors Revisions: BR-P2. Critical Habitat. Discretionary projects <u>which use federal permits or federal funds on private lands</u> that have the potential to impact critical habitat shall be conditioned to avoid significant habitat modification or destruction consistent with federally adopted Habitat Recovery Plans or interim recovery strategies. Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-P3. Essential Habitat. 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.</p>		<p>Straw Vote to delete: 5-0 (6-2-14). Inserted into BR-P1 above.</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2012 Planning Commission Version BR-P4. Development within Stream Channels. 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.</p>		<p>Approve the 2012 Planning Commission Version Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-P5. Streamside Management Areas. 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 streams including intermittent streams that exhibit in-channel wetland characteristics and off-channel riparian vegetation.</p>		<p>Approve the 2012 Planning Commission Version Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-P6. Development within Streamside Management Areas. 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.</p>		<p>Approve the 2012 Planning Commission Version Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-P7. Wetland Identification. 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.</p>		<p>Board of Supervisors Revisions: BR-P7. Wetland Identification. 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 professional may be necessary and shall be required when wetland characterization and limits cannot be easily inventoried and identified by informal site inspection. Straw Vote: 5-0 (6-2-14)</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2012 Planning Commission Version BR-Pxxx Wetlands Banking. The County supports the development of a wetlands banking system.</p>		<p>Board of Supervisors Revisions: BR-Pxxx. Wetlands Banking. The County supports the development of a wetlands banking system <u>that minimizes potential conversion of prime agriculture lands to wetlands.</u> Straw Vote: 5-0 (7-14-14)</p>
<p>2012 Planning Commission Version BP-P8. Oak Woodlands. Oak woodlands shall be protected <u>conserved</u> through the review and conditioning of discretionary projects to minimize avoidable impacts to functional capacity and aesthetics. <i>Straw Vote 4-2-1(4-14-11)</i></p>		<p>Board of Supervisors Revisions: BP-P8. Oak Woodlands. Oak woodlands shall be conserved through the review and conditioning of discretionary projects to minimize avoidable impacts to functional capacity and aesthetics, <u>consistent with state law.</u> Straw Vote: 5-0 (6-2-14)</p>
<p>2012 Planning Commission Version BR-P9. Invasive Plant Species. The County shall cooperate with public and private efforts to control noxious and exotic invasive plant species. The County shall recommend measures to minimize the introduction of noxious and exotic invasive plant species in landscaping, grading and major vegetation clearing activities.</p>		<p>Board of Supervisors Revisions: BR-P9. Invasive Plant Species. The County shall cooperate with public and private efforts to <u>manage and</u> control noxious and exotic invasive plant species. The County shall recommend measures to minimize the introduction of noxious and exotic invasive plant species in landscaping, grading and major vegetation clearing activities. Straw Vote: 5-0 (7-14-14)</p>
<p>2012 Planning Commission Version BR-P10. Biological Resource Maps. 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.</p>		<p>Board of Supervisors Revisions: BR-P10. Biological Resource Maps. Biological resource maps shall be consulted during the ministerial and discretionary permit review process in order to identify habitat concerns and <u>to</u> guide mitigations <u>for discretionary projects</u> that will reduce biological resource impacts to below levels of significance, <u>consistent with CEQA.</u> Straw Vote: 5-0 (7-14-14)</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2012 Planning Commission Version</p> <p>BR-P11. Agency Review. 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, and including Streamside Management Areas. The County shall request NOAA Fisheries or Fish and Wildlife Service 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.</p>		<p>Board of Supervisors Revisions:</p> <p>BR-P11. Agency Review. The County shall request the California Department of Fish and Wildlife Game, as well as other appropriate trustee agencies and organizations, to review plans for development within Sensitive Habitat areas as identified on the ground, and including Streamside Management Areas. The County shall request NOAA Fisheries or U.S. Fish and Wildlife Service review, as well as other appropriate agencies and organizations, to review plans for development within critical habitat areas if the project includes federal permits or federal funding. Recommended mitigation measures to reduce impacts below levels of significance shall be considered during incorporated into project approval, <u>consistent with CEQA.</u></p> <p>Straw Vote: 5-0 (7-14-14)</p>
<p>2012 Planning Commission Version</p> <p>BR-S1. Development Excluded from Sensitive Habitat Policies. 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"> 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. 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. C. Forest management activities that are needed to improve timber productivity regulated by CAL FIRE, which are otherwise consistent with this chapter. 		<p>Board of Supervisors Revisions:</p> <p>BR-S1. Development Excluded from Sensitive Habitat Policies. 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"> A. Timber management and harvest activities <u>conducted under the California Forest Practice Act (Z'Berg-Nejedly) and Rules</u> 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 <u>d</u>). These standards shall not be used to reduce buffers specified under the State Forest Practice Rules Act <u>unless such reduction is provided for therein.</u> 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. C. Forest management activities that are needed to improve timber productivity regulated by CAL FIRE, which are otherwise consistent with this chapter. <u>Agricultural practices which are principally permitted within the zone shall not be considered development for the purposes of this standard.</u> <p>Straw Vote: 5-0 (7-14-14)</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2012 Planning Commission Version</p> <p>BR-S2. Agency Consultation. For discretionary projects with potential to impact <u>critical</u>, sensitive and <u>or</u> essential habitats, the County will seek specific recommendations from the California Department of Fish and Game, NOAA Fisheries and Fish and Wildlife Service, as applicable to the specific project location, class of development, or natural resource involved.</p>		<p>Board of Supervisors Revisions:</p> <p>BR-S2. Agency Consultation. For discretionary projects with potential to impact critical, <u>or</u> sensitive or essential habitats, the County will seek specific recommendations from the California Department of Fish and Game, NOAA Fisheries and Fish and Wildlife Service from the appropriate agencies, as applicable to the specific project location, class of development, or natural resource involved</p> <p>Straw Vote: 5-0 (7-14-14)</p>
<p>2014 Planning Commission Version</p> <p>BR-S3. Critical and Essential Habitat Defined. Critical habitats are habitats necessary for the protection of threatened or endangered species listed under the Federal Endangered Species Act. <u>Designation, mapping and enforcement of critical habitat is the responsibility of federal agencies.</u> Essential habitats are habitats necessary for the protection of threatened or endangered species listed under the California Endangered Species Act.</p> <p>2012 Planning Commission Version</p> <p>BR-S3. Critical and Essential Habitat Defined. Critical habitats are habitats necessary for the protection of threatened or endangered species listed under the federal Endangered Species Act. Essential habitats are habitats necessary for the protection of threatened or endangered species listed under the California Endangered Species Act.</p>		<p>Board of Supervisors Revisions:</p> <p>BR-S3. Critical and Essential Habitat Defined. Critical habitats are habitats necessary for the protection of threatened or endangered species listed under the Federal Endangered Species Act. <u>Designation, mapping and enforcement of critical habitat is the responsibility of federal agencies.</u> Essential habitats are habitats necessary for the protection of threatened or endangered species listed under the California Endangered Species Act.</p> <p>Straw Vote: 5-0 (7-14-14)</p>
<p>2014 Planning Commission Version</p> <p>BR-S4. Sensitive Habitat Defined. Sensitive habitats are defined as a <u>biologically</u> 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 <u>across its range</u> and may include the following:</p> <ul style="list-style-type: none"> A. Critical and essential hHabitat <u>necessary for the protection of</u> for rare, unique, threatened and endangered species <u>as listed under the FESA or CESA</u> 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. <u>Protected</u> Rare and endangered vascular plant communities <u>as listed by the US Fish & Wildlife Service</u> compiled by the California Native Plant Society or the <u>California</u> Department 		<p>Board of Supervisors Revisions:</p> <p>BR-S4. Sensitive Habitat Defined. Sensitive habitats are defined as a <u>biologically</u> 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 <u>across its range</u> and may include the following:</p> <ul style="list-style-type: none"> A. Critical and essential hHabitat <u>necessary for the protection of</u> for rare, unique, threatened and endangered species <u>as listed under the FESA or CESA</u> 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. <u>Wetlands</u> G. <u>Protected</u> Rare and endangered vascular plant communities <u>as listed by the US Fish & Wildlife Service</u>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>of Fish and Game Wildlife. H. Other sensitive habitats and communities as may be currently, correctly and accurately listed in the California Department of Fish and Game Wildlife's California Natural Diversity Data Base, as amended periodically</p> <p>2012 Planning Commission Version 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>compiled by the California Native Plant Society or the California Department of Fish and Game Wildlife. H. Other sensitive habitats and communities as may be currently, correctly and accurately listed in the California Department of Fish and Game Wildlife's California Natural Diversity Data Base, as amended periodically.</p> <p>Straw Vote: 5-0 (7-14-14)</p>
<p>2012 Planning Commission Version BR-S5. Streamside Management Areas Defined. Streamside Management Areas (SMA) are identified and modified as follows:</p> <ul style="list-style-type: none"> 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. B. For areas along fish-bearing streams not specifically mapped as SMA and Wetland (WR) Combining Zones, the outer boundaries of the SMA shall be defined as: <ul style="list-style-type: none"> 1) Forest Practice Rule stream buffer widths. 2) 150 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 3) 50 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams. 	<p>CDFW (5-15-14) The Department believes the SMA measures above will not effectively protect Humboldt County's rivers and streams from the impacts of adjacent development. Thus the SMA development setback buffers will not serve as an adequate mitigation in the Update. CDFW has three main concerns with the SMA measure described above: 1) unclear and incompatible reference to the Forest Practice Rules, 2) intermittent streams receiving narrower setback widths, and 3) starting the development setback buffer at the "stream transition line."</p> <p>HCRLWG RECOMMENDATION (12-10-13) The group recommends the following changes to the version from the 2012 planning commission to the Board of Supervisors. It is important to note that the recommended changes below retain the current applicable measures. The change DOES NOT reflect a decrease from current practice.</p> <p>BR-S5. Streamside Management Areas Defined. Streamside Management Areas (SMA) are identified and modified as follows:</p> <ul style="list-style-type: none"> A. Areas specifically mapped as SMA and Wetland (WR) Combining Zones, subject to verification and adjustment pursuant to site-specific biological reporting and review 	<p>9-8-14 Staff Recommendation: See proposed new revisions in blue highlight.</p> <p>BR-S5. Streamside Management Areas Defined. Streamside Management Areas (SMA) are identified and modified as follows:</p> <ul style="list-style-type: none"> 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. B. For areas along fish-bearing streams not specifically mapped as SMA and Wetland (WR) Combining Zones, the outer boundaries of the SMA shall be defined as: <ul style="list-style-type: none"> 1) Consistent with the Forest Practice Rule stream buffer widths. 2-1) 150 100 feet, measured as the horizontal distance from the stream transition line top of bank or edge of riparian drip line whichever is greater on either side of

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>C. For areas along non fish-bearing streams not specifically mapped as SMA and Wetland (WR) Combining Zones, the outer boundaries of the SMA shall be defined as:</p> <ol style="list-style-type: none"> 1) 75 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 2) 25 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams. <p>D. The width of Streamside Management Areas shall be expanded:</p> <ol style="list-style-type: none"> 1) as necessary to include significant areas of riparian vegetation adjacent to the buffer area, or 2) as necessary to include slides, and areas with visible evidence of slope instability. <p>E. 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>F. The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that the mapping of the SMA is not accurate, and there are no in-channel wetland characteristics or off-channel riparian vegetation.</p> <p>G. 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> <p><i>Straw Vote 4-1 (4-14-2011)</i></p>	<p>procedures.</p> <p>B. For areas along fish-bearing streams not specifically mapped as SMA and Wetland (WR) Combining Zones, the outer boundaries of the SMA shall be defined as:</p> <ol style="list-style-type: none"> 1) Consistent with the Forest Practice Rule stream buffer widths. 2) 150 100 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 3) 50 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams. <p>C. For areas along non fish-bearing streams not specifically mapped as SMA and Wetland (WR) Combining Zones the outer boundaries of the SMA shall be defined as:</p> <ol style="list-style-type: none"> 1) 75 50 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 2) 25 feet, measured as the horizontal distance from the, stream transition line on either side of intermittent streams. <p>D.G. The width of Streamside Management Areas shall may may be expanded when supported by written evidence from the requesting referral agency as:</p> <ol style="list-style-type: none"> 1) as if as if necessary to include significant areas of important riparian vegetation adjacent to the SMA buffer area, or 2) as if as if necessary to include active slides, and areas with visible evidence of slope instability adjacent to perennial and intermittent streams. <p>E. 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.</p> <p>F. E. The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that the mapping of the SMA is not accurate, and or there are no in-channel wetland characteristics or off-channel riparian vegetation.</p> <p>G. F. SMAs and the protections embodied in this section do not apply to include watercourses consisting entirely of a man-made drainage ditches, canals, flumes or other man-made drainage or irrigation devices, construction, or systems.</p> <p>HCRLWG Comments It is important to note that the recommended changes below retain the current applicable measures. The change DOES NOT reflect a decrease from current practice. On B1 it is not necessary to include the reference to Forest Practice Rules because the SMA widths are identified in B2 and B3. In additional those widths in B2 or B3 are not necessarily consistent with the Forest Practice Rules. On F the county would find one or the other circumstance. Change in G to ensure that the SMA applies to natural but not man-made features such as ditches along roadways. Periodic maintenance is required to these man-made features. It is important that F includes the deletion of "and" but includes the "or" as indicated. Agriculture needs to be exempt from this measure by including bullet D in BR-S1 This is consistent with the Humboldt County Right to Farm ordinance. There is no need for the county to widen the SMA beyond that already determined by the state agencies which would be involved with the activity. This working group's option</p>	<p>perennial streams mapped by the United States Geological Survey (USGS).</p> <p>3-2 50 feet, measured as the horizontal distance from the stream transition line top of bank or edge of riparian drip line whichever is greater on either side of intermittent streams mapped by the USGS.</p> <p>3. The width of Streamside Management Areas shall not exceed 200 feet measured as a horizontal distance.</p> <p>C. For areas along non fish-bearing streams not specifically mapped as SMA and Wetland (WR) Combining Zones, the outer boundaries of the SMA shall be defined as:</p> <ol style="list-style-type: none"> 1) 75 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 2) 25 feet, measured as the horizontal distance from the, stream transition line on either side of intermittent streams. <p>C. The width of Streamside Management Areas shall be expanded to up to 200 feet measured as a horizontal distance as necessary to include slides, and areas with visible evidence of slope instability:</p> <ol style="list-style-type: none"> 1) as necessary to include significant areas of riparian vegetation adjacent to the buffer area, 2) as necessary to include slides, and areas with visible evidence of slope instability. <p>E. 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>D.F. The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that the mapping of the SMA is not accurate, and there are no in-channel wetland characteristics or off-channel riparian vegetation, or the reduction will not significantly affect the biological resources of the SMA on the property. When the prescribed buffer would prohibit development of the site for the principal use for which it is designated, measures shall be applied that result in the least environmentally damaging feasible project.</p> <p>E. G SMAs do not include watercourses consisting entirely of a man-made drainage ditch, or other man-made drainage device, construction, or system.</p> <p>Discussion: See discussion on page 2 of the staff report. Also see proposed new implementation measure BR-IMx4. Modifications</p>

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	<p>does not infer or apply new regulations and does not potentially create a conversion of use from resource management.</p> <p>NCHB RECOMMENDATION (2-3-14) BR –S5. Streamside Management Areas Defined. 3432.5 M-Modify. We support the HCRLWG's modifications with one minor change, as well as their comments.</p> <p>Streamside Management areas (SMA) are identified and modified as follows:</p> <ul style="list-style-type: none"> A. Areas specifically mapped as SMA or Wetland (WR) combining zones, subject to verification and adjustment pursuant to site specific biological reporting and review procedures. B. For areas along fish-bearing streams not specifically mapped as SMA or Wetland (WR) combining zones, the outer boundaries of the SMA shall be defined as: <ul style="list-style-type: none"> 1. 100 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 2. 50 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams. C. For areas along non-fish-bearing streams not specifically mapped as SMA or Wetland (WR) Combining Zones the outer boundaries shall be defined as: <ul style="list-style-type: none"> 2. 50 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 3. 25 feet, measured as the horizontal distance from the, stream transition line on either side of intermittent streams. ... 	<p>to the Streamside Management Area Ordinance and glossary additions for the terms "Top of bank" and "Edge of riparian drip line" below.</p>
<p>2012 Planning Commission Version</p> <p>BR-S6. Development within Stream Channels. 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"> A. Fishery, wildlife, and aquaculture enhancement and restoration projects. B. Road crossings consistent with Standard BR-S9 - Erosion Control of this section. C. Flood control and drainage channels, levees, dikes, and floodgates. D. Mineral extraction consistent with other County regulations. E. Small-scale hydroelectric power plants in compliance with applicable County regulations and those of other agencies. F. Wells and spring boxes, and agricultural diversions. G. New fencing, so long as it would not impede natural drainage or wildlife movement and would not otherwise adversely effect affect the stream environment or wildlife. H. Bank protection, provided it is the least environmentally damaging alternative. I. Other essential projects, including municipal groundwater 		<p>Board of Supervisors Revisions:</p> <p>BR-S6. Development within Stream Channels. 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"> A. Fishery, wildlife, and aquaculture enhancement and restoration projects. B. Road crossings consistent with Standard BR-S9 - Erosion Control of this section. C. Flood control and drainage channels, levees, dikes, and floodgates. D. Mineral extraction consistent with other County regulations. E. Small-scale hydroelectric power plants in compliance with applicable County regulations and those of other agencies. F. Wells and spring boxes, and agricultural diversions. G. New fencing, so long as it would not impede natural drainage or wildlife movement and would not otherwise adversely effect affect the stream environment or wildlife. H. Bank protection, provided it is the least environmentally damaging alternative. I. Other essential projects, including municipal groundwater

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<p>pumping stations, provided they are the least environmentally damaging alternative, or necessary for the protection of the public's health and safety.</p>		<p>pumping stations, provided they are the least environmentally damaging alternative, or necessary for the protection of the public's health and safety.</p> <p>Straw Vote: 5-0 (8-18-14)</p>
<p>2012 Planning Commission Version</p> <p>BR-S7. Development within Streamside Management Areas. 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"> A. Development permitted within stream channels per BR-S6 - Development within Stream Channels. 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). 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. D. Removal of vegetation for disease control or public safety purposes. E. 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. 		<p>Board of Supervisors Revisions:</p> <p>BR-S7. Development within Streamside Management Areas. 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"> A. Development permitted within stream channels per BR-S6 - Development within Stream Channels. 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 d)). 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. D. Removal of vegetation for disease control or public safety purposes. E. 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. <p><u>Normal, usual and historical agricultural practices and uses which are principally permitted within the SMA shall not be considered development for the purposes of this standard.</u></p> <p>Straw Vote: 4-1 (Lovelace) 8-18-14</p>
<p>2014 Planning Commission Version</p> <p>BR-S8. Required Mitigation Measures. Mitigation measures for development within Streamside Management Areas shall include, at a minimum, may include, those of the following which are appropriate, as specifically specified by referral agencies include:</p> <ul style="list-style-type: none"> 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. 		<p>Board of Supervisors Revisions:</p> <p>BR-S8. Required Mitigation Measures. Mitigation measures for development within Streamside Management Areas shall, at a minimum, include:</p> <ul style="list-style-type: none"> 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 Planning Director. Felled snags shall be left on the ground if consistent with fire protection

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<p>B. Retain live trees with visible evidence of current or historical use as nesting sites by hawks, owls, eagles, osprey, herons, kites or egrets.</p> <p>C. Replanting or reseedling of disturbed areas consisting of at least 100 square feet in area with riparian vegetation of native species shall be required prior to the completion of the development project.</p> <p>D. Erosion control measures (as per Standard BR-S9- Erosion Control).</p> <p>E. Maximum feasible retention of over-story canopy in riparian corridors.</p> <p>2012 Planning Commission Version</p> <p>BR-S8. Required Mitigation Measures. 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, 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.</p> <p>B. Retain live trees with visible evidence of current or historical use as nesting sites by hawks, owls, eagles, osprey, herons, kites or egrets.</p> <p>C. Replanting or reseedling of disturbed areas with riparian vegetation of native species shall be required prior to the completion of the development project.</p> <p>D. Erosion control measures (as per Standard BR-S9- Erosion Control).</p> <p>E. Maximum feasible retention of over-story canopy in riparian corridors.</p>		<p>regulations and the required treatment of slash or fuels.</p> <p>B. Retain live trees with visible evidence of current or historical use as nesting sites by hawks, owls, eagles, osprey, herons, kites or egrets.</p> <p>C. Replanting or reseedling of disturbed areas consisting of with riparian vegetation of native species shall be required prior to the completion of the development.</p> <p>D. Erosion control measures (as per Standard BR-S9- Erosion Control).</p> <p>D-E. Maximum feasible retention of overstory canopy in riparian corridors.</p> <p>Straw Vote: 5-0 (8-18-14)</p>
<p>2014 Planning Commission Version</p> <p>BR-S9. Erosion Control. Erosion control measures for development within Streamside Management Areas shall include <u>those of the following which are appropriate, as specifically specified by referral agencies:</u></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 with at least 100 square feet of exposed soil will be planted or seeded as appropriate per written mitigations of the lead agency with native or naturalized <u>non-invasive</u> 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, selective grading, shaping, benching, and berm construction.</p> <p>D. Concentrated runoff will be controlled by the construction and</p>		<p>Board of Supervisors Revisions:</p> <p>BR-S9. Erosion Control. 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. Consistent with BR-S8, C construction sites with at least 100 square feet of exposed soil will be planted or seeded as appropriate per written mitigations as recommended in writing by the lead agency with native or naturalized <u>non-invasive</u> 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, selective grading, shaping, benching, and berm construction.</p>

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<p>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 California Department of Fish and Game Wildlife 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. Slope breaks, <u>as defined in the Forest Practice Rules, as amended, may have different mitigation measures assigned to them based upon the severity of slope and</u> 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>		<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 California Department of Fish and Game Wildlife and the North Coast Regional Water Quality Control Board requirements.</p> <p>G. Winter operations (generally October 15 thru April 15) shall employ the following special considerations:</p> <p>G. 1) 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. and</p> <p>H. 2) 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> <p>Straw Vote: 5-0 (8-18-14)</p>

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<p>2014 Planning Commission Version</p> <p>BR-S10. Development Standards for Wetlands and Other Wet Areas. Development standards for wetlands, <u>including setbacks and buffers, except for wells and spring boxes, shall be consistent with state and federal requirements and developed in consultation with the appropriate referral agency, or by variance, on a project specific basis.</u> standards 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, as applicable including required buffer setbacks. Required buffer setbacks for these areas are as follows:</p> <p>_____seasonal wetlands = 100 ft. _____perennial wetlands = 200 ft.</p> <p>_____Buffers may be reduced based on site specific information and consultation with DFG. <i>Approved 4-2-1 [2-27-2014]</i></p> <p>2012 Planning Commission Version</p> <p>Development Standards for Wetlands and Other Wet Areas. Development standards 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, as applicable. Required buffer setbacks for these areas are as follows:</p> <p>seasonal wetlands = 100 ft. perennial wetlands = 200 ft.</p> <p>Buffers may be reduced based on site specific information and consultation with DFG. <i>Straw Vote 5-2 (4-14-11)</i></p>	<p>CDFW (5-15-14) This development standard provides no regulatory certainty or guidance to land owners, project proponents, or the public as to what an appropriate development setback might be for a given project or wetland. CDFW finds that clear unambiguous regulatory process best serves both the public and efforts to conserve fish and wildlife habitats. It is unclear what "consistent with state and federal requirements for protection of wetlands" means. CDFW is unaware of any State or federal requirement for a specific development setback from wetlands. It is unclear who the appropriate referral agencies are; what would occur if there were divergent recommendations among the referral agencies or if the referral agencies could not consult on a project in a timely fashion. It is also unclear if the County has any obligation to implement referral agency recommendations, or if the County's only obligation is consultation with referral agencies, and then the County Planning Commission could implement whatever development setback it determines. Given the development standards for wetlands is vague and absent any performance standards, CDFW, the County, nor the public would be able to determine if this standard effectively protects wetlands from development impacts.</p> <p>CEQA Section 15126.4(a)(1)(B) states: "Formulation of mitigation measures should not be deferred until some future time." CEQA Section 15126.4(a)(2) states: "Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments." CDFW is concerned that the Update's draft wetland development standards are a deferral of mitigation until some future time and that they are not fully enforceable.</p> <p>For the above reasons, CDFW recommends the Update include a minimum development setback on wetlands of at least 100 feet. If the setback buffer distance is not feasible, then the setback buffer could be reduced or even eliminated, if warranted by site-specific conditions. For certain wetlands with greater ecological values or sensitivity, a wider development setback could be appropriate. As always, CDFW staff is available to consult on the appropriate development setback for a given project.</p> <p>Adopting these recommendations will feasibly minimize potentially significant impacts on rivers, streams and wetlands from the future development and land use changes anticipated in the Update. Furthermore, by making these changes, CDFW believes the County will likely avoid the take of State and federally listed species and will assist with their recovery and eventual down-listing.</p> <p>HCRLWG RECOMMENDATION (5-21-14) The group supports the Jan/Feb 2014 Planning Commission changes made to this Standard.</p> <p>HCRLWG Comments Construction of wells and springboxes is essential for agricultural production.</p> <p>NCHB RECOMMENDATION (2-3-14) BR-S10. Development Standards for Wetlands and Other Wet Areas. 3432.10 M-Modify. For natural ponds, springs, vernal pools, marshes and wet meadows (exhibiting standing water year round), development except for wells and spring boxes shall be consistent with the standards for streamside management areas, where appropriate and in consultation with the appropriate referral agency.</p>	<p>9-8-14 Staff Recommendation: Add the sentence shown below in blue highlight to the 8-18-14 version straw-voted by the Board.</p> <p>BR-S10. Development Standards for Wetlands and Other Wet Areas. Development standards 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, as applicable except that the widths of the SMA for wetlands. Required buffer setbacks for these areas are as follows:</p> <p>seasonal wetlands = 100-50 ft. perennial wetlands = 200 150 ft.</p> <p>and the setback begins at the edge of the delineated wetland. Buffers may be reduced based on site specific information and consultation with DFG the California Department of Fish and Wildlife. No buffer shall be required for man-made wetlands except wetlands created for mitigation purposes.</p> <p>8-18-14 Board of Supervisors Revisions:</p> <p>BR-S10. Development Standards for Wetlands and Other Wet Areas. Development standards 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, as applicable except that the widths of the SMA for wetlands. Required buffer setbacks for these areas are as follows:</p> <p>seasonal wetlands = 100-50 ft. perennial wetlands = 200 150 ft.</p> <p>and the setback begins at the edge of the delineated wetland. Buffers may be reduced based on site specific information and consultation with DFG the California Department of Fish and Wildlife.</p> <p>Straw Vote: 4-1 (Lovelace) 8-18-14</p> <p>Discussion: See page 3 of the 9-8-14 staff report.</p>

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<p>2012 Planning Commission Version</p> <p>BR-S11. Wetlands Defined. 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.</p> <p><i>Straw Vote 5-2 (4-14-2011);</i></p>	<p>NCHB RECOMMENDATION (2-3-14)</p> <p>BR-S11. Wetlands Defined. (NEW per Planning Commission 1/30/2014) The County shall follow the identification and classification policies of the Army Corps of Engineers (Wetlands Delineation Manual). Wetlands must have evidence of all three of the following positive wetland indicators from each wetland parameter (hydrophytes, hydric soil, and periods of inundation).</p>	<p>9-8-14 Staff Recommendation: Accept the language that the Board was working on at the August 18, 2014 meeting:</p> <p>BR-S11. Wetlands Defined. 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 two 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.</p>
<p>2014 Planning Commission Version</p> <p>BR-S1312. Discretionary Review within Oak Woodlands. As necessary, Discretionary projects which may result in a significant effect on potentially impact oak woodlands shall evaluate and mitigate any impacts, consistent with the provisions of CEQA, specifically Public Resources Code Section 21083.4.</p> <p>2012 Planning Commission Version</p> <p>BR-S12. Discretionary Review within Oak Woodlands. As necessary, discretionary projects which may potentially impact oak woodlands shall evaluate and mitigate any impacts, consistent with the provisions of CEQA,</p>		<p>Approve the 2014 Planning Commission version.</p> <p>Straw Vote: 5-0 (8-18-14)</p>
<p>2012 Planning Commission Version</p> <p>BR-S13. Principally Permitted Accessory Use. Invasive plant species control measures shall be considered a principally permitted accessory use in all zones.</p>		<p>Board of Supervisors Revisions:</p> <p>BR-S13. Principally Permitted Accessory Use. Invasive plant species management and control measures shall be considered a principally permitted accessory use in all zones, except in the Coastal Zone.</p> <p>Straw Vote: 5-0 (7-14-14)</p> <p>See also BR-P9. Invasive Plant Species.</p>
<p>2012 Planning Commission Version</p> <p>BR-IM1. Biological Resource Maps. 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.</p>		<p>Board of Supervisors Revisions:</p> <p>BR-IM1. Biological Resource Maps. The County shall maintain the 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.</p> <p>Straw Vote: 5-0 (8-18-14)</p>

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Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2012 Planning Commission Version BR-IM2. State and Federal Agency Permitting Coordination. The County shall maintain efficient and timely procedures for project referral to state and federal agencies for biological review and consultation.</p>		<p>Approve the 2012 Planning Commission version. Straw Vote: 5-0 (8-18-14)</p>
<p>2012 Planning Commission Version BR-IM3. Biological Review and Referral. 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. <i>Straw Vote 4-3 (4-14-11)</i></p>	<p>HCRLWG RECOMMENDATION (12-10-13) The group continues to recommend deletion of this Implementation Measure</p> <p>HCRLWG Comments This is one of the many IMs that should be considered prior to the implementation of the plan. What are the costs and effectiveness associated with this measure considering the complexities of the resources involved?</p> <p>NCHB RECOMMENDATION (2-3-14) BR-IM3. Staff training-Biological Review and Referral. D-Delete. Redundant. Already done per CEQA. As to hiring a staff biologist, we agree with HCRLWG's remark: what are the costs and effectiveness associated with this concept considering the complexities of the resources involved? Affordability: Who would pay for this? This item is proposing a mechanism that does not exist within the County Code. Is this proposed to be under the purview of a new County department? This item calls for a regulatory process that requires a highly specialized level of expertise; does the County employ the needed personnel? Does the County have the resources to manage such a department?</p>	<p>9-8-14 Staff Recommendation: Make grammatical correction shown in blue highlight:</p> <p>BR-IM3. Biological Review and Referral. Building and Planning Division staff shall receive periodic training, and encourage be encouraged to receive certification, related to the field identification of biological resources and mitigation of impacts.</p> <p>8-18-14 Board of Supervisors Revisions:</p> <p>BR-IM3. Biological Review and Referral. Building and Planning Division staff shall receive periodic training, and encourage certification, 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.</p> <p>Straw Vote: 4-1 (Lovelace) 8-18-14</p>
<p>2012 Planning Commission Version R-IMx2. Wetlands Bank. The County shall assist in the development of a wetlands banking system.</p>		<p>Board of Supervisors Revisions:</p> <p>BR-IMx2. Wetlands Bank. The County shall assist in the development of a wetlands banking system that minimizes potential conversion of prime agriculture lands to wetlands.</p> <p>Straw Vote: 5-0 (7-14-14) See also BR-Pxxx. Wetland Bank</p>
<p>BR-IMx3. Oak Woodlands Conservation Program. The County shall develop an Oak Woodland Management Plan and attain eligibility for Oak Woodland Preservation Program funding (Fish and Game Code, Section 1360, Division 2, Chapter 4) to conserve and protect high-value oak woodlands.</p>		<p>Board of Supervisors Revisions:</p> <p>BR-IMx3. Oak Woodlands Conservation Program. The County shall develop maintain an Oak Woodland Management Plan and attain eligibility for Oak Woodland Preservation Program funding (Fish and Game Code, Section 1360, Division 2, Chapter 4) to conserve and protect high-value oak woodlands.</p> <p>Straw Vote: 4-1 (Bohn) 8-18-14</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
		<p>Proposed new implementation measure:</p> <p>BR-IMx4. Modifications to the Streamside Management Area Ordinance. The County shall modify the SMA Ordinance for consistency with BR-S5 and to allow reductions to SMA widths through ministerial review in consultation with California Department of Fish and Wildlife. The SMA Ordinance shall provide exemptions for minor additions of up to 500 square feet for buildings or structures existing on April 25, 1995.</p> <p>Discussion: See Page 3 of the 9-8-14 Board of Supervisors staff report.</p>
		<p>Proposed new glossary addition:</p> <p>Top of Bank: The land that confines or otherwise defines the outermost boundary of a lake or stream, when its waters rise to the highest level of confinement.</p>
		<p>Proposed new glossary addition:</p> <p>Drip Line: The outer edge of a tree crown or canopy.</p>
		<p>Proposed new glossary addition:</p> <p>Riparian: The transitional area between terrestrial and aquatic habitats where vegetation favors moist soil conditions and has a different species composition compared to adjacent uplands. Riparian vegetation is often characterized by the presence of alder, willow, and cottonwoods.</p>
		<p>Glossary addition approved by unanimous consent 6-2-14</p> <p>Development Review. Evaluation of proposed development by the County. This term is used to describe all types of evaluation, including, but not limited to, ministerial "over-the-counter" permits as well as discretionary evaluations, for instance conditional use permits.</p>
		<p>Glossary addition approved by unanimous consent 6-2-14</p> <p>Natural Hazards. Threats to human health and safety resulting from any of the following sources: flooding, including flooding from dam inundation and tsunamis; wildland fires; earthquakes and other seismic related hazards such as liquefaction; and geologic hazards including landslides and unstable soils.</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
		<p>Glossary addition approved by unanimous consent 6-2-14</p> <p>Property Right. A generic term which refers to any type of right to specific real property whether it is personal or real property, tangible or intangible.</p>
		<p>Glossary addition approved by unanimous consent 6-2-14</p> <p>Trespass to Land. Wrongful entry on another's real property.</p>
<p>2012 Planning Commission Version Eminent Domain: The right of a government agency to take private property for public use, usually if other means of acquisition have been unsuccessful.</p>		<p>Glossary modification approved by unanimous consent 6-2-14</p> <p>Eminent Domain. The right of a government agency to take private property for public use, usually if other means of acquisition have been unsuccessful. The inherent power of a governmental entity to take privately owned property, especially land, and convert it to public use, subject to reasonable compensation for the taking.</p>
<p>2014 Planning Commission Version 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. See definition in §10.3.4 BR-S3.</p> <p>2012 Planning Commission Version 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>Glossary modification approved by unanimous consent 6-2-14</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. See definition in §10.3.4 BR-S3.</p>
<p>2014 Planning Commission Version Critical Species: Plants or animals which are dependent on a critical habitat.</p> <p>2012 Planning Commission Version Critical Species: Plants or animals which are dependent on a critical habitat.</p>		<p>Glossary modification approved by unanimous consent (delete) 6-2-14</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2014 Planning Commission Version 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>2012 Planning Commission Version 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>Glossary modification approved by unanimous consent (delete) 6-2-14</p>
<p>2014 Planning Commission Version 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. See definition in §10.3.4 BR-S4.</p> <p>2012 Planning Commission Version 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>Glossary modification approved by unanimous consent 6-2-14</p> <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. See definition in §10.3.4 BR-S4.</p>
<p>2014 Planning Commission Version Sensitive Species: Plants or animals which are dependent on a sensitive habitat.</p> <p>2012 Planning Commission Version Sensitive Species: Plants or animals which are dependent on a sensitive habitat.</p>		<p>Glossary modification approved by unanimous consent (delete) 6-2-14</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2014 Planning Commission Version 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 practices, ground preparation, slash treatment, pre-harvest inspection and monitoring by a registered professional forester do not apply.</p> <p>2012 Planning Commission Version 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 practices, ground preparation, slash treatment, pre-harvest inspection and monitoring by a registered professional forester do not apply.</p>		<p>Glossary modification approved by unanimous consent 6-2-14</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 practices, ground preparation, slash treatment, pre-harvest inspection and monitoring by a registered professional forester do not apply.</p>

Conservation & Open Space, 10.3 Biological Resources – Planning Commission Recommendations, Public Comments, and Board Actions or Staff Recommendations

Planning Commission Draft	Public Comments	Board Actions or Staff Recommendation & Notes
<p>2014 Planning Commission Version Wetland(s): Lands which may be covered periodically or permanently with shallow surface or ground waters at frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils under anaerobic conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Depending upon the agency involved (i.e., US Army Corps of Engineers, US Fish and Wildlife Service, California Department of Fish and Game, California Coastal Commission), the precise definition or the extent of area of the wetlands may vary. <u>See definition in §10.3.4 BR-S11.</u></p> <p>2012 Planning Commission Version Wetland(s): Lands which may be covered periodically or permanently with shallow surface or ground waters at frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils under anaerobic conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Depending upon the agency involved (i.e., US Army Corps of Engineers, US Fish and Wildlife Service, California Department of Fish and Game, California Coastal Commission), the precise definition or the extent of area of the wetlands may vary.</p>		<p>Glossary modification approved by unanimous consent 6-2-14</p> <p>2014 Planning Commission Version Wetland(s): Lands which may be covered periodically or permanently with shallow surface or ground waters at frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils under anaerobic conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Depending upon the agency involved (i.e., US Army Corps of Engineers, US Fish and Wildlife Service, California Department of Fish and Game, California Coastal Commission), the precise definition or the extent of area of the wetlands may vary. <u>See definition in §10.3.4 BR-S11.</u></p>

Attachment 2

**Board Worksheet for
Chapter 10, Section 10.4 – Mineral Resources**

Conservation & Open Space, 10.4 Mineral Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version (Modified Alternative A/B Version)</p> <p>MR-P11. Permit Conditions to Reduce Impacts. Permit conditions for mineral extraction operations shall address allowable dust and noise levels, hours of operation, fencing, traffic, access, setbacks, and other performance standards necessary to minimize reduce significant environmental impacts to less than significant and reduce conflicts with adjacent development land use.</p> <p>Draft Environmental Impact Report (DEIR): (SCH# 2007012089) Mitigation 3.9.3.2a version:</p> <p>MR-P11. Permit Conditions to Reduce Impacts. Permit conditions for mineral extraction operations shall address allowable dust and noise levels, hours of operation, fencing, traffic, access, setbacks, and other performance standards necessary to reduce significant environmental impacts to a less than significant level and reduce conflicts with adjacent land use.</p>	<p>Harris Temblador Hungerford & Johnson Comments (on behalf of Mercer Fraser)</p> <p>MR-P11. Permit Conditions to Reduce Impacts. Permit conditions for mineral extraction operations shall address allowable dust and noise levels, hours of operation, fencing, traffic, access, setbacks, and other performance standards necessary to minimize reduce significant environmental impacts to less than significant and reduce conflicts with adjacent development land uses to the extent feasible.</p>	<p>Support a modified DEIR version of MR-P11 to provide the flexibility allowed by CEQA to decision-makers:</p> <p>MR-P11. Permit Conditions to Reduce Impacts. Permit conditions for mineral extraction operations shall address allowable dust and noise levels, hours of operation, fencing, traffic, access, setbacks, and other performance standards necessary to reduce significant environmental impacts to a less than significant level consistent with CEQA and reduce conflicts with adjacent land use.</p>
	<p>MRED-IM2X: Use permits shall renew if there are no significant changes made to a business.</p> <p>Note: from ad hoc working group subcommittee on Economic Development</p>	<p>Staff Recommendation: Delete</p> <p>Discussion: During the October 21st 2013 meeting the Board of Supervisors requested that a new measure proposed by the Ad Hoc Working Group for the Economic Development Element be brought back for consideration with the Mineral Resources Chapter of the Conservation and Open Space Elements. The concept raised in public comment was to reduce permit costs and timeframes associated with renewal of conditional use permits for surface mining operations by automatically renewing those permits if there are no significant changes made to the operations.</p> <p>Under Section 391-4.B.6 of Humboldt County Code (Mining Operations): "Mining permits shall be granted for a period of not less than three (3) years and not more than fifteen (15) years."</p> <p>Given the high level of public involvement at public hearings for surface mining operations over the past 20 years, there appears to be significant public interest in maintaining the use permit renewal requirement. No evidence has been presented demonstrating a public interest in not requiring renewal of such use permits.</p>

Conservation & Open Space, 10.4 Mineral Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Mitigation 3.9.3.1.a. In order to protect mineral deposit sites that have not yet been mapped, the following Implementation Measure MR-IMx shall be added to the Mineral Resources Chapter for the Conservation and Open Space Element:</p> <p>MR-IMx. Pursue Mapping of Mineral Deposits. The County shall pursue mapping of mineral deposits by the State Mining and Geology Board and request they initiate the Mineral Land Classification process to identify lands in Humboldt County that contain economically significant mineral deposits.</p>		<p>Add the new implementation measure from the DEIR.</p>

Attachment 3
Report #1 for
Chapter 10, Section 10.4 – Mineral Resources

Supplemental Report #1

Section 10.4 – Mineral Resources

1) Legal basis or requirements

Public Resources Code §2762 requires general plans to recognize minerals of statewide and regional significance in land use classifications to help ensure their continued availability by managing surrounding land uses. It is supposed to identify the type, location, quality, and extent of mineral resources, including oil and gas, and the location of significant mineral resource areas classified and designated by the State Mining and Geology Board. State law also requires jurisdictions to adopt policies that emphasize the conservation and extraction of identified mineral deposits. The General Plan Guidelines suggest these policies and programs be placed in the Land Use or Conservation and Open Space Elements, although some jurisdictions have opted to place them in their own stand alone element.

The stated purpose of this Mineral Resources section is to identify the county's known mineral resources and support the conservation, development, and utilization of these resources. A closely related set of policies is the inventory and continued availability of oil and gas production; these topics are discussed in the Energy Element.

2) Key planning issues

There are three (3) Key Planning Issues addressed by the Mineral Resources Section discussed below; (1) the County's In-Stream Gravel Mining Regulatory Coordination, (2) Environmental Protection and Reclamation of Mined Land, and (3) Land Use Compatibility.

Key Planning Issue #1 - In-Stream Gravel Mining Regulatory Coordination

River deposits are the main source of sand and gravel, which are critical to local property owners as a source of the raw materials for concrete, asphalt, and road base. Should there be new policies to address in-stream gravel mining regulatory coordination?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan contains a policy limiting in-stream extraction to annual bedload levels (2533.9). Otherwise, the Framework Plan is largely silent on in-stream mining.

B) How/where addressed in the Planning Commission Draft Plan

The Draft Plan adds a goal addressing in-stream sand and gravel extraction, **MR-G2. In-stream Sand and Gravel Extraction**. It adds policies addressing sustainable extraction levels through:

- **MR-P4. Sand and Gravel Extraction and Mean Annual Recruitment,**
- **MR-P5. Over-subscribed River Segments and New Permit Applications.**

It supports scientifically based extraction through the County of Humboldt Extraction Review Team (CHERT) in **MR-PX** and **MR-IM1. Scientific Review of In-stream Mining,**

C) Reason for the changes

The existing Framework Plan does not satisfy the minimum requirements of the General Plan Guidelines.

D) Notable items from the Planning Commission discussions

The Planning Commission asked questions of staff to clarify the purpose of CHERT.

E) Consequences - intended / unintended

The Mineral Resources section of the Conservation and Open Space Element represents a continuation of the policies, standards and implementation measures of the 1984 Framework Plan. Plus, it would add new policies specifically addressing in-stream gravel mining, and these new policies are essentially based on the way that the CHERT process has developed over the years since the 1985 Framework Plan was adopted.

Key Planning Issue #2 – Environmental Protection and Reclamation of Mined Lands.

What should be the general plan policies that address environmental protection and reclamation?

A) How/where addressed in the 1984 Framework Plan

SMARA established state standards for mining activities and the reclamation of mined lands. These standards require that local governments obtain reclamation plans and set operational standards in granting permits for surface mining. Humboldt County is the local SMARA lead agency and administers the County's Surface Mining and Reclamation Act Ordinance (#1373 as amended) to comply with this state requirement.

B) How/where addressed in the Planning Commission Draft Plan

It is a high priority of this Plan to protect fisheries habitat, riparian vegetation, and snowy plovers from in-stream mining impacts in order to maintain watershed health and the viability of in-stream mining. This goal will be accomplished for in-stream gravel mining operations primarily through the CHERT review process, interagency cooperation, and continued CEQA environmental review. The alternative to in-stream mining is mining off-river terrace deposits, which can be expensive and negatively impact agricultural lands or importation of sand and gravel, which is prohibitively expensive. To further address this issue, the General Plan Update adds a policy (MR-P7) addressing reclamation for alternatives and calls out surface mining standards (MR-S1).

C) Reason for the changes

To further specify the goals for environmental protection and reclamation.

D) Notable items from the Planning Commission discussions

The Planning Commission revised policy MR-P7 to require that mined lands subject to SMARA shall be environmentally restored and reclaimed to a usable condition for uses allowed by the site's General Plan and zoning designations.

E) Consequences - intended / unintended

The new policy would specifically require that mined lands subject to SMARA shall be environmentally restored and reclaimed to a usable condition for uses allowed by the site's General Plan and zoning designations.

Key Planning Issue #3 - Land Use Compatibility; Terrace Mining for Sand and Gravel Deposits on Agricultural Lands.

Mineral extraction can conflict with residential use. Given the increased construction of housing near mineral extraction sites, should there be additional measures added to the plan to address land use compatibility? Off-channel terrace mining of historical gravel deposits can avoid in-stream mining effects but can result in agricultural and other impacts. Should the County establish policies on commercial terrace mining, given increased regulatory pressure on in-stream mining?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan does not specifically address the potential for conflicts between adjacent uses as increased construction of housing occurs near mineral extraction site. The Framework Plan contains a general policy to plan future development to avoid interference with mineral deposits (2533.2). The Framework Plan is silent on terrace mining in particular but would seem to support agricultural land conversion through reclamation for alternative land uses (2533.3).

B) How/where addressed in the Planning Commission Draft Plan

The Planning Commission Draft Plan adds a new policy to protect existing surface mining extraction sites by addressing the right to mine in **MR-P2, Right to Mine** and adds an implementation measure to establish a mineral resource combining zone in **MR-IM4, Combining Zone** to ensure compatibility with adjacent uses.

It maintains the Framework Plan policies to identify mineral deposits in **MR-P3, Identify Mineral Deposits** and adds a requirement that mining sites be mapped as well.

It maintains the Framework Plan policy to ensure that future development does not interfere with mineral deposits in **MR-P8, Future Development Planning**.

It maintains the Framework Plan policy to design haul routes to avoid incompatible areas in **MR-P9, Location of Mineral Haul Routes**.

It would prohibit terrace mining on lands planned for agriculture **MR-P12, Off-Channel Terrace Mining**.

C) Reason for the changes

The existing Framework Plan contains a general policy to plan future development to avoid interference with mineral deposits, but did not contain specific policies. A number of these permits have recently come up for renewal, and through the renewal notification and hearing process it has become apparent that there are currently a greater number of concerned neighboring property owners than there were when the permits were first being issued. In one instance, it was found that over 70% of parcels adjacent to an active extraction operation or haul route had changed ownership since the initial permit issuance. In order to ensure the continued production of essential mineral resources, all mining operations and haul routes need to be identified and recognized in land use decision making and disclosed during real estate transactions to promote land use compatibility.

D) Notable items from the Planning Commission discussions

The Planning Commission added policy MR-PX, Scientific Review of In-Stream Mining (further formalizing the CHERT process); strengthened the language of policy MR-P7 (Reclamation) for greater environmental restoration; and revised policy MR-P12 to prohibit off-channel commercial terrace mining of sand and gravel deposits on lands planned for agriculture (AG and AE).

E) Consequences - intended / unintended

The Mineral Resources section of the Conservation and Open Space Element represents a continuation of the policies, standards and implementation measures of the 1984 Framework Plan. Plus, it would add new policies proactively addressing the need for identification of mineral deposits and haul routes, developing Right to Mine notices to adjacent property owners, and utilization of a mineral resources combining zone to facilitate implementation of the County's regulations for surface mining, conservation and reclamation. Further it would prohibit off-channel commercial terrace mining of sand and gravel deposits on lands planned for agriculture (AG and AE).

3) What are the Board's options?

The Open Space and Conservation Element is a required Element of the General Plan, so the Board does not have the option of eliminating it or moving its policies and programs to other Elements. The Mineral Resources section is a key part of the Open Space and Conservation Element, so it should remain in that Element

Attachment 4

**Board Worksheet for
Chapter 10, Section 10.5 – Waste Management**

Conservation & Open Space, 10.5 Waste Management – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version (New Goal)</p> <p>WM-Gx1 Self-sufficient Disposal Practices. Disposal capacity within the county or a contingency plan to develop local disposal capacity in order to achieve self-sufficiency and to hedge against increasing transportation or waste export costs. <i>Straw Vote 6-1 (4-21-11)</i></p>	<p>HWMA Recommendation: WM-Gx1 Self-sufficient Disposal Practices. Disposal capacity within the county or a contingency plan to develop local disposal capacity in order to achieve self-sufficiency and to hedge against increasing transportation, or waste export costs, and deal with catastrophic events.</p>	<p>Support the HMWA Version</p>
<p>Planning Commission Version (Modified Alternative A/B/C Version)</p> <p>WM-P1. Implementation of Waste Reduction Programs. Waste reduction, re-use and recycling programs should be implemented countywide on a continuous basis to achieve <u>the maximum possible waste diversion rate goals</u> using the following criteria for program prioritization and selection:</p> <ul style="list-style-type: none"> A. Achieves the maximum feasible reduction in volume and/or weight of waste requiring landfill disposal; B. <u>Supports regional efforts that maximize the reduction and diversion of additional materials in a consistent fashion for affected parties; such as a ban on the use of plastic bags or mandatory recycling of construction and demolition debris;</u> C. <u>Ensures the feasibility of expanding diversion programs by requiring that, in addition to solid waste collection bins, new commercial and multi-family land use plans include on-site space for diversion collection bins, such as recycling and organics;</u> D. Maximizes the economic value of materials heretofore discarded; E. Benefits the environment and health and safety of county citizens; F. Is able to be implemented on a timely, practical, and cooperative basis; G. Lowers impacts to existing or planned waste diversion programs; H. Is supported by and is sustainable over the long-term by residents, businesses, and jurisdictions; and I. Allows cost-effective achievement of the above criteria. <p><i>Modify (6-23-11)</i></p>	<p>HWMA Recommendation: WM-P1. Implementation of Waste Reduction Programs. Waste reduction, re-use and recycling programs should be implemented countywide on a continuous basis to achieve <u>the maximum possible waste diversion rate goals</u> using the following criteria for program prioritization and selection:</p> <ul style="list-style-type: none"> A. Achieves the maximum feasible reduction in volume and/or weight of waste requiring landfill disposal; B. <u>Supports regional efforts that maximize the reduction and diversion of additional materials in a consistent fashion for affected parties; such as local e bans on the use of plastic bags or mandatory recycling of construction and demolition debris;</u> C. <u>Ensures the feasibility of expanding diversion programs by requiring that, in addition to solid waste collection bins, new commercial and multi-family land use plans include on-site space for diversion collection bins, such as recycling and organics;</u> D. Maximizes the economic value of materials heretofore discarded; E. Benefits the environment and health and safety of county citizens; F. Is able to be implemented on a timely, practical, and cooperative basis; G. Lowers impacts to existing or planned waste diversion programs; H. Is supported by and is sustainable over the long-term by residents, businesses, and jurisdictions; and I. Allows cost-effective achievement of the above criteria. 	<p>Support the HMWA Version</p>

Conservation & Open Space, 10.5 Waste Management – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version (Modified Alternative A/B/C Version)</p> <p>WM-P3. Joint Facility Planning. Facilities that are intended to serve all county residents should be jointly planned and implemented by all affected stakeholders. Priority facilities recommended for joint planning are:</p> <p>A. County disposal facility: local new landfill, expansion, or export;</p> <p>B. Centralized composting facility: materials to be processed, size, location, design, and cost; and,</p> <p>C. Household hazardous waste transfer facility: ownership, operation, funding, and liability issues.</p> <p>D. <u>Centralized organic waste processing facility (anaerobic digestion or composting method): reliable feedstock sources, design, size and cost.</u></p> <p><i>Modify (6-23-11)</i></p>	<p>HWMA Recommendation:</p> <p>WM-P3. Joint Facility Planning. Facilities that are intended to serve all county residents should be jointly planned and implemented by all affected stakeholders. Priority facilities recommended for joint planning are:</p> <p>A. County disposal facility: local new landfill, expansion, or export;</p> <p>B. Centralized composting facility: materials to be processed, size, location, design, and cost; and,</p> <p>C. Household hazardous waste transfer facility: ownership, operation, funding, and liability issues.</p> <p>D. <u>Centralized organic waste processing facility (anaerobic digestion or composting method): reliable feedstock sources, design, size and cost.</u></p>	<p>Support the HMWA Version</p>
<p>Planning Commission Version (Modified Alternative A/B/C Version)</p> <p>WM-P4. Information Sharing. The County shall support ongoing dialogue between HWMA, city and County integrated waste management staff to reduce duplication of efforts and increase cooperative implementation of integrated waste management strategies.</p> <p><i>Modify (6-23-11)</i></p>	<p>HWMA Recommendation:</p> <p>WM-P4. Information Sharing. The County shall support ongoing dialogue between HWMA, <u>cities</u> and County integrated waste management staff to reduce duplication of efforts and increase cooperative implementation of integrated waste management strategies.</p>	<p>Support the HMWA Version</p>
<p>Planning Commission Version (Modified Alternative A/B Version)</p> <p>WM-P7. Integrated Waste Management Plan (IWMP) Participate in Revisions. The County shall <u>abide by and</u> participate in revisions to the IWMP lead by the Humboldt Waste Management Authority and consider the need to amend this General Plan to maintain consistency.</p> <p><i>Retain (6-23-11)</i></p>	<p>HWMA Recommendation:</p> <p>WM-P7. <u>Countywide</u> Integrated Waste Management Plan (IWMP) Participate in Revisions. The County shall <u>abide by and</u> participate in revisions to the <u>IWMP</u> lead by the <u>Humboldt Waste Management Authority HWMA, per current contract with the County,</u> and consider the need to amend this General Plan to maintain consistency.</p>	<p>Support the HMWA Version</p>

Conservation & Open Space, 10.5 Waste Management – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version (Modified Alternative A/B/C Version)</p> <p>WM-S1. Solid Waste Facility Permit. When seeking approval for the construction or expansion of a solid waste facility in Humboldt County, project applicants must obtain a Solid Waste Facility Permit from the Humboldt County Health Department with concurrence by the CalRecycle California Integrated Waste Management Board pursuant to the requirements of the California Code of Regulations, Title 14, Division 7, or successor regulations.</p> <p>Prior to submitting application for a Solid Waste Facility Permit, a project applicant must obtain the clearances, approvals, or permits listed below:</p> <ul style="list-style-type: none"> A. Certification of compliance with the California Environmental Quality Act (CEQA) pursuant to the requirements of the California Code of Regulations Division 6.3. B. Land use approval from the appropriate city or County land use authority. C. Approval from the North Coast Unified Air Quality Management District. Approval from the North Coast Regional Water Quality Control Board. Note: that NCRWQCB approval may require permits for stormwater discharges (NPDES) and/or waste discharge permits. D. Other approvals and clearances such as streambed alteration agreements, Williamson Act cancellation, timberland conversion approval from the Board of Forestry, a Section 404 permit from the Army Corps of Engineer—if wetlands are involved—and any others which are required as a result of site design or facility location. <p><i>Modify (6-23-11)</i></p>	<p>HWMA Recommendation:</p> <p>WM-S1. Solid Waste Facility Permit. When seeking approval for the construction or expansion of a solid waste facility in Humboldt County, project applicants must obtain a Solid Waste Facility Permit from the Humboldt County Department of Health and Human Services Division of Environmental Health Department with concurrence by the CalRecycle California Integrated Waste Management Board pursuant to the requirements of the California Code of Regulations, Title 14, Division 7, or successor regulations.</p> <p>Prior to submitting an application for a Solid Waste Facility Permit, a project applicant must obtain the clearances, approvals, or permits listed below:</p> <ul style="list-style-type: none"> A. Certification of compliance with the California Environmental Quality Act (CEQA) pursuant to the requirements of the California Code of Regulations Division 6.3. B. Land use approval from the appropriate city or County land use authority. C. Approval from the North Coast Unified Air Quality Management District. Approval from the North Coast Regional Water Quality Control Board. Note: that NCRWQCB approval may require permits for stormwater discharges (NPDES) and/or waste discharge permits. <p>Other approvals and clearances such as streambed alteration agreements, Williamson Act cancellation, timberland conversion approval from the Board of Forestry, a Section 404 permit from the Army Corps of Engineer—if wetlands are involved—and any others which are required as a result of site design or facility location.</p>	<p>Support the HMWA Version</p>
<p>Planning Commission Version (Alternative A/B/C Version)</p> <p>WM-S2. Solid Waste Disposal Facility Conformance with Integrated Waste Management Plan (IWMP). Any proposed new or expanded solid waste facility must be in conformance with the IWMP and included in the adopted Countywide Siting Element or the Non-Disposal Facility Element prior to issuance of a Solid Waste Facility Permit.</p> <p><i>Retain (6-23-11)</i></p>	<p>HWMA Recommendation:</p> <p>WM-S2. Solid Waste Disposal Facility Conformance with Countywide Integrated Waste Management Plan (IWMP). Any proposed new or expanded solid waste facility must be in conformance with the IWMP and included in the adopted Countywide Siting Element or the Non-Disposal Facility Element prior to issuance of a Solid Waste Facility Permit.</p>	<p>Support the HMWA Version</p>

Conservation & Open Space, 10.5 Waste Management – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version (Alternative A/B/C Version)</p> <p>WM-S4. Land Use Permits for Solid Waste Facilities. Solid waste facilities are allowed by Conditional Use Permit in most non-residential land use and zoning designations and where otherwise consistent with this Chapter. To ensure consistency with the IWMP at the time of issuance of applicable land use permits for solid waste management facilities, the applicant shall submit the following supplemental information with the land use permit application:</p> <p>A. Assessment of conformance with the adopted Countywide Solid Waste Facility Element or Non-Disposal Facility Siting Element.</p> <p>B. Projections of the quantity of waste to be managed in weight and volumetric measures and the area required for disposal or processing on an annual basis for the life of the facility.</p> <p>C. Operational plans in compliance Solid Waste Facility Permit requirements.</p> <p>D. Analysis of a minimum of three alternative sites with a summary description of the operational characteristics and environmental impacts associated with each alternative.</p> <p>E. Relationship of the solid waste facility to existing solid waste facilities in terms of waste streams, end products, operational capacity, and compatibility.</p> <p>F. A site post closure plan consistent with applicable state and federal regulations and a description of any land use limitations after project completion.</p> <p>G. Assessment of conformance with the policies and provisions of the IWMP.</p> <p><i>Retain (6-23-11)</i></p>	<p>HWMA Recommendation:</p> <p>WM-S4. Land Use Permits for Solid Waste Facilities. Solid waste facilities are allowed by Conditional Use Permit in most non-residential land use and zoning designations and where otherwise consistent with this Chapter. To ensure consistency with the IWMP at the time of issuance of applicable land use permits for solid waste management facilities, the applicant shall submit the following supplemental information with the land use permit application:</p> <p>A. Assessment of conformance with the adopted Countywide Siting Solid Waste Facility Element or Non-Disposal Facility Siting Element.</p> <p>B. Projections of the quantity of waste to be managed in weight and volumetric measures and the area required for disposal or processing on an annual basis for the life of the facility.</p> <p>C. Operational plans in compliance Solid Waste Facility Permit requirements.</p> <p>D. Analysis of a minimum of three alternative sites with a summary description of the operational characteristics and environmental impacts associated with each alternative.</p> <p>E. Relationship of the solid waste facility to existing solid waste facilities in terms of waste streams, end products, operational capacity, and compatibility.</p> <p>F. A site post closure plan consistent with applicable state and federal regulations and a description of any land use limitations after project completion.</p> <p>G. Assessment of conformance with the policies and provisions of the CIWMP).</p>	<p>Support the HMWA Version</p>

Attachment 5

Report #1 for Section 10.5 Waste Management

Supplemental Report #1

Section 10.5 – Waste Management

1) Legal basis or requirements

A Waste Management chapter or element is not a State mandated General Plan Element. California general plan law requires that the land use element designate areas for various uses, including solid and liquid waste disposal facilities. The California Integrated Waste Management Act (Public Resources Code 40000 and following) directs counties to prepare a Countywide Integrated Waste Management Plan. The Countywide Siting Element of that Plan is required to be consistent with the County General Plan.

2) Key planning issues

There are four (4) Key Planning Issues addressed by the Waste Management Section discussed below; (1) Integrated Waste Management Planning; (2) Waste Diversion Goals; (3) Solid Waste Facility Siting; and (4) Litter and Illegal Waste Disposal.

Key Planning Issue #1 - Integrated Waste Management Planning

The County's Integrated Waste Management Plan (IWMP), which is jointly adopted by the cities, provides the primary policy framework for waste management planning in the County. Coordinated implementation occurs through the Humboldt Waste Management Authority. Does the existing policy administrative and implementation framework fulfill the County's needs?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan solid waste policies (Section 4600) were updated with the adoption of the Countywide Siting Element of the Integrated Solid Waste Management Plan in 1994 (Resolution 94-22). These policies conform to integrated solid waste management planning laws and reflect source reduction and recycling requirements. The Framework Plan also identifies overlay areas that define land potentially suitable for municipal landfill development and those areas that are excluded from landfill siting consideration.

B) How/where addressed in the Planning Commission Draft Plan

The Draft Plan recognizes the need for cooperation among local jurisdictions and supports the coordinated Integrated Waste Management Plan and the Humboldt Waste Management Authority approach through:

- **WM-G8, Coordination;**
- **WM-G3, Joint Facility Planning;**
- **WM-P4, Information Sharing;**
- **WM-P5, Administrative Structure;**
- **WM-P7, Integrated Waste Management Plan (IWMP);**
- **WM-S2, Solid Waste Disposal Facility Conformance with Integrated Waste Management Plan (IWMP)**
- **WM-IM2, Solid Waste Management Authority.**

C) Reason for the changes

Framework Plan policies recognized the need for integrated solid waste management planning but did not establish an administrative framework or identify the role of the Humboldt Waste Management Authority, which was formed in 1997.

D) Notable items from the Planning Commission discussions

Humboldt Waste Management Authority staff participated in revisions to policy language and presented changes to the Planning Commission.

E) Consequences - intended / unintended

The policies in the Draft Plan are focused on implementation of the County's Integrated Waste Management Plan with the Humboldt Waste Management Authority (HWMA) and are less specific than the Framework Plan policies.

Key Planning Issue #2 - Waste Diversion Goals.

The California Integrated Waste Management Board has set an overall statewide diversion rate target of 75% by 2020. What combination of policies and programs will accomplish this objective?

A) How/where addressed in the 1984 Framework Plan

In 1994 when the Framework Plan was amended to incorporate policies from the IWMP Siting Element, state mandates required that 50 percent of solid waste be diverted from landfills by the year 2000. The narrative in Section 4600 references state waste reduction objectives and policies supported waste reduction efforts. Framework Plan sets includes the goals to maximize the use of previously discarded materials through use by local businesses (4610.7) and to minimize per capita waste generation (4610.8).

B) How/where addressed in the Planning Commission Draft Plan

The Planning Commission Draft Plan supports the waste reduction objectives and programs of the Integrated Waste Management Plan in **WM-G5, Maximize Achievement of Objectives**, and in **WMP 1, Implementation of Waste Reduction Programs, WM-P 2, Support Successful Programs**, and **WM-P7, Integrated Waste Management Plan (IWMP)**.

C) Reason for the changes

The proposed policy revisions are intended to bring the General Plan up to date with changes in State solid waste management regulations, the adoption of the County's IWMP, and the establishment of the HWMA.

D) Notable items from the Planning Commission discussions

Humboldt Waste Management Authority staff participated in revisions to policy language and presented changes to the Planning Commission.

E) Consequences - intended / unintended

The policies in the Draft Plan are focused on implementation of the County's Integrated Waste Management Plan with the Humboldt Waste Management Authority (HWMA) and are less specific than the Framework Plan policies.

Key Planning Issue #3 - Solid Waste Facility Siting.

Additional waste handling facilities that may be required over the life of this Plan include specialized waste handling facilities, such as green waste and composting sites, household hazardous waste transfer, and recycling. What land use clearance standards should be included to address this potential need?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan was amended to include the solid waste facility siting policies from the IWMP Siting Element. Solid waste facilities are defined to include transfer stations or container sites and

disposal facilities. The Framework Plan included extensive siting criteria for solid waste facilities, including solid waste landfills (4612).

B) How/where addressed in the Planning Commission Draft Plan

The Draft Plan establishes the requirement for a Conditional Use Permit for most solid waste facilities, **WM-S4, Land Use Permits for Solid Waste Facilities**, and includes standards for facility siting in **WM-S1 Solid Waste Facility Permit**, and conformance with the Integrated Waste Management Plan in **WM-S2, Solid Waste Disposal Facility Conformance with Integrated Waste Management Plan (IWMP)** and state laws in **WM-S3, Solid Waste Facility Consistency with State and Federal Laws**. The Countywide Siting Element continues to apply and contains the same disposal facilities siting standards as the Framework Plan.

The Draft Plan provides support facilities that recycle and divert waste in **WM-Px, Support for Waste Diversion and Recycling Operations**, and its accompanying implementation measure with the same name **WM-IM-4, Support for Waste Diversion and Recycling Operations**. The Draft Plan identifies County Division of Environmental Health as lead permitting agency for solid waste facilities in **WM-IM-1, Local Enforcement Agency**.

C) Reason for the changes

The proposed policy revisions are intended to bring the General Plan up to date with changes in State solid waste management regulations, and the adoption of the County's IWMP.

D) Notable items from the Planning Commission discussions

There were no substantial discussions by the Planning Commission relating to Solid Waste Facility Siting. Humboldt Waste Management Authority staff participated in revisions to the standards and presented changes to the Planning Commission. Standards relating to this key issue were approved by consensus as rewritten by HWMA

E) Consequences - intended / unintended

These policies are intended to regulate the siting of solid waste facilities and avoid environmental affects and land use compatibility conflicts. Restrictive policies could make it difficult to site waste handling facilities needed for handling, transferring, or construction or demolition debris and food and other organic waste.

Key Planning Issue #4 – Litter and Illegal Waste Disposal

Improper disposal of waste undercuts any planned approach to waste management and can severely impact communities and the environment. What steps should the County take to reduce illegal disposal of wastes?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan contains Policy 4611.1 to reduce litter and other illegal solid waste disposal. In addition, the Framework Plan includes policies relating to an economic system of solid waste management (4611.2) and encouraged full service within franchise areas (4611.11).

B) How/where addressed in the Planning Commission Draft Plan

The Draft Plan contains a policy that addresses illegal dumping through code enforcement and public education, maintaining easily accessed affordable disposal and recycling opportunities in **WM-P6, Illegal Waste Disposal**. The Draft Plan also supports code enforcement in **WM-IM3, Code Compliance**, and waste diversion and recycling operations that reduce illegal disposal activities in **WM-IM4, Support for Waste Diversion and Recycling Operations**.

C) Reason for the changes

The proposed policy revisions are intended to highlight the need illegal waste regulation and clean up and its relationship to code compliance.

D) Notable items from the Planning Commission discussions

Humboldt Waste Management Authority staff participated in revisions to policy language and presented changes to the Planning Commission. Policies and implementation measures relating to this key issue were approved by consensus as rewritten by HWMA

E) Consequences - intended / unintended

The intended consequence of policies relating to illegal waste disposal is to reduce litter and dumping. However, this may require additional programs and site cleanups which would increase County costs.

Attachment 6

Updated Draft Schedule for Completion of the Remaining GPU Tasks

2014 DRAFT CALENDAR

January	February	March	April	May	June	July	August	September	October	November	December
Board of Supervisors Hearing Process											
<p>BOS Hearing (1-13-14) Items to Refer Back to Planning Commission Map Noticing WorkPlan Chapters 2 & 3 Public Guide and Governance</p>	<p>BOS Hearing (2-10-14) CANCELLED</p>	<p>BOS Hearing (3-10-14) 1:30-6:00 Report from Planning Commission Chapter 4: Land Use Designation: Tribal Open Amended Schedule</p>	<p>BOS Hearing (4-7-14) 1:30 - 6:00 CANCELLED</p>	<p>BOS Hearing (5-5-14) 1:30-6:00 HOUSING ELEMENT</p>	<p>BOS Hearing (6-2-14) 1:30 - 6:00 Open Space & Conservation Chapter 10.3 Biological Resources</p>	<p>BOS Hearing (7-14-14) 1:30-6:00 Open Space & Conservation Chapter 10.3 Biological</p>	<p>BOS Hearing (8-18-14) 1:30-6:00 TENTATIVE Open Space & Conservation Chapter 10.3 Biological Resources</p>	<p>BOS Hearing (9-8-14) 1:30-6:00 Open Space & Conservation: Chapter 10.3 Biological Resources & Chapter 10.4 Mineral Resources & Chapter 10.5 Waste Management</p>	<p>BOS Hearing (10-6-14) 1:30-6:00 TENTATIVE Open Space & Conservation: Chapter 10.7 Scenic Resources</p>	<p>BOS Hearing (11-3-14) 11:00-7:00 TENTATIVE Chapter 11 Water Resources</p>	<p>BOS Hearing (12-15-14) 11:00 - 7:00 TENTATIVE Chapter 11 Water Resources</p>
<p>BOS Hearing (1-27-14) CANCELLED</p>	<p>BOS Hearing (2-24-14) CANCELLED</p>	<p>BOS Hearing (3-24-14) 1:30-6:00 Chapters 2 & 3 Public Guide & Governance</p>	<p>BOS Hearing (4-21-14) 1:30 - 6:00 HOUSING ELEMENT</p>	<p>BOS Hearing (5-19-14) 1:30 - 6:00 Open Space & Conservation Chapter 10.2 Open Space</p>				<p>BOS Hearing (9-22-14) 1:30-6:00 TENTATIVE Open Space & Conservation: Chapter 10.6 Cultural</p>	<p>BOS Hearing (10-20-14) 1:30-6:00 TENTATIVE Chapter 11 Water Resources & Map Noticing and Scheduling</p>		

Review of the 2012 Planning Commission Approved Draft Plan by the Humboldt County Board of Supervisors



BOS deliberation

Future Proposed Meeting

GPU PART 1 – SETTING

- Chapter 1. Introduction **finished review**
 - Chapter 2. Public Guide **finished review**
 - Chapter 3. Governance Policy **finished review**
- GPU PART 2 – BUILDING COMMUNITIES**
- Chapter 4. Land Use Element **finished review**
 - Chapter 5. Community Infrastructure and Services **finished review**
 - Chapter 6. Telecommunications **finished review**
 - Chapter 7. Circulation Element **finished review**
 - Chapter 8. Housing Element Summary - **finished review**
 - Chapter 9. Economic Development Element - **finished review**

GPU PART 3 – RESOURCE MANAGEMENT

- Chapter 10. Conservation and Open Space Elements **partial review**
- Chapter 11. Water Resources Element
- Chapter 12. Energy Element **finished review**

GPU PART 4 – PUBLIC HEALTH AND SAFETY

- Chapter 13. Noise Element **finished review**
- Chapter 14. Safety Element **finished review**
- Chapter 15. Air Quality Element **finished review**

GPU PART 5 - MAPS