

# 1. Steering Committee Meeting #7 Notes

June 7, 2017

## Multiple Species Conservation Program – North County Plan

**Attendees:**

**PDS:** Mark Wardlaw, Mary Kopaskie Brown, Peter Eichar, Crystal Benham, Eira Whitty, Melanie Casey, Mark Slovick, Ashley Smith, Tom Oberbauer, Claudia Anzures, Stephanie Smith

**USFWS:** Doreen Stadtlander

**CDFW:** Dave Mayer, Carol Williams

**SC:** Rikki Schroeder, Eric Larson, Doug Goad, Ann Van Leer, Brad Bartlett, Matt Adams, Frank Landis, Dan Silver (via phone)

**Public:** Dr. Almeda Starkey and Mr. Rodney Starkey (No public speaking cards)

Steering Committee Member:	Question/Comment/Topic:	Response/Way Forward:	Date Action Item Anticipated for Completion:
Ann	Why hasn't the Conservation Subdivision Program been widely used in the North County?	Properties in the North County are typically located in remote areas with low existing developmental density, meaning there is likely a lack of access to existing infrastructure and services as well as topography issues (steep slopes).	No action
Rikki	The concern is that once land is in PAMA, it will be difficult to get permission to create new agriculture. There needs to be language in the plan to assess the potential for new agriculture on non-sensitive habitat land. Does agriculture contribute to the Preserve?	New agriculture has to apply for an administrative permit. Agriculture may contribute to the Preserve depending on the type of agriculture – intensity of agriculture and location of agricultural lands.	No action
Matt	For conservation subdivision, does the area clustered for development footprint include stormwater compliance components? Don't want something like a retention basin to count against the development footprint.	Currently, the code does allow for those kinds of uses.	No action
Matt	In an area with a minimum lot size entitled to 10 lots but can only fit 9 lots, does size preclude subdivision?	Through the conservation subdivision, can reduce individual lot sizes. This doesn't increase the development footprint; it increases the density within the footprint.	No action

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Rikki	For the conservation subdivision, what is required for development in disturbed areas?	The ordinance requires that avoided areas be under an easement. However, uses are currently allowed in the easement.	No action
Dan	Should not try and change the conservation subdivision process. It has a different purpose with different goals. It's another layer that is complementary to the BMO and the RPO. Should work in parallels as layers.	(Comment)	No action
Ann	Is ongoing monitoring required for easements?	Currently monitoring is not required for easements unless the land is to be counted towards the Preserve. Only require development of a Resource Management Plan for biological open spaces that exceed certain acreage.	No action
Matt	How do environmental subdivisions differ from mitigation banks?	Purchase is from one property, it can fulfill offsite mitigation requirements.	No action
Ann	How many environmental subdivisions are being processed?	The County is currently processing one and has processed less than 5 in the last 10 years.	No action
Dan	Concerned that environmental subdivisions could undermine mitigation banks, flooding the market with low price credits, creating mitigation banks all over instead of putting it towards the Preserve	The Subdivision Map Act is a state law and not meant to undermine mitigation banks, but instead complement it. The County needs to explore why it hasn't been used and how to encourage people to use it.	No action
Eric	For PACE, need to ensure that if this is used for NC MSCP, the program doesn't redirect funds from the PACE program and shift them towards conservation and easements. Funding should come from two sources of funding or more money needs to be invested into PACE.	(Comment)	No action
Ann	Is there monitoring of current activities on PACE properties? How is this measured?	Staff will look into how agricultural use is measured.	July 20
Ann	Want to have a way to allow farmers with land that has gone fallow to enter into an easement.	Staff is exploring the opportunity to extend the existing PACE program to allow for this.	To be determined – likely by end of 2017

Steering Committee Member:	Question/Comment/Topic:	Response/Way Forward:	Date Action Item Anticipated for Completion:
Rikki / Eric	Land designation is not the same as Williamson Act. Is there still an agricultural preserve designation in the General Plan? What about Ag 20?	It was included in the previous General Plan. Staff will check to see if it's included in the current General Plan	July 20
Ann	How will the County modify ordinances? What is the timing for this?	Currently staff is assessing what tools are missing, what needs to be changed, and if there are existing and complementary tools for the MSCP. Ideally will have made a decision for each of the changes by the time of the environmental review under CEQA.	6-9 months from June 2017
Rikki	Is there an existing Board policy on mitigation banks?	Yes, for the South County.	No action
Eric / Ann	What is the limit for brushing and clearing on existing parcels?	On dwelling parcels brushing and clearing is limited to 10 acres and under.	No action
Ann	Are the clearing and grading exemptions consistent with the South County MSCP?	The clearing and grading exemptions are consistent with the South County MSCP.	No action
Rikki / Matt	Why do preserve design criteria apply both inside and outside of PAMA? Why isn't development encouraged outside of PAMA to maximize mitigation within PAMA? Additional incentives outside of PAMA, such as expanding permitted uses in other areas that would facilitate growth and development would be beneficial to create the Preserve.	Outside of the Preserve area, there is not as much concern with preserve design criteria as inside the Preserve; however, still need to avoid sensitive species and habitat. The County will clarify the language in the plan	To be determined – likely by end of 2017
Rikki	If someone wants to create a hardline to create an "environmentally better" project, why not adjust the boundary line instead of applying the BMO?	Because the permit the County gets from the Wildlife Agencies is based on the BMO, the County thinks it is best to address the mitigation and vegetation tiers of the BMO, rather than adjust boundary lines, which would require additional Wildlife Agency concurrence.	No action
Frank	If litigation affects the plan, how would that be processed?	The intent is to keep the plan as is. If there are changes, would assess case-by-case.	No action
Matt	With MSCP, how long would it take to evaluate a property to assess ordinance application?	Timing would be highly dependent on the CEQA process (MND v. EIR).	No action

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Matt	MSCP serves as a playbook that provides regulatory clarity and time certainty so the applicant can know ahead of time the requirements for mitigation and what's expected of developers.	(Comment)	No action
Ann	Is there a tool to show what a development footprint may run into?	There's an initial research packet that creates a map to show where a specific property is in relation to other areas. Staff will send a link to the group. Staff is exploring expansion of the mapping tool for MSCP purposes	July 20
Frank	There is a retreat center that wants to buy a piece of land with a lot of undeveloped land surrounding it. Could they buy land in PAMA to keep undeveloped land undeveloped? How could they set land aside as a conservation easement?	A conservation easement would be voluntary. To add to the Preserve, would need to assess whether it required additional requirements.	No action