



COUNTY OF PLACER
Community Development Resource Agency

PLANNING

Michael J. Johnson, AICP
Agency Director

MEMORANDUM

TO: BOARD OF SUPERVISORS
FROM: Michael J. Johnson, CDRA Director
SUBJECT: Placer County Conservation Plan (PCCP) – District 5 Map Revision
DATE: January 12, 2010

SUMMARY

On November 3, 2009, Supervisors Uhler and Weygandt provided the Board with an update on the status of the Placer County Conservation Plan (PCCP) and the Ad Hoc Committee's deliberations. At that hearing the Board approved a map (Exhibit A) that would serve as a foundation for the conservation strategy that underlies the conservation strategy for the PCCP.

At the November hearing staff was also directed to evaluate whether or not a portion of the Supervisorial District 5 boundary should be incorporated into the PCCP for both regulatory coverage as well as the potential for conservation. This report provides the Board with staff's analysis and recommendation on the District 5 boundary question. A copy of a revised map that includes a portion of District 5 is attached as Exhibit B.

BACKGROUND

Regulatory Coverage

The PCCP is intended to provide 50 years of compliance for the following state and federal regulations:

1. Incidental Take Permit - Federal Endangered Species Act – administered by: U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service.
2. Natural Communities Conservation Plan - California Endangered Species Act and Natural Communities Conservation Act – administered by: California Department of Fish and Game
3. Section 404 and 401 of the Federal Clean Water Act related to wetlands and water quality – administered by: U.S. Army Corps of Engineers (COE) and the Regional Water Quality Control Board
4. Section 1600 Fish and Game Code - Master streambed alteration agreements – administered by: California Department of Fish and Game (DFG)

Participating Entities and Permitting Agencies

Permittees are the entities that will receive permits under the ESA, the NCCPA, Section 404 of the CWA, and Section 1602 of the Fish and Game Code. Because they will receive the state and federal permits, Permittees will have the ultimate responsibility for implementing the PCCP. The two chief responsibilities of the Permittees will be to ensure that the PCCP's conservation program is implemented successfully and to ensure that projects covered by the PCCP fulfill PCCP mitigation and conservation requirements. The Participating Entities are:

- ◆ Placer County
- ◆ City of Lincoln
- ◆ Placer County Water Agency (PCWA)
- ◆ Placer County Transportation Authority (PCTPA) on behalf of the South Placer Regional Transportation Authority for the Placer Parkway project

The *permitting agencies* are the state and federal regulatory agencies that will review the Participating Entities' permit applications. The permitting agencies involved with the PCCP program are:

- ◆ The U. S. Fish and Wildlife Service (USFWS)
- ◆ The National Marine Fisheries Service (NMFS)
- ◆ The U. S. Army Corps of Engineers (USACE)
- ◆ The U.S. Environmental Protection Agency (EPA)
- ◆ The California Department of Fish and Game (CDFG)
- ◆ Central Valley Regional Water Quality Control Board (CVRWQCB)

A map which depicts the areas where impacts are anticipated and where land conservation activities can occur is the foundation around which the PCCP conservation strategy is developed. A significant amount of time has been directed towards the preparation of this reserve map. The Board's decision on the eastern boundary of the PCCP will allow the staff and consultant team to complete the preparation of the conservation strategy. Once complete, the conservation strategy document will be discussed with the Ad Hoc Committee consistent with the Board's November 3, 2009 direction. When the Ad Hoc Committee deliberations are complete and we have discussed the strategy with the Biological Stakeholder Working Group, we will submit the document and map to the wildlife agencies for review.

Additional background information on the PCCP is included as Exhibit C.

DISCUSSION

This report focuses on the potential to include a portion of the Supervisorial District 5 boundary into the PCCP. The first draft reserve maps, prepared in 2005, included a portion of the District 5 area, mostly along the Bear River and Coon Creek watershed. Figure 1 below depicts the original Phase 1 boundary with the uppermost portion of the Coon Creek watershed defining the eastern edge of the PCCP near Lake Theodore on Interstate 80. In 2007, at the request of Supervisor Kranz and with the concurrence of the Board of Supervisors, the District 5 area was removed from the PCCP. Figure 2 depicts the area that was evaluated for exclusion in November 2007.

Figure 1 – Original PCCP Boundary

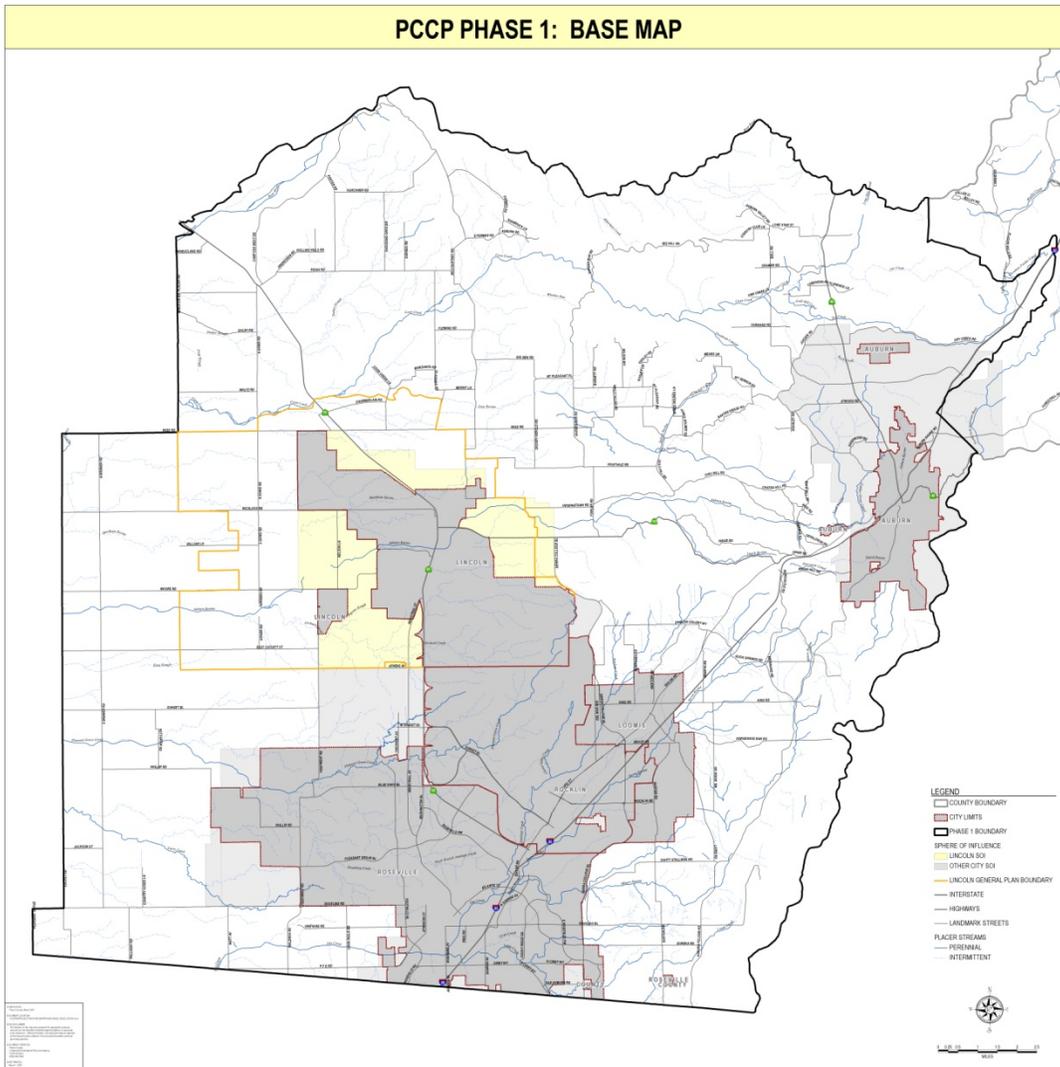
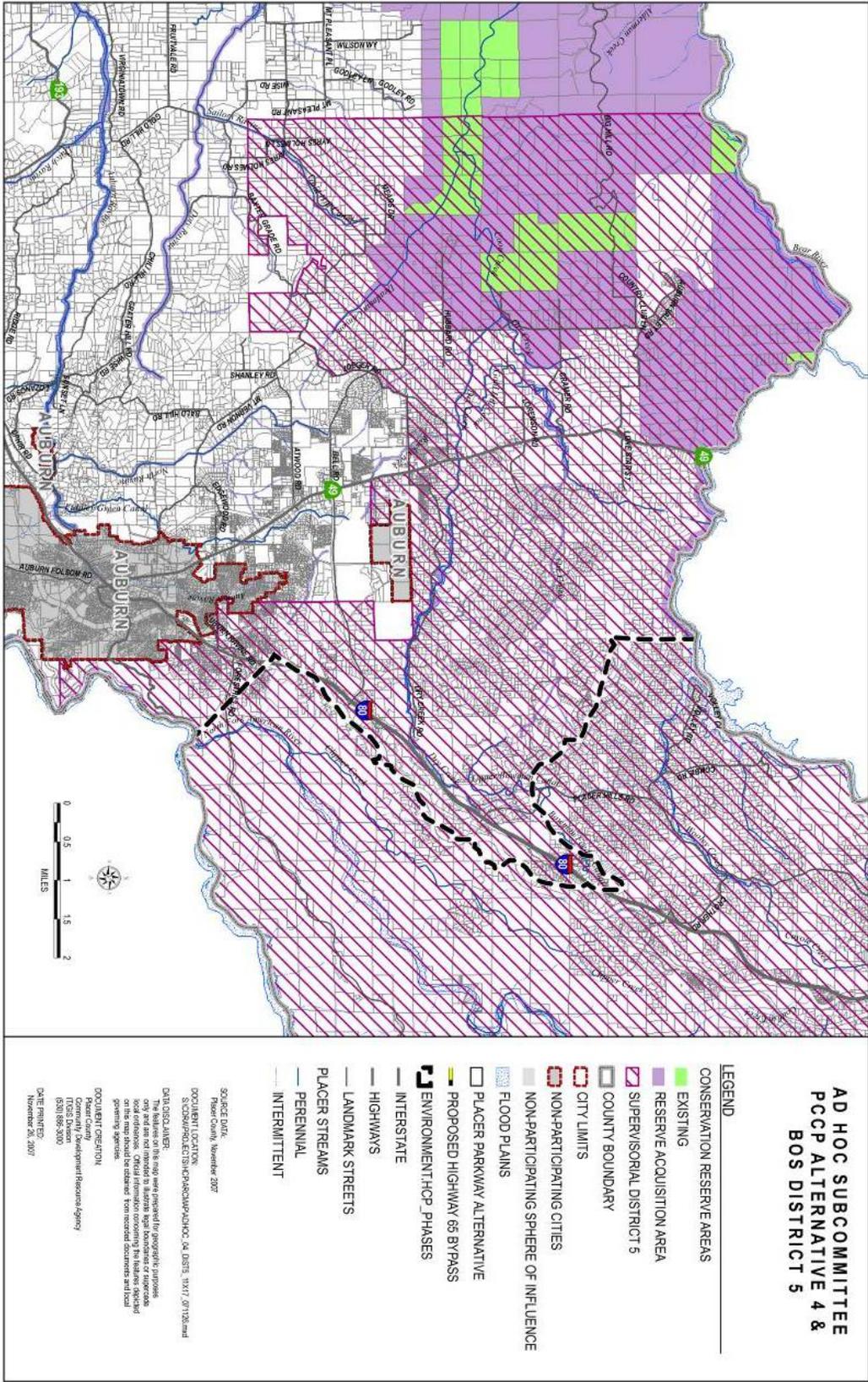


Figure 2 – District 5 Boundary Area – 2007



Revised Draft Ad Hoc Reserve Map:

On November 3, 2009, a draft Reserve Map was finalized by the Ad Hoc Committee (Exhibit A). This map addressed the collective consensus of the four elected members of the Ad Hoc Committee. On a 5:0 vote, the Board directed the staff to use this map as the basis for the preparation of the Conservation Plan. At the November 3rd Board hearing, staff was also directed to evaluate the potential to incorporate a portion of District 5 boundary into the PCCP. This expanded area would receive regulatory coverage and provide additional conservation lands if willing sellers are identified.

Staff and the consultant team have evaluated the amount of additional regulatory coverage that would be required (primarily as a consequence of continued fragmentation of oak woodland and some riparian/wetland impacts). Staff has also evaluated the potential for this area to contribute reserve lands for growth impacts in the balance of the PCCP area.

In staff's opinion, the impact on adding this area for regulatory coverage is relatively minimal. Growth within the identified area is mostly in the form of rural residential development and impacts on endangered species and important habitats types are expected to be minimal. Endangered species and wetlands issues, while present, do not have the same scarcity and threat issues that need to be resolved on the valley floor. Property owners in this area could benefit from streamlined permitting, particularly in the areas of wetland fill permits, streambed alteration agreements and a consistent application of oak woodland mitigation standards.

In terms of conservation, it turns out that the this westernmost portion of District 5 makes a significant contribution to the blue oak woodland conservation needs of the PCCP; well above the amount that is needed to address the additional impacts that are predicted by providing coverage for this area. In other words, the addition of this portion of District 5 has a net positive effect on the overall reserve system. Lastly, there are significant lands already protected in this area and a number of large landowners who have publicly expressed their interest in participating in the PCCP as potential reserve properties. The preserve of a number of key willing sellers is another important and positive contributing factor to considering the inclusion of this area.

In addition to the staff analysis, a public meeting was held on December 8, 2009 at the North Auburn Municipal Advisory Council to discuss the potential changes to the PCCP within the District 5 area. All affected property owners in the District 5 boundary were mailed one of two letters (a total of 1127 letters were mailed), notifying them of the meeting and the potential for the PCCP map to be revised. The first letter was mailed to property owners within the potential reserve area and the second letter was mailed to landowners who would receive regulatory coverage but would not be a potential part of the reserve area. Copies of the two letters are included as Exhibits D and E.

The District 5 area adds approximately 7,564 acres to the Development Opportunity Area and 5,938 acres to the reserve area. The inclusion of this area added 1,447 acres to the existing reserves (including a portion of the Hidden Falls park area). In staff's opinion, this area does make a valuable contribution to the reserve system with a limited, new, regulatory burden.

Summary

The following table provides a side-by-side comparison between the 4 maps the Board has considered: 1) January 2007, 2) September 2008, 3) November 2009 and January 2010.

Reserve Map	Reserve Area Acreage	Development Opportunity Area Acreage	CARP Area Present	Existing Reserve Acreage	Development Transition Area Acreage	Vernal Pool Preservation Ratio
Jan. 2007	70928	141907	No	8782	0	0.5:1
Sept. 2008	68080	93539	Yes	13803	21622	With DTA: 1:1
Nov. 2009	74413	109846	Yes	12407	0	1:1.02
Jan. 2010	80351	117410	Yes	13854	0	1:1.02

With this decision, no further changes on the PCCP Reserve Map are anticipated and consequently staff and the consultant team can work towards the completion of the conservation strategy in January 2010. This is essential because changes in the mapping has an effect on numerous implements of the overall strategy including the impact or take analysis, the development of biological goals and objectives and cost assumptions. It also has an effect on the cost of the development of the plan – each change in the mapping results in a need to recalculate our impact assessment and rewrite portions of the plan. This action will allow the map (and resulting data) to be static.

RECOMMENDATION: The Planning Department recommends that the Board of Supervisors take the following action:

Direct staff and the Ad Hoc Committee to incorporate that portion of Supervisor District 5 depicted on Exhibit B.

Respectfully submitted,

MICHAEL J. JOHNSON, AICP
Director of Planning

EXHIBITS: The following exhibits are provided for the Board's consideration:

Exhibit A: November 3, 2009 Board of Supervisors Adopted Reserve Map

Exhibit B: November 3, 2009 Board of Supervisors Adopted Reserve Map with District 5 area added.

Exhibit C: Background information on the PCCP

Exhibit D: Letter from Supervisor Montgomery to District 5 Constituents – Coverage Area

Exhibit E: Letter from Supervisor Montgomery to District 5 Constituents – Coverage and Reserve Area

cc: Jim Estep, City of Lincoln
Einar Maisch, PCWA
Stan Tidman, PCTPA/SPRTA
Wildlife Agencies
Biological Stakeholder Working Group
Conservation Strategy Group
Resources Law Group

Exhibit B Ad Hoc Recommended Reserve Map Including a Portion of District 5

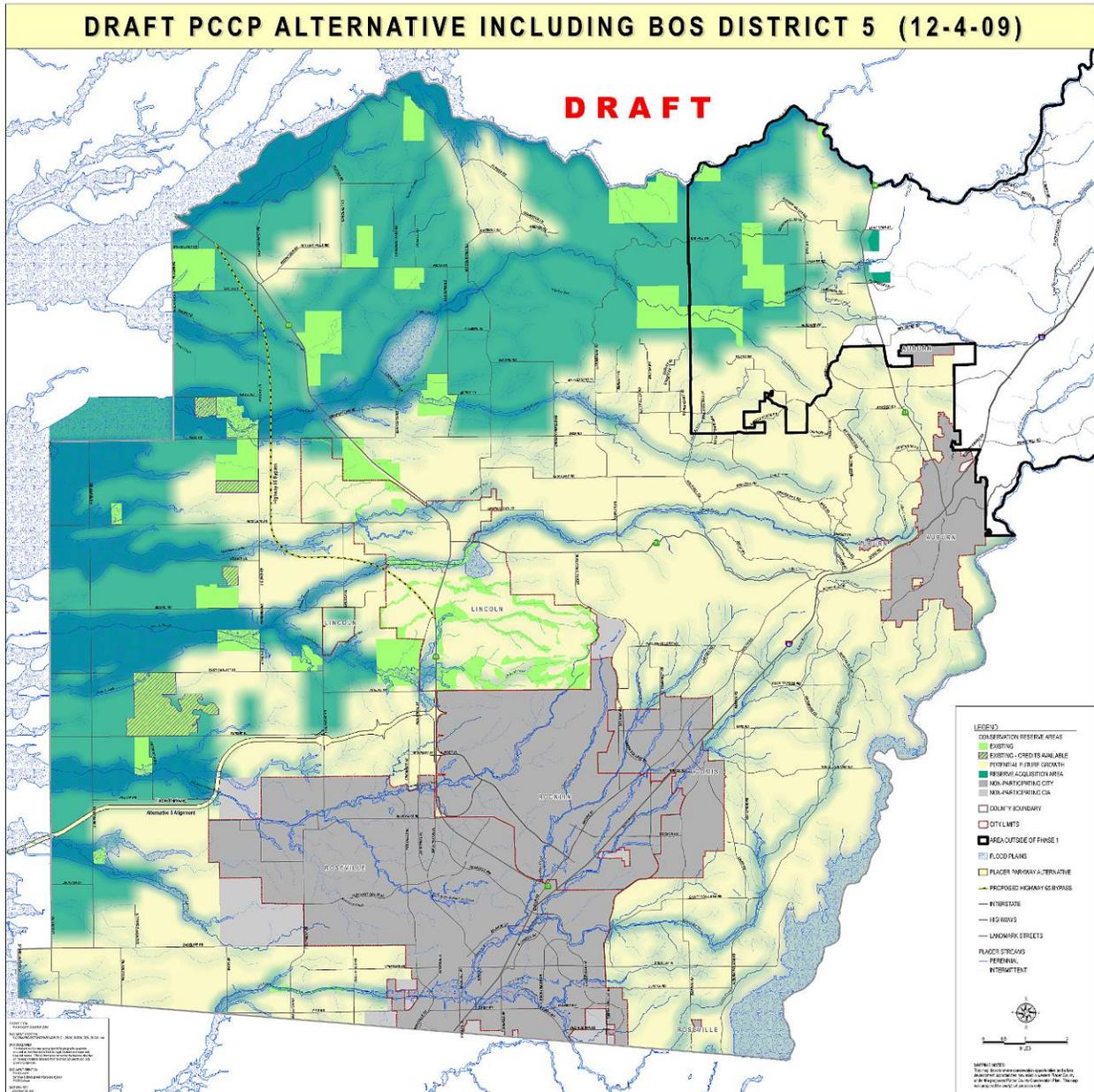


Exhibit C
PCCP Background Information

Population/Employment Projection

The 2060 projection shows a total of 322,000 housing units in Placer County in 2060, an increase of 178,000 from 2007. Placer County captures about one-quarter of the housing units added in the region between 2007 and 2060, as the County's share of the region's housing inventory increases over time—from 16 percent in 2007 to 19 percent in 2060. Tables 1 and 2 provide additional detail on the projection to 2060.

TABLE 1
Projections of Employment, Population, and Housing for the Sacramento Region and Placer County: 2007 – 2060

	<u>2007 – 2060</u>			
	2007	2060	Net Growth	Annual Growth Rate
Placer County				
Jobs by Place of Work ¹	157,000	459,000	302,000	2.0%
Total Population	327,000	811,000	484,000	1.7%
Household Population	323,000	802,000	479,000	1.7%
Housing Units	144,000	322,000	178,000	1.5%
Six County Sacramento Region²				
Jobs by Place of Work ¹	1,065,000	2,226,000	1,160,000	1.4%
Total Population	2,270,000	4,354,000	2,085,000	1.2%
Household Population	2,228,000	4,268,000	2,039,000	1.2%
Housing Units	904,000	1,677,000	773,000	1.2%
Placer Share of Regional Total				
Jobs by Place of Work	15%	21%	26%	
Total Population	14%	19%	23%	
Household Population	15%	19%	23%	
Housing Units	16%	19%	23%	
<p>NOTE: These projections represent one possible scenario for long-term growth in the Sacramento region and in Placer County, assuming continuation of regional growth trends and planned development patterns, combined to some extent with implementation of smart growth principles outlined in SACOG's Blueprint vision for growth. The projections reflect assessments of future economic and population growth potential and development plans and proposals under consideration in Placer County and in cities in the county as of August 2008. Among other factors, transportation costs, climate change, and potential market responses to those changes will alter the 50-year growth scenario.</p> <p>¹ Estimates of jobs (employment) by place of work include wage and salary employment, the self-employed, and proprietors.</p> <p>² In addition to Placer County, the six county region includes El Dorado, Sacramento, Sutter, Yolo, and Yuba counties.</p> <p>SOURCE: Hausrath Economics Group for the purposes of the Placer County Conservation Plan economic analysis.</p>				

Estimates of employment, housing, households, and population growth for the PCCP area are based on generalized assumptions about the western Placer share of total Placer County employment and population. Table 2 presents projections for the PCCP area, with the assumptions about the PCCP area percentage of the county total indicated below.

TABLE 2
Projection of Employment, Population, Housing Units and Households for the PCCP Area: 2007 – 2060

PCCP Area Projections	2007	2060	2007-2060	
			Net Growth	Annual Growth Rate
Jobs by Place of Work ¹	149,000	445,000	296,000	2.1%
Housing Units	118,000	290,000	172,000	1.7%
Total Population	294,000	748,000	454,000	1.7%
Household Population	291,000	740,000	449,000	1.8%
Households	116,000	276,000	160,000	1.6%
Persons-per-household	2.51	2.68		
PCCP Area Percentage of County Totals				
Jobs by Place of Work	95%	97%	98%	
Housing Units	82%	90%	97%	
Total Population	90%	92%	94%	
Household Population	90%	92%	94%	
<p>NOTE: The projections include growth in the Non-Participating Cities (Auburn, Loomis, Rocklin, and Roseville), as well as the growth in the City of Lincoln and unincorporated Placer County proposed to be covered by the PCCP. The projections represent one possible scenario for long-term growth in Placer County, assuming continuation of regional growth trends and development patterns. The projections reflect current assessments of future economic and population growth potential and development plans and proposals under consideration in Placer County and in cities in the county as of August 2008. Among other factors, transportation costs, climate change, and potential market responses to those changes will alter the 50-year growth scenario.</p> <p>¹ Estimates of jobs (employment) by place of work include wage and salary employment, the self-employed, and proprietors.</p> <p>SOURCE: Hausrath Economics Group for the purposes of the Placer County Conservation Plan economic analysis.</p>				

Covered Species

The PCCP proposes coverage for the following State and Federal special status species and other species of special concern:

TABLE 3
PCCP Covered Species

Common Name	Scientific Name	Federal Status	State Status and CNPS List (for plants) ^a
Bald eagle	<i>Haliaeetus leucocephalus</i>	Delisted	Endangered & Fully Protected
Swainson's hawk	<i>Buteo swainsoni</i>	None	Threatened
American peregrine falcon	<i>Falco peregrinus</i>	Delisted	Endangered

California black rail	<i>Laterallus jamaicensis coturniculus</i>	Species of Conservation Concern	Threatened and Fully Protected
Bank swallow	<i>Riparia riparia</i>	None	Threatened
Burrowing owl	<i>Athene cunicularia</i>	Species of Conservation Concern	Species of Special Concern
Cooper's hawk	<i>Accipiter cooperii</i>	None	Watch List
Loggerhead shrike	<i>Lanius ludovicianus</i>	Species of Conservation Concern	Species of Special Concern
Northern harrier	<i>Circus cyaneus</i>	None	Species of Special Concern
Ferruginous hawk	<i>Buteo regalis</i>	Species of Conservation Concern	Watch List
Yellow warbler	<i>Dendroica petechia (brewsteri)</i>	None	Species of Special Concern
Yellow-breasted chat	<i>Icteria virens</i>	None	Species of Special Concern
Modesto song sparrow	<i>Melospiza melodia mailliardi</i>	None	Species of Special Concern
Grasshopper sparrow	<i>Ammodramus savannarum</i>	None	Species of Special Concern
Tricolored blackbird	<i>Agelaius tricolor</i>	Species of Conservation Concern	Species of Special Concern
Conservancy fairy shrimp	<i>Branchinecta conservatio</i>	Endangered	None
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	Threatened	None
Vernal pool tadpole shrimp	<i>Lepidurus packardi</i>	Endangered	None
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	Threatened	None
Bogg's Lake hedge-hyssop	<i>Gratiola heterosepala</i>	None	Endangered; CNPS 1B.2
Dwarf downingia	<i>Downingia pusilla</i>	None	CNPS 2.2
Legenere	<i>Legenere limosa</i>	None	CNPS 1B.1
Ahart's dwarf rush	<i>Juncus leiospermus var. ahartii</i>	None	CNPS 1B.2
Red Bluff dwarf rush	<i>Juncus leiospermus var. leiospermus</i>	None	CNPS 1B.1
Western spadefoot	<i>Spea hammondii</i> (formerly	None	Species of Special Concern

	<i>Scaphiopus hammondi</i>)		
Giant garter snake	<i>Thamnophis gigas</i>	Threatened	Threatened
Central Valley steelhead - evolutionarily significant unit	<i>Oncorhynchus mykiss irideus</i>	Threatened	None
Central Valley fall/late fall-run Chinook salmon	<i>Oncorhynchus tshawytscha</i>	None	Species of Special Concern
Foothill yellow-legged frog	<i>Rana boylei</i>	None	Species of Special Concern
California red-legged frog	<i>Rana aurora draytonii</i>	Threatened	Species of Special Concern
Western pond turtle	<i>Actinemys marmorata</i>	None	Species of Special Concern

a The California Native Plant Society's (CNPS) List Criteria:

- 1A. Presumed extinct in California
- 1B. Rare or Endangered in California and elsewhere
- 2. Rare or Endangered in California, more common elsewhere
- 3. Plants for which we need more information - Review list
- 4. Plants of limited distribution - Watch list

Threat Code extensions and their meanings:

- .1 - Seriously endangered in California
- .2 – Fairly endangered in California
- .3 – Not very endangered in California

Exhibit D
Copy of the Supervisor Montgomery Letter to
Landowners in the PCCP Coverage Area

November 20, 2009

Dear Property Owner,

On November 3, 2009, the Board of Supervisors directed the Planning Department to analyze the possible inclusion of Supervisorial District 5 into the Placer County Conservation Plan (PCCP) to determine future development areas as well as specific conservation areas. If adopted, your property would fall within the future development area, not the conservation area.

The purpose of this letter is to explain what that really means and to ask you to participate in the decision-making process by providing comments and attending public hearings. The first public meeting will be at the North Auburn Municipal Advisory Council on December 8, 2009 at the CDRA building at 7 PM at the Dewitt County Center. I also welcome your phone calls for any questions or concerns at 889-4010.

Under current regulations, landowners who are planning to build or make land use changes that might impact endangered species or wetlands and streams must obtain permits from up to six California and Federal regulatory agencies. This process is cumbersome, costly and time-consuming and applies even to single family home construction and basic lot splits.

Under the PCCP, your existing property rights will be fully protected, your current land uses and zoning will not change. Additionally the streamlined permitting process conducted at the County level will mean you can skip the State and Federal rigmarole. Because your property would be in the PCCP future development and regulatory relief area, you would be eligible to take advantage of this streamlined permitting process, potentially saving you time, money and frustration.

If you have concerns or questions, please contact the Assistant Planning Director, Loren Clark, at 530-745-3000. Or for more information on the PCCP, you can visit the following website:

http://www.placer.ca.gov/Departments/Community_development/Planning/PCCP.aspx.

The website is currently being updated as revisions to maps have been made since the initial information was posted online.

It is my intention to hold two public meetings on the PCCP, the first on December 8, as mentioned above, and the other to be scheduled and publicized as soon as possible. It is my goal to make sure your voice is heard, your questions are fully answered and you understand all the benefits the PCCP has to offer landowners like you.

Thank you,

Jennifer Montgomery, District 5
Placer County Supervisor

Exhibit E
Copy of the Supervisor Montgomery Letter to
Landowners in the PCCP Coverage/Reserve Area

November 20, 2009

Dear Property Owners

For six years, Placer County has been working on a comprehensive natural resource planning effort called the Placer County Conservation Plan (PCCP). The PCCP seeks to strike a balance between long-term growth and conservation in Placer County. Specifically, the PCCP focuses on the conservation and restoration of habitat for a number of sensitive species and federally-regulated wetlands.

This letter is to explain what that means to you and to ask you to participate in the decision-making process by providing comments and attending public hearings. The first public meeting will be at the North Auburn Municipal Advisory Council on December 8, 2009 at the CDRA building at 7 PM at the Dewitt County Center

PCCP Reserve Area

One of the key features of the PCCP will be the acquisition and management of a “reserve area”. The PCCP reserve area would include the acquisition of 50,000 to 60,000 acres for conservation by the year 2060.

The proposed PCCP Reserve Map identifies three areas by color: white identifies areas that are expected to accommodate growth between now and 2060; green identifies lands that are already protected, as well as the area within which the PCCP Reserve Area would be established over time; gray identifies the non-participating cities (Roseville, Rocklin, Loomis and Auburn).

The green area is identified as the area within which preservation might occur. You have been identified as a landowner that potentially falls within this potential preservation area. Should that end up being the case, you will retain your current property rights, land use and zoning, while having the additional options of selling or donating the land or its conservation easement in order to establish the reserve area; your land would then have certain restrictions to protect its conservation value in perpetuity.

You may be a landowner who elects not to sell or donate your land or conservation easement. Again, under the PCCP, there is no change to your existing property rights, land use or zoning. You can continue to conduct activities as allowed under local land use regulations today. However, should you plan to conduct activities which require regulatory permits, as described below, there is a distinct advantage to you because of your being included in the “green” area.

PCCP Regulatory Objectives

Under current regulations, landowners who impact endangered species habitat (e.g., vernal pools, riparian vegetation or salmon/steelhead habitat) and/or wetlands and streams must obtain permits from one or more of the following agencies: 1) California Department of Fish and Game, 2) U.S. Army Corps of Engineers, 3) U.S. Fish and Wildlife Service, 4) National Marine Fisheries Services, and 5) State Regional Water Quality Control Board. This can be a time-consuming, costly and inefficient process. These project approval processes and procedures all occur outside of the County’s review process and involve separate permits from agencies located in Sacramento, Rancho Cordova and San Francisco.

The PCCP will allow the County to issue those permits through the local planning process and create a “one-stop shop” at the County offices. For the County to receive approval to manage these state and federal regulatory programs, a long-term plan that provides for the management of lands, their habitat and other resource values is required. The PCCP will serve as the plan through which the County will obtain this regulatory coverage. Without the PCCP, the current lengthy permitting process will remain in effect.

Supervisorial District 5

On November 3, 2009 the Board of Supervisors held a public meeting to discuss the status of the PCCP program. On a 5-0 vote, the Planning Department was directed to analyze the possible inclusion of lands within the District 5 Supervisorial District for both regulatory coverage and potential conservation. Previously, none of District 5 had been included in the PCCP. There are lands within this part of District 5, in the Garden Bar and Big Hill areas with valuable blue oak woodlands and streams, which are candidates for protection.

I am committed to ensuring that the voices of property owners that lie within the area under consideration for inclusion are heard before any final decision is made. The draft PCCP is scheduled to be completed in early 2010. Once this draft is circulated and comments are received, the environmental review will begin, resulting in a completed draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR). Prior to their approval, both the draft EIS and EIR documents will be distributed to the public and you will be encouraged again to provide comments and participate in additionally scheduled County hearings.

If you have concerns or questions, please contact the Assistant Planning Director, Loren Clark, at 530-745-3000. For more information on the PCCP, visit the following website, which is currently being updated with recent revisions:

<http://www.placer.ca.gov/Departments/CommunityDevelopment/Planning/PCCP.aspx>

It is my intention to hold two public meetings on the PCCP, the first on December 8, as mentioned above, and the other to be scheduled and publicized as soon as possible. It is my goal to make sure your voice is heard, your questions are fully answered and you understand all the benefits the PCCP has to offer landowners like you.

Thank you,

Jennifer Montgomery, District 5
Placer County Supervisor