

	Existing Regulations – Conservation Regulations (Chapter 18.108) and Others	Existing Regulations – General Plan Goals and Policies - Conservation Element)*	2003 Ordinance No. 1221 (Repealed by referendum)	Measure C Initiative – Applies to AW Zoning District Only
Tree Canopy Protection (Vegetation Canopy Cover)	60% vegetation canopy cover retention in municipal reservoir watersheds. (Section 18.108.027.B.)	Policies CON-13, 17, 18, 24, 41, 45	N/A	No removal of trees w/ 5" or > diameter from water quality buffer zones unless an exemption applies.
Shrub and Grassland Protection (“Vegetation Understory”)	40% vegetation understory in municipal reservoir watersheds. (Section 18.108.027.B.)	Policies CON-13, 17, 18, 24, 41, 45	N/A	N/A
Vegetation Preservation Ratio	None codified	Policies CON-17 and 24 (<u>minimum</u> 2:1 preservation ratio; avoidance to the extent feasible)	N/A	On parcels > 1 acre replacement of lost oak trees/woodland at a 3:1 ratio.
Oak Woodland Removal Limit and Permitting	None codified	N/A	N/A	Establishes “Oak Removal Limit,” such that when a cumulative total acreage of 795 acres of oak woodlands are removed or approved for future removal in AW zones, the further removal of oak trees or oak woodlands would be subject to a special permitting process. Specifically: After the Oak Removal Limit is reached, the County would only issue these permits if one of the enumerated, ten exceptions apply or if all of the following conditions apply: <ul style="list-style-type: none"> • The tree removal will take place on properties that consist of at least 160 acres;

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				<ul style="list-style-type: none"> • The tree removal is necessary to ensure that agricultural use of the parcel will be economically viable; • The removal is consistent with the policies and standards of the County’s General Plan and any applicable specific plan; • The permit allows removal of no more than five oak trees during any ten-year period; • The oak mitigation framework, as discussed above, is followed; • Oak tree removal is allowed only to the minimum extent necessary to ensure the economic viability of a property or address one of the listed exceptions; and • At least 90 percent of the oak canopy cover on a parcel is retained unless it is infeasible to require as much.
Definition of Streams	<p>“Stream” is defined in Section 18.108.030 as:</p> <ul style="list-style-type: none"> • USGS mapped “blue line” • Channel depth > 4 feet • Banks with > 3:1 slope 	N/A	<p>Created a biologically-based stream classification similar to that used by CDF and CFWS.</p> <p>Class 1=perennial, seasonal or intermittent watercourses and habitat for fish</p>	<p>Class 1=a perennial watercourse that serves as a domestic water supply, or that provides habitat to sustain fish for all or part of the year.</p>

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	Other watercourses defined in Reso. No. 94-19.		Class 2=perennial, seasonal or intermittent watercourse or spring providing aquatic habitat for invertebrates Class 3=intermittent or ephemeral watercourse w/ defined channel and width to depth ratio of 5:1 or less showing annual scour and sediment transport. Class 4=manmade watercourses such as roadside ditches, ag drainage ditches	Class 2=a perennial or intermittent watercourse that provides habitat for non-fish aquatic species, including invertebrates. Class 3=an intermittent or ephemeral watercourse showing evidence of a defined bed and banks, annual scour and capacity to transport sediment to a Class I or Class II stream.
Stream Setbacks	Setbacks apply to earthmoving and vegetation removal for residential, commercial and agricultural projects and are determined based on slope and range from minimum 35 feet to 150 feet. (Section 18.108.025 (B).) Floodplain and Riparian Management (16.04.750) limitations to vegetation removal within the riparian zone up to 100 feet on each side of the floodplain. •	Policies CON-26, 27, 44, 47, 48, 50	<u>Commercial/Agricultural setbacks:</u> <ul style="list-style-type: none"> • Class 1: 100 feet slopes 0-40% 105 feet slopes 41-50% 125 feet slopes 51-60% 150 feet slopes > 60% • Class 2: 75 feet slopes <30% 85 feet slopes 30-40% 105 feet slopes 41-50% 125 feet slopes 51-60% 150 feet slopes >60% • Class 3: 25 feet • Class 4: 0 feet <u>Residential setbacks:</u> <ul style="list-style-type: none"> • Class 1 & 2: 35 feet slopes < 1% 45 feet slopes 1-5% 55 feet slopes 6-15% 65 feet slopes 16-29% 85 feet slopes 30-40% 	On parcels > 1 acre water quality buffer zones: <ul style="list-style-type: none"> • Class 1: 125 feet • Class 2: 75 feet Class 3: 25 feet

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			50% 105 feet slopes 41- 60% 125 feet slopes 51- 150 feet slopes >60% <ul style="list-style-type: none"> • Class 3: 0 feet Class 4: 0 feet 	
Setbacks from Sensitive Domestic Water Supply Drainages (Municipal Reservoirs)	200 feet setback from septic systems. (Section 13.28.040 (A).)	Policy CON-45	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • N/A
Definition of Wetlands	None	None	N/A	
Setbacks from Wetlands	25 feet in IP zone (Section 13.28.040.A); all else avoid wetlands to extent feasible (General Plan Policy CON-30). 50 feet minimum buffer - current practice unless CEQA basis for larger setback to protect biological resources.	Policy CON-30	N/A	150 feet
Earthmoving on Slopes Greater than 30%	Earthmoving on slopes from 30% to 50% allowed upon issuance of a use permit (Section 18.108.055 (18.108.060.A)). Earthmoving on slopes greater than 50% requires a variance. (BOS Resolution 94-19)	Policy CON-6	N/A	N/A
Exemptions	Creation and/or maintenance of firebreaks required by, and	Policy CON-35	N/A	1. Removing downed and dead trees;

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	<p>completed under the direction of CDF is exempt. (Section 18.108.050 (H)&(I).) (Analog to Measure C Exceptions #1-2)</p> <p>Construction activities within stream setbacks undertaken by or under the auspices of a federal, state or local agency to preserve or restore existing habitat area are exempt (Section 18.108.025 (E)(9) (Analog to Measure C Exception #7)</p> <p>Removal of vegetation within stream setbacks to alleviate an existing hazardous condition is exempt (Section 18.108.025 (E)(10). (Analog to Measure C Exception #7)</p>			<ol style="list-style-type: none"> 2. Adhering to requirements for firebreaks; 3. Averting an imminent threat to health and safety; 4. When required for the development or maintenance of access roads, septic or wastewater systems, water wells, water resources and storage facilities, public works facilities, solar energy systems, electric vehicle charging stations, telecommunications or cellular towers, trails, flood control projects, or stream crossings; 5. Within a recorded utility right-of-way; 6. On land owned by a public agency; 7. Where undertaken by or at the direction of a government agency as part of a project to preserve, restore, or improve habitat, alleviate a hazardous condition, or abate a public nuisance; 8. When undertaken or authorized by a federal or state agency; 9. Within eleven feet of the centerline of driveways

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				<p>serving legally existing or proposed structures; and</p> <p>10. Within 150 feet of a lawful residence or other structure.</p>
Monitoring	<p>Monitoring primarily performed by property owner or ECP preparer. (Section 18.108.135)</p> <p>PBES annual inspections until project complete and stable for 3 years. (Section 18.108.135 (E).)</p>	Policies CON-42, 47, and 49	N/A	<p>Investigation of complaints w/in 30 days.</p> <p>Publication of NOVs on County website.</p>
Enforcement	Security required for ECPs that meet certain criteria. (Section 18.108.140 (A).)	Policies CON-7, 27, and 50	N/A	Required enforcement pursuant to Section 18.20 of the County Code.
Penalties	ECP violations are a misdemeanor, public nuisance and subject to treble damages and administrative penalties. (Sections 18.108.140 (B) and (C).)	Policy CON-50(g)	N/A	<p>Violations may be prosecuted as a misdemeanor and are subject to maximum penalties established for Code violations, plus the value of unlawfully removed oak trees and remediation.</p> <p>Violations are a misdemeanor, public nuisance and administrative penalties.</p>

*General Plan Policies are primarily applied to discretionary projects such as vineyard Erosion Control Plans, Winery Use Permits and residential Project involving grading and/or viewshed permits. The policies listed are those most germane to the subject matter, while there may also be additional policies that are applicable.