



A Tradition of Stewardship
A Commitment to Service

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NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: David Morrison, Director, Planning, Building & Environmental Servi - (707) 253-4805
SUBJECT: Watershed Protection Study Session

RECOMMENDATION

Director of Planning, Building, and Environmental Services (PBES) requests direction on Strategic Actions related to watershed protection.

EXECUTIVE SUMMARY

On January 15, 2019, the Board of Supervisors approved the Napa County Strategic Plan (2019-2022). As a part of its approval, the Board further directed that the next regularly scheduled meeting include a workshop for staff to provide options and recommendations regarding Strategic Actions 12.A, 12.B, and 12.E, as part of an overall watershed protection discussion.

PROCEDURAL REQUIREMENTS

1. Staff reports.
2. Public comments.
3. Motion, second, discussion and vote on the item.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action relates to the consideration of potential legislation and other actions to protect natural resources and the environment. That does not constitute approval of a project subject to CEQA and would be categorically exempt from CEQA if it were a project. (14 California Code of Regulations 15004(a), 15307 and 15308, 15352.) Therefore, CEQA is not applicable.

BACKGROUND AND DISCUSSION

On January 15, 2019, the Board of Supervisors approved the Napa County Strategic Plan (2019-2022). As a part of its approval, the Board further directed that the next regularly scheduled meeting include a workshop for staff to provide options and recommendations regarding specific Strategic Actions, provided as follows:

- | 12.A: Update the Conservation Regulations to improve requirements for stream setbacks, to better protect riparian habitat while providing flexibility for farming.
- | 12.B: Improve tree preservation by adopting a separate ordinance increasing canopy protection and mitigation requirements throughout the unincorporated area.
- | 12.E: Evaluate modification of buffers around municipal reservoirs.

History

Napa County's Conservation Regulations have a long record of using science in an evidence-based approach to further land use policy. The Board of Supervisors originally approved the Conservation Regulations (County Code Chapter 18.108) in 1991, establishing procedures and standards for projects that might have an effect on water quality or other natural resources, to balance the desires for both environmental and agricultural sustainability. Three years later, the Board adopted Resolution No. 94-19, which established technical standards for erosion control and sediment specifications, vineyard replanting program contents, slope determination methodology, erosion plan contents, and a list of additional watercourses.

In 2002, the Board amended the Conservation Regulations to add sensitive domestic and municipal watershed protection measures to ensure enhanced water quality protection in these areas. Some of those additional protections include vegetation retention requirements, a shortened grading season, over-sight of erosion control installations, special geologic stability assessments, and sizing of water conveyance and detention facilities.

In 2003, the Board adopted Ordinance No. 1221, which would have created biologically-based stream classes similar to those used by state and federal resource agencies. The ordinance would have codified the recommendations of the 15-member Napa River Watershed Task Force. For Class I and II streams, setbacks would have ranged from 75 to 150 feet for agricultural and commercial uses, and 35 to 125 feet for residential uses, depending on the slope. Agricultural and commercial uses would have had a 25-foot setback from Class III streams. The ordinance also would have limited removal of native trees within 50 feet of identified streams, based on the diameter breast height of the native trees.

The ordinance was placed on the March 2004 ballot as Measure P. A competing initiative, Measure O, also qualified for the ballot, and would have imposed even larger setbacks. Both measures failed; Measure P was rejected by 65 percent of those who voted, and Measure O by 73 percent.

In 2017, supporters gathered signatures to qualify an initiative to amend the Napa County General Plan and Zoning Code to: create water quality buffers within the Agricultural Watershed (AW) zone and restrict tree removal within the buffers; strengthen oak removal remediation standards; and establish a permit program for oak tree removal, once a total of 795 acres of oak trees have been removed. The ordinance was placed on the June 2018 ballot as

Measure C, which was rejected by 51 percent of those who voted.

It is clear that the County has regularly reviewed the Conservation Regulations over the past 28 years, as new evidence and science becomes available to support changes in regulation that improve water quality and protect the environment. It is also clear that voters are very concerned about these issues, both in support and in opposition, with the public considering three initiatives in the past 15 years.

A comparison of the requirements under the current County Code, 2008 General Plan, Ordinance 1221, and Measure C is provided in Attachment A.

The Conservation Regulations have ensured an unparalleled system of environmental protections for hillside areas, and created a rural landscape that rivals our local wines as one of the primary reasons that people travel from around the world to visit Napa Valley. The County's practices have served as the model for Regional Water Quality Control Board regulations, and resulted in Napa County providing California Environmental Quality Act (CEQA) review for the Board of Forestry, and the Green Certified program is a model for other regions. However, Napa County vineyards are the most regulated agricultural industry in California, which has resulted in significant additional expense and time for local landowners.

Napa County General Plan

The 2008 Napa County General Plan references the Conservation Regulations in numerous policies and action items, as provided below. These policies are furthered by many of the goals and requirements of the Conservation Regulations, including the preservation of critical habitat and habitat connectivity, retention of riparian areas and fisheries, protection of domestic water supplies, improvement of water quality, protection of water quantity, and balancing the property owners' ability to use their land.

- 1 **Policy CON-19:** The County shall encourage the preservation of critical habitat areas and habitat connectivity through the use of conservation easements or other methods as well as through continued implementation of the Napa County Conservation Regulations associated with vegetation retention and setbacks from waterways.
- 1 **Policy CON-26:** Consistent with Napa County's Conservation Regulations, natural vegetation retention areas along perennial and intermittent streams shall vary in width with steepness of the terrain, the nature of the undercover, and type of soil. The design and management of natural vegetation areas shall consider habitat and water quality needs, including the needs of native fish and special status species and flood protection where appropriate. Site-specific setbacks shall be established in coordination with Regional Water Quality Control Boards, California Department of Fish and Game, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration National Marine Fisheries Service, and other coordinating resource agencies that identify essential stream and stream reaches necessary for the health of populations of native fisheries and other sensitive aquatic organisms within the County's watersheds. Where avoidance of impacts to riparian habitat is infeasible along stream reaches, appropriate measures will be undertaken to ensure that protection, restoration, and enhancement activities will occur within these identified stream reaches that support or could support native fisheries and other sensitive aquatic organisms to ensure a no net loss of aquatic habitat functions and values within the county's watersheds.
- 1 **Policy CON-45:** Protect the County's domestic supply drainages through vegetation preservation and protective buffers to ensure clean and reliable drinking water consistent with state regulations and guidelines. Continue implementation of current Conservation Regulations relevant to these areas, such as vegetation retention requirements, consultation with water purveyors/system owners, implementation of erosion controls to minimize water pollution, and prohibition of detrimental recreational uses.
- 1 **Policy CON-47:** The County shall comply with applicable Water Quality Control/Basin Plans as amended through the Total Maximum Daily Load (TMDL) process to improve water quality. In its efforts to comply, the following may be undertaken: ... f) Ensuring continued effectiveness of the County's Conservation

Regulations related to vineyard projects and other earth-disturbing activities. ... h) Amending the County's Conservation Regulations or County Code to address excessive sediment delivered to waterways as required by state law, particularly as it relates to private roads and rural unimproved (i.e., dirt or gravel) roads.

- I **Policy CON-50:** The County will take appropriate steps to protect surface water quality and quantity, including the following:
 - a. a) Preserve riparian areas through adequate buffering and pursue retention, maintenance, and enhancement of existing native vegetation along all intermittent and perennial streams through existing stream setbacks in the County's Conservation Regulations. ...
 - b. g) Address potential soil erosion by maintaining sections of the County Code that require all construction-related activities to have protective measures in place or installed by the grading deadlines established in the Conservation Regulations. In addition, the County shall ensure enforceable fines are levied upon code violators and shall require violators to perform all necessary remediation activities.
- I **Action Item CON NR-1:** Amend the Conservation Regulations to offer incentives such as a streamlined review process for new vineyard development and other projects that incorporate environmentally sustainable practices that avoid or mitigate significant environmental impacts.
- I **Action Item CON WR-3:** Update the Conservation Regulations to establish an appropriate protective buffer (e.g., a special protection zone) in areas that drain toward any intake structure associated with the County's sensitive domestic water supply drainages, requiring specific development and performance measures to protect water quality and balance property owners' ability to use their land and stipulating that discretionary projects must be located outside of the protective buffer wherever this is feasible.

Implementation of the Conservation Regulations involves many other General Plan policies, some of which are provided below.

- I **Policy CON 13:** The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to:
 - a. Maintain the following essentials for fish and wildlife resources
 - 1. Sufficient dissolved oxygen in the water.
 - 2. Adequate amounts of proper food.
 - 3. Adequate amounts of feeding, escape, and nesting habitat.
 - 4. Proper temperature through maintenance and enhancement of streamside vegetation, volume of flows, and velocity of water.
 - b. Ensure that water development projects provide an adequate release flow of water to preserve fish populations.
 - c. Employ supplemental planting and maintenance of grasses, shrubs and trees of like quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife and special-status species and maintain the watersheds, especially stream side areas, in good condition.
 - d. Provide protection for habitat supporting special-status species through buffering or other means.
 - e. Provide replacement habitat of like quantity and quality on- or off-site for special status species to mitigate impacts to special-status species.
 - f. Enhance existing habitat values, particularly for special-status species, through restoration and replanting of native plant species as part of discretionary permit review and approval.
 - g. Require temporary or permanent buffers of adequate size (based on the requirements of the subject special-status species) to avoid nest abandonment by birds and raptors associated with construction and site development activities.

- h. Demonstrate compliance with applicable provisions and regulations of recovery plans for federally listed species.
- i. **Policy CON 17:** Preserve and protect native grasslands, serpentine grasslands, mixed serpentine chaparral, and other sensitive biotic communities and habitats of limited distribution. The County, in its discretion, shall require mitigation that results in the following standards:
 - a. Prevent removal or disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species.
 - b. In other areas, avoid disturbances to or removal of sensitive natural plant communities and mitigate potentially significant impacts where avoidance is infeasible.
 - c. Promote protection from overgrazing and other destructive activities.
 - d. Encourage scientific study and require monitoring and active management where biotic communities and habitats of limited distribution or sensitive natural plant communities are threatened by the spread of invasive non-native species.
 - e. Require no net loss of sensitive biotic communities and habitats of limited distribution through avoidance, restoration, or replacement where feasible. Where avoidance, restoration, or replacement is not feasible, preserve like habitat at a 2:1 ratio or greater within Napa County to avoid significant cumulative loss of valuable habitats.
- i. **Policy CON 24:** Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measure including one or more of the following:
 - a. Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
 - b. Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.
 - c. Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.
 - d. Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.
 - e. Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.
 - f. Encourage and support the County Agricultural Commission's enforcement of state and federal regulations concerning Sudden Oak Death and similar future threats to woodlands.

Conservation Regulations

Reflecting the General Plan, the evidence-based Conservation Regulations likewise identify a purpose and intent to preserve existing vegetation, riparian areas, and habitat; protect domestic water supplies; improve water quality; and ensure the long-term viability of agriculture, as stated in Section 18.108.010 of the County Code:

- a. The purpose and intent of these regulations is to protect the public health, safety and community welfare, and to otherwise preserve the natural resources of the county of Napa. Further, these regulations are intended to ensure the continued long-term viability of county agricultural resources by protecting county lands from excessive soil loss which if unprotected could threaten local water quality and quantity and lead ultimately to loss of economic productivity. These regulations have been developed in general accord with the policies and principles of the general plan, as specified in the land use element and the open space and conservation element.
- b. It is furthermore intended that these regulations accomplish the following:

1. Minimize cut, fill, earthmoving, grading operations and other such man-made effects in the natural terrain;
 2. Minimize soil erosion caused by human modifications to the natural terrain;
 3. Maintain and improve, to the extent feasible, existing water quality by regulating the quantity and quality of runoff entering local watercourses;
 4. Preserve riparian areas and other natural habitat by controlling development near streams and rivers;
 5. Encourage development which minimizes impacts on existing land forms, avoids steep slopes, and preserves existing vegetation and unique geologic features; and
 6. Protect drinking water supply reservoirs in sensitive domestic water supply drainages from sediment, turbidity, and pollution.
- c. It is not the intent of these regulations to provide that compliance with these regulations shall provide a defense to a charge of violating Section 5650 of the California Fish and Game Code.
 - d. It is also the intent of these regulations to further the intent and purpose of Section 1600 of the California Fish and Game Code.
 - e. Napa County, through the department of public works, has implemented the National Pollution Discharge Elimination System (NPDES) program, which requires the county to ensure that storm water and erosion control measures are provided for all applicable structural (i.e., nonagricultural) projects. As such, technical aspects of providing erosion control measures for structural projects shall be administered by the department of public works via the NPDES program. The remaining applicable requirements of this chapter shall still apply to structural projects. For agricultural projects (which are not covered by the NPDES program), all the requirements of this chapter remain in full effect.

The Conservation Regulations apply to all County zoning districts and all uses that may involve earthmoving activity, with or without Use Permits. Earthmoving activities associated with agricultural development on slopes greater than 5 percent are subject to agricultural erosion control plan requirements, while earthmoving activities related to structural (non-agricultural) projects are subject to the Napa Countywide Storm water Pollution Prevention Program (NCSPPP).

Implementation of the Conservation Regulations

Pursuant to the Conservation Regulations, an Erosion Control Plan (ECP) is required for any agricultural project involving grading and earthmoving activities on slopes over 5%. The Director of Planning, Building and Environmental Services (PBES) must review and approve an engineered ECP prior to development. Approval of the plan is subject to review and process under CEQA. Each ECP must incorporate development and maintenance standards for applicable new and replanted vineyards. Soil loss and hydrologic studies are required to demonstrate that all ECPs meet the County's performance standards, including the requirement for no net increase in erosion and runoff. The Conservation Regulations provide ongoing environmental benefits far beyond those related to soil loss. The evidence-based Conservation Regulations protect valuable natural resources by requiring stream setbacks based on a sliding scale directly correlated to the slope of the land adjacent to the stream or waterway. These setbacks protect water quality, aquatic habitats, and special-status fish species, and also provide for significant terrestrial habitat preservation and wildlife movement.

The Conservation Regulations also provide for enhanced protections and benefits for projects within sensitive domestic water supply drainages. Such protections include the retention of 40 to 60 percent of the vegetation existing on June 16, 1993; preparation of a geotechnical study to help ensure slope stability; the requirement for drainage facilities to be designed to the 100-year storm event; and direct notification to the water purveyor. These requirements protect drinking water and also preserve habitat and generate other environmental benefits.

Two programs implement the Conservation Regulations, for non-agricultural projects, such as grading for structures. The Napa Countywide Stormwater Pollution Prevention Program (NCSPPP) is a joint effort of the

County of Napa, cities of American Canyon, Napa, St. Helena and Calistoga, and the Town of Yountville to: prevent storm water pollution; protect and enhance water quality in creeks and wetlands, preserve beneficial uses of local waterways, and comply with State and federal regulations. Though the entities of the NCSPPP carry out their own individual storm water pollution prevention programs, the NCSPPP provides for the coordination and consistency of evidence-based approaches between the individual participants and documents their efforts in annual reports. Specifically, building and grading permits are reviewed to ensure consistency with the Construction General Permit Order No. 2009-009-DWQ issued by the San Francisco Regional Water Quality Control Board (SFRWQCB).

In addition, staff also review building and grading permits for compliance with National Pollution Discharge Elimination System (NPDES) requirements, including the General Permit for Discharges of Storm Water Associated with Construction Activity, as well as the Phase II NPDES Municipal General Permit. These permits establish Best Management Practices (BMPs) for both Construction Site Runoff and Post-Construction Runoff.

In carrying out these various duties, PBES staff work closely with staff from the County Public Works Department, the Resource Conservation District, the SFRWQCB, the California Department of Fish and Wildlife, private consultants, community members, and applicants to ensure that all regulatory requirements are fully addressed and enforced.

Additional Requirements for Agricultural Projects

Napa County has the most regulated agricultural practices in California, but owners must also comply with additional State and Federal programs.

In July 2017, the SFRWQCB adopted a water quality control permit (General Permit) for vineyard properties in the Napa River and Sonoma Creek watersheds. The General Permit regulates parcels developed to include a 5-acre-or-larger vineyard that are located in these two watersheds. All vineyard parcels subject to the General Permit – regardless of slope of the planted area – must achieve performance standards for soil erosion in the farm area, and for discharge of nutrients and pesticides. Hillslope vineyard parcels (those where the average slope of the planted area is greater than 5 percent) also must achieve performance standards for vineyard storm runoff and for sediment discharge from unpaved roads.

Specifically, the General Permit requires property owners or operators to:

1. Enroll in the General Permit;
2. Develop a farm plan to protect water quality;
3. Have the farm plan verified by a Third-Party Program or by the Water Board;
4. Implement the farm plan to achieve applicable performance standards for discharge;
5. Report annually on progress toward achievement of performance standards; and
6. Participate in a group-or-individual water-quality monitoring program.

The Farm Plan must include a comprehensive inventory of vineyards, roads, reservoirs, and waterways located throughout the vineyard property to document the BMPs already in place and/or to prescribe additional BMPs that shall be implemented and maintained to comply with all conditions of the General Permit, including but not limited to attainment of all applicable Performance Standards for discharge and documentation of the actions implemented to protect and/or enhance stream-riparian habitat complexity and connectivity. The Farm Plan also must include a specific time schedule and corresponding milestones to measure progress toward attainment of the Performance Standards and a monitoring plan to document BMP implementation and assess effectiveness.

Vineyard property owners are further required to submit an Annual Compliance Form to the Water Board. The Annual Compliance Form certifies that the vineyard property meets the conditions of the General Permit and that the Farm Plan is being implemented according to the schedule established in the Farm Plan and in compliance

with established dates in the General Order.

Performance of the Conservation Regulations

According to the Agricultural Commissioner, in 1991 (the year the Conservation Regulations were adopted) there were 29,993 producing acres of vineyards within Napa County. In 2017, there were 43,584 producing acres of vineyards. This represents an overall increase of 45.3%, but an annual increase of 1.5% in vineyard growth over 26 years. (Note that 66% of the growth in acreage since 1991 occurred in the years 1999-2002, immediately prior to the adoption of the updates to the Conservation Regulations.)

More recently, the Baseline Data Report (BDR) shows that countywide there were 64,423 acres of total agriculture in 2005 (the beginning of the 2008 General Plan timeframe), including both fallow and non-producing vineyard acreage. In 2017, that number had increased to 70,019 acres, an overall increase of 8.7% and an annual increase of 0.7% in total agricultural acreage.

The SFRWQCB has proposed the Napa River as eligible for delisting as an impaired water body for nutrients related to algae growth. A decision on the delisting is expected by the State Water Board and United States Environmental Protection Agency (USEPA) in 2020. The Napa River remains an impaired water body due to sediment and Total Maximum Discharge Limits (TMDLs) have been adopted to address sediment.

The BDR showed 204,960 acres of oak/conifer forest and 161,289 acres of grasslands/ chaparral. County GIS (Geographic Information System) analysis of 2017 (pre-fire) vegetation mapping shows 202,541 acres of oak/conifer forest and 154,683 acres of grassland. This indicates an overall decrease of 1.2% of forest with an annual loss of 0.1% of forest. During the 12-year period, there was an overall decrease of 4.1% of grasslands, with an annual change of 0.4%.

The Conservation Regulations have been successful. They have contributed to cleaner water quality, resulted in minimal habitat loss, and have allowed agriculture to expand. However, new challenges have arisen since 1991 and 2002 that merit additional consideration, including increased frequency of natural disasters (wildfires and droughts), gradual loss of our forests, stricter water quality standards, climate change, and increasing intrusion into the hillside areas of the county by development (housing, wineries, and vineyards).

The issues discussed below are critical to the County's land use policy. How we manage our hillside areas plays a central role in determining the quantity and quality of our drinking water, our ecological health, the scenic beauty that both residents and visitors enjoy, the future growth of our wine industry, and our ability to respond to future disasters.

Discussion

For the purposes of discussion, Strategic Actions 12.A, 12.B, and 12.E can be narrowed down into the following general questions. Although not specifically mentioned in the Strategic Actions, development on slopes is a key factor under the current Conservation Regulations in determining setbacks and is included herein.

- a. Slopes
 1. Should development continue to be allowed on slopes greater than 30 percent?
- b. Setbacks
 1. Should there be a buffer around municipal reservoirs?
 2. How should wetlands be defined?
 3. Is there a need for greater wetland setbacks?
 4. How should streams be defined?
 5. Is there a need for greater stream setbacks?

c. Tree and Shrub Protection

1. How should trees be defined?
2. Should there be an increase in the percentage of tree canopy retained?
3. Should there be an increase in the percentage of shrub canopy retained?
4. Should the existing minimum 2:1 tree mitigation preservation ratio be increased?
5. Should mitigation be restricted to on-site or allowed off-site?

d. Applicability

1. When should an ordinance become effective and to whom should it apply?
2. Should current exemptions be applied to new requirements, and should there be additional exemptions?

A brief overview for each of the questions is provided below. A summary of existing requirements, options, and staff recommendations for each question may be found in Attachment B.

Staff notes that the issues of mitigation ratio, location, tree canopy definition, and tree retention rate are all interdependent in determining how much vineyard land is possible to develop within a project. In general, if a new vineyard proposal must meet requirements for 85% tree canopy retention, 3:1 forest replacement, is limited to on-site locations for mitigation, and must exclude forests located on 30% slopes and/or stream setbacks from mitigation, the amount of land available for vineyard planting will be greatly reduced. As one or more of these standards are relaxed, the area for vineyards will increase, although the amount will vary depending on each site's unique characteristics.

In turn, the amount of future vineyard land that is developed will have a direct impact on the future growth of wineries. New and existing wineries wishing to expand are subject to the County's 75% rule (County Code Section 18.104.250). This requires that at least 75% of the grapes used to make the winery's still wine, or the still wine used by the winery to make sparkling wine, shall be grown within the County of Napa. As new vineyard development becomes more limited, the grape supply will also grow more slowly, eventually constraining the future ability of new wineries to be established and/or existing wineries to grow.

1. Should development continue to be allowed on slopes greater than 30 percent?

Currently, requirements related to 30% slope are applicable countywide (County Code Section 18.108.055). Vineyard development may occur on slopes greater than 30% if the total amount of acreage over 30% slope is less than 1 acre. Similarly, ornamental landscaping of less than 1 acre is also exempt, so long as the applicant meets certain conditions.

Vineyards that exceed 1 acre of development on slopes over 30% require approval of a Use Permit by the Planning Commission. Vineyards on slopes greater than 50% are prohibited absent a variance (Resolution No. 94-19), which also would be heard by the Planning Commission. Staff is not aware of any applications to date for a variance for a vineyard over 50% slope.

Areas of the County that have slopes of at least 30% are shown in Attachment C.

Although development in these areas has been limited, any proposed grading or disturbance on steep slopes has a high potential for erosion and landslide, even with proper engineering construction and management. Several other jurisdictions, including El Dorado County, Monterey County, and Santa Cruz County already prohibit or severely limit development on slopes over 30%.

Three options have been proposed regarding this question. (A) Continue the status quo of requiring a Use Permit for development on slopes of more than 30%. (B) Prohibit development on slopes of 30% or greater, unless exempt. (C) Prohibit all planting and structures on slopes of more than 30%.

Due to concerns for public safety and environmental protection, but also in recognition of existing uses and property rights, staff recommends option B.

2. **Should there be a buffer around municipal reservoirs?**

The County currently restricts development near municipal reservoirs by prohibiting new sewer lines within 50 feet and septic systems within 200 feet of a reservoir (County Code Section 13.28.040.A). In addition, the restrictions on tree canopy retention apply within the watersheds of “sensitive domestic water supply drainages,” which are defined (County Code Section 18.108.030) as limited to: Kimball Reservoir, Rector Reservoir, Milliken Reservoir, Bell Canyon Reservoir, Lake Hennessey including Friesen Lakes, Lake Curry, and Lake Madigan.

The municipal reservoirs designated in County Code and their respective watersheds are shown in Attachment D. Approximately 50% of the land immediately adjoining each of the municipal reservoirs is owned by the respective city or town. The remaining land is privately owned.

In recent years, the quality of drinking water in the reservoirs has become increasingly important, as both water quality standards and the cost of treatment increase. Sediment, pesticides, and nutrients that promote algae growth from surrounding and nearby land uses are all strong concerns that have been expressed by municipal water managers.

A 1990 study “Buffer Strips to Protect Water Supply Reservoirs: a Model and Recommendations” (Nieswand, Hordon, Shelton, Chavooshian, and Blarr: Journal of the American Water Resources Association) recommended a buffer of between 50 and 300 feet, depending on local factors. A casual survey of buffer requirements for municipal reservoirs in various states shows a frequent range of 25 feet to 100 feet.

Three options have been proposed regarding this question. (A) Continue the status quo of allowing planting and structures in proximity to municipal reservoirs, with existing prohibitions for sewer lines and septic systems. (B) Create a new 200-foot setback for planting and structures, based on the existing septic system setback. (C) Create a new 500-foot setback for planting and structures around municipal reservoirs.

To provide a reasonable approach in improving protection of city and town drinking water supplies, staff recommends option B.

3. **How should wetlands be defined?**

The County currently uses the federal definition of wetlands in its CEQA documents. The Environmental Protection Agency and Army Corps of Engineers define “wetlands” as “Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” (40 CFR § 230.3(o)(3)(iv); 33 CFR 328.3(c)(4).) To identify and delineate potential wetlands, the relevant Army Corps Manual requires evaluation of three parameters, only one of which is needed to qualify a wetland and deserving protection:

1. Hydrophilic vegetation, i.e., plants adapted to live in habitats that are permanently saturated or alternate between dry and saturated soil conditions;
2. Wetland hydrology, or areas that are periodically inundated or have soils saturated to the surface at some time during the growing season; and
3. Hydric soils, that are sufficiently wet in the upper part to develop anaerobic conditions during the growing season.

By contrast, the Sonoma County Code defines a wetland as having two or more of these attributes in most areas of the county.

Known wetlands are shown in Attachment E, which is based on the National Wetland Inventory (NWI). The map does not depict streams, even though they may be considered wetlands, to avoid confusion with other issues discussed in this staff report. Additional wetlands may be determined through specific on-site technical studies.

It should also be noted that the NWI includes wastewater treatment ponds and other constructed improvements as wetlands. The Sonoma County Code treats unlined wastewater treatment ponds more like natural ponds and wetlands. If the wastewater treatment ponds are lined and kept clear of vegetation, they typically do not meet the criteria for protection as a wetland. Regardless, the features on each site are evaluated on a case-by-case basis.

County CEQA documents have defined wetlands whenever one attribute is present, leading to shallow depressions, shallow ephemeral depressions, seasonal volcanic seeps, and former cattle stock ponds all being identified as wetlands. Where a project proposes removal of an isolated wetland, Napa County has required a minimum 1:1 replacement approved by the Army Corps of Engineers. To avoid indirect impacts to all other wetlands, the County has required minimum 50-foot avoidance buffers around each wetland, which include a 24-foot vegetated turnaround avenue and a 26-foot undisturbed filter strip. On a case-by-case basis the County has also increased a 50-foot buffer by an additional 25 or 50 feet to provide additional protection to threatened or endangered species or mitigate other potentially significant environmental impacts. This is but one example of how Napa County has consistently taken an evidence-based approach to environmental protection that regularly results in requirements that exceed the minimum standards.

If the Board wishes to impose a mandatory setback on all County wetlands (see below), it may wish to define wetlands as those areas having two or more of the attributes identified above.

There are three options regarding this question. (A) Continue the status quo of using the federal definition in County CEQA documents. (B) Amend the County Code to reference specifically the federal definition. (C) Create a new wetlands definition, using the Sonoma County Code as a model.

To provide consistency between the County Code and County CEQA documents, staff recommends option B.

4. Is there a need for greater wetland setbacks?

The 50-foot minimum buffer currently imposed by County CEQA documents appears sufficient to protect wetlands, avoid human disturbance, and remove sediments, nutrients, and other pollutants. The Environmental Law Institute's "Planner's Guide to Wetland Buffers for Local Governments" (2008) states "[d]epending on site conditions, much of the sediment and nutrient removal may occur within the first 15-30 feet of the buffer."

With regard to 100-foot setbacks, the Guide states that buffers of 30-100 feet remove pollutants more consistently, and buffers greater than 50 feet showed fewer signs of human disturbance. As noted above, the County has imposed a 75- or 100-foot buffer around specific wetlands to provide additional protection to threatened or endangered species or mitigate other potentially significant environmental impacts.

Staff is not aware of any authority for a 150-foot setback, especially applied on a one-size-fits-all basis to all areas of the County that meet the definition of a wetland. As an alternative, the Board could direct staff to impose a 100- or 150-foot setback on a case-by-case basis, where the CEQA review shows that a greater setback is warranted based on the ecological value of the wetland, the project at issue, or other site-specific facts and potential impacts.

Three options have been proposed regarding this question. (A) Amend the County Code to require a minimum 50-

foot setback from all wetlands (as defined in No. 4 above). (B) Create a new minimum setback of 100 feet from wetlands. (C) Create a new minimum setback of 150 feet from wetlands.

Staff believes the existing minimum 50-foot setback is adequate to remove contaminants from planting and structures before water enters wetlands, and recommends option A. If the Board wishes to impose a greater mandatory setback on all County wetlands, it may wish to define wetlands as those areas having two or more of the attributes identified above (as described in No. 4 above).

5. How should streams be defined?

The Conservation Regulations define "stream" as any of the following:

1. A watercourse designated by a solid line or dash and three dots symbol ("blue line streams") on the largest scale of the United State Geological Survey maps most recently published, or any replacement to that symbol;
2. Any watercourse which has a well-defined channel with a depth greater than four feet and banks steeper than 3:1 and contains hydrophilic vegetation, riparian vegetation or woody-vegetation including tree species greater than ten feet in height;
3. Those watercourses listed in Resolution No. 94-19 and incorporated herein by reference. (Specifically, Adams, Bear Canyon, Bell Canyon, Burton, Butts Valey, Chiles, Conn, Cyrus, Dry, Dutch Henry, Dyer, Garnett, Hardin, Huichica, James, Maxwell, Mill, Montgomery, Moore, Murphy, Napa, Nash, Pickle, Pope, Rector, Redwood, Ritchie, Sage, Soda Canyon, St. Helena, Sulphur, Suscol, Swarz, Trout, Troutdale, Tulocay, Upper Sarco, Van Ness, Wooden Valley, Wragg, and York Creeks.) A map of blue line streams within Napa County is provided in Attachment F.

The primary purpose of the Conservation Regulations is to reduce erosion and sediment transport in local waterways. The current stream definition accomplishes that purpose by focusing on channel definition. It has been suggested that the County should instead rely upon the Strahler stream classification system, which looks at streams as a hierarchy starting from the source or headwaters. This system focuses on both geo-morphology as well as biological function. In general, streams are classified under this system as follows:

- 1 Class I: Major permanently or intermittently flowing waterway (e.g. river or major creek); habitat of a threatened fish species or 'critical habitat'.
- 1 Class II: Permanent or intermittent stream, creek or waterway with clearly defined bed and banks with semi-permanent to permanent waters in pools or in connected wetland areas. Marine or freshwater aquatic vegetation is present. Known fish habitat and/or fish observed inhabiting the area.
- 1 Class III: Waterway with intermittent flow and potential refuge, breeding or feeding areas for some aquatic fauna. Semi-permanent pools form within the waterway or adjacent wetlands after a rain event. Otherwise, any minor waterway that interconnects with wetlands or recognized aquatic habitats.
- 1 Class IV: Waterway with intermittent flow following rain events only, little or no defined drainage channel, little or no flow or free standing water or pools after rain events (e.g. dry gullies or shallow floodplain depressions with no permanent aquatic flora present).

The primary difference between the two definitions is in the Class III streams. Napa County's definition does not currently include such waterways, although they are determined by biological studies submitted by the applicant (and reviewed by County staff and consultants) as a part of the CEQA process and appropriate protections including buffers are required as a part of permit approval.

Three options have been proposed regarding this question. (A) Continue the status quo with no change in the current definition. (B) Amend the County Code to include language equivalent to Class 3 streams in the definition

of streams. (C) Amend the County Code to substitute the definitions of Class 1, 2 and 3 streams for the current language.

Staff believes that adding the Class 1, 2, and 3 definitions to the County Code would create unnecessary duplication and regulatory confusion. However, the existing definition does not clearly include Class 3 streams, so staff recommends option B.

6. Is there a need for greater stream setbacks?

County Code Section 18.108.025 prohibits the construction of main or accessory structures, earthmoving activity, grading or removal of vegetation or agricultural uses within the stream setback areas established below, unless the activities are specifically permitted, are exempt, or are authorized by the granting of an exception in the form of a use permit:

- | Slope of less than 1 percent – 35 feet setback
- | 1% to 5% slope – 45 foot setback
- | 5% to 15% slope – 55 foot setback
- | 15% to 30% slope – 65 foot setback
- | 30% to 40% slope – 85 foot setback
- | 40% to 50% slope – 105 foot setback
- | 50% to 60% slope – 125 foot setback
- | 60% to 70% slope – 150 foot setback

If new planting or construction is prohibited on slopes of 30% or greater, as discussed in No. 1 above, then the largest setback needed to protect streams under the current regulations would be 65 feet.

The Strahler system described in No. 5 above has the following setbacks:

- | Class 1 stream – 125 foot setback
- | Class 2 stream – 75 foot setback
- | Class 3 stream – 35 foot setback

As part of the existing CEQA review process for ECPs, a biological study is required to determine the presence of any Class 3 streams. When such streams are present, a minimum 35-foot buffer is established. Setbacks may be greater where there are sensitive species, water quality concerns, or other potential environmental impacts.

In No. 5 above, staff recommends that the existing definition of streams be amended to include language equivalent to a Class 3 stream. If that option is directed by the Board, then it would be appropriate to require a 35-foot setback from waterways that meet the definition.

Three options have been proposed regarding this question. (A) Continue the status quo of a varying setback based on the surrounding slope. (B) Amend the Code to create a specific setback of 35 feet from Class 3 equivalent streams. (C) Amend the Code to create setbacks based on Class 1, 2 and 3 stream.

To provide consistency between the County Code and County CEQA documents, staff recommends option B.

7. How should trees be defined?

County Code Section 18.108.030 defines tree canopy as follows: "Vegetation canopy cover" means the crown area of a stand of trees (i.e., upper-story vegetation) in a natural stand of vegetation. For the purposes of this chapter,

canopy cover is the collective cover of a grouping of trees viewed from an aerial photograph of the latest edition on file with the department, where the tree stand is continuous. Single trees are not considered canopy cover.

Currently, tree canopy cover includes commercial timber, as well as non-native species. Although the County's ability to regulate the conduct of timber operations is pre-empted by the Forest Practice Act, commercial timber trees are counted towards the 60% tree canopy retention rate required under the County Code. Staff believes this is appropriate, particularly when a proposed vineyard project includes a Timber Conversion Permit (TCP) application to convert commercial timber to a non-timber use such as agriculture.

The definition of trees used in canopy cover also potentially include non-native species. As indicated in the code section cited in No. 8 below, the reference point for canopy cover is the baseline shown in 1993 aerial photos. It is not feasible to determine the type of species from older data, so all tree canopy is counted.

Three options have been proposed regarding this question. (A) Continue to use the current definition of "vegetation canopy cover." (B) Amend the County Code to exclude non-native species and/or commercial timber from the definition. (C) Amend the County Code to include non-native species and commercial timber within the definition.

Staff believes the existing definition to be adequate and recommends option A.

8. Should there be an increase in the percentage of tree canopy retained?

Tree canopy protection can be done within the context of the existing Conservation Regulations or as a separate tree ordinance.

Code Section 18.108.027 of the County Code currently requires that a minimum of 60% of the tree canopy cover on the parcel existing on June 16, 1993, within municipal watersheds shall be maintained as part of any use involving earth-disturbing activity. Two or more contiguous parcels held and maintained under common ownership or legal control at the time the plan is submitted may be considered treated as one holding for purposes of compliance with the vegetation retention requirements in this section; provided that they meet certain criteria.

El Dorado County's General Plan takes a somewhat different approach, increasing the rate of retention when the existing percentage of trees is reduced. Policy 7.4.4.4 has an option that allows a sliding scale of canopy retention, based on the amount of existing canopy, as follows:

- | Existing Canopy of 80% to 100% - Retain 60%
- | Existing Canopy of 60% to 79% - Retain 70%
- | Existing canopy of 40% to 59% - Retain 80%
- | Existing canopy of 20% to 39% - Retain 85%
- | Existing canopy of 1% to 19% - Retain 90%

The 2016 California Forest Practice Rules, issued by the Board of Forestry, have several standards for tree canopy retention, depending on the goal to be achieved. Functional foraging habitat and functional roosting habitat are defined as having at least 40% tree canopy coverage. Functional nesting habitat requires a tree canopy coverage of at least 60%. For a Timber Harvest Plan (THP), at least 30% of the canopy has to be retained on parcels less than 40 acres, and at least 50% of the canopy has to be retained on parcels between 40 and 160 acres. A minimum of 40% tree canopy coverage is required for a THP involving fire fuel hazard reduction.

As noted elsewhere in this report (at the beginning of this section, and Nos. 10 and 11 below), the percentage of tree canopy retention when combined with mitigation ratios and mitigation location can have a significant effect on the amount of land available for vineyard planting.

Three options have been proposed regarding this question. (A) Continue the status quo of requiring that 60% of the tree canopy be retained within municipal watersheds. (B) Amend the County Code to extend the 60% tree canopy retention requirement throughout the unincorporated area. (C) Amend the County Code to increase the tree canopy retention rate to between 65% and 85%, applied throughout the unincorporated area, including the municipal watersheds.

Staff believes that the environmental benefits currently enjoyed by the municipal watersheds should be applied throughout the unincorporated area, and recommends option B.

9. Should there be an increase in the percentage of shrub canopy retained?

County Code Section 18.108.030 of the County Code defines shrub canopy as follows: “Vegetation understory’ means shrub or brush vegetation within a natural stand of vegetation that commonly grows to a height below established tree levels, and also includes associated annual and perennial herbaceous vegetation.”

Section 18.108.027 of the County Code requires that a minimum of 40% of the shrub, brush and associated annual and perennial herbaceous vegetation within municipal watersheds shall be maintained as part of any use involving earth-disturbing activity. Two or more contiguous parcels held and maintained under common ownership or legal control at the time the plan is submitted may be treated as one holding for purposes of compliance with the vegetation retention requirements in this section.

Although shrubs and grasslands do not receive as much attention as forested land in Napa County, they contain a far greater diversity of plant and animal wildlife, particularly sensitive and endangered species. If additional protections are put in place to protect forests, and there remains strong demand to develop additional vineyards, the pressure is likely to result in a greater rate of shrub and grassland loss. As indicated earlier in the report, more than twice as many acres of shrub and grassland have been lost when compared to forest in Napa County since 2005. That trend is likely to continue and may increase depending on the range of actions taken by the County to further protect watersheds.

Three options have been proposed regarding this question. (A) Continue the status quo of retaining 40% of the shrub canopy within municipal watersheds. (B) Amend the County Code to extend the 40% shrub canopy retention throughout the unincorporated area. (C) Amend the County Code to retain 40% shrub retention within the municipal reservoir watersheds and require between 20% and 40% shrub canopy retention in the remainder of the unincorporated area.

Staff believes that the environmental benefits currently enjoyed by the municipal reservoir watersheds should be applied throughout the unincorporated area, and recommends option B.

10. Should the existing minimum 2:1 tree mitigation preservation ratio be increased?

Currently, tree mitigation is required at a minimum 2:1 ratio, consistent with General Plan policies CON-17 and CON-24.

The Board of Supervisors adopted the Napa County Voluntary Oak Woodland Management Plan on October 26, 2010, to implement General Plan Action CON NR-7. The Plan references General Plan Policy CON-24 in calling for a 2:1 oak replacement ratio.

Many jurisdictions require oak trees to be mitigated at a 2:1 ratio, though some have increased their requirement to 3:1, including Fresno and Santa Barbara Counties, and CalTrans. For large heritage oaks, El Dorado County and the Cities of Rocklin, Folsom, and San Jose require as high as 5:1 mitigation.

It should be noted that the interaction between tree canopy retention rate and whether mitigation can occur on- or off-site may play a larger role working in combination than the mitigation ratio. For instance, assume a parcel with 20 acres of developable forest. With a 3:1 mitigation ratio, the assumption would be that 5 acres could be planted and 15 acres preserved. But if there is an 85% tree canopy retention requirement, the amount of potential vineyards is reduced to 3 acres and 17 acres would have to be protected, resulting in an actual mitigation ratio of nearly 7:1.

Three options have been proposed regarding this question. (A) Amend the County Code to require 2:1 mitigation. (B) Amend the County Code to increase the mitigation ratio to 3:1, and allow the use of 30% or greater slopes and stream setbacks for use as mitigation. (C) Amend the County Code to increase the mitigation ratio to 3:1, and exclude the use of 30% or greater slopes and stream setbacks for use as mitigation

To provide consistency between the County General Plan and County CEQA documents, staff recommends option A.

11. Should mitigation be restricted to on-site or allowed off-site?

General Plan Policy CON-28 states: "To offset possible additional losses of riparian woodland due to discretionary development projects and conversions, developers shall provide and maintain similar quality and quantity of replacement habitat or in-kind funds to an approved riparian woodland habitat improvement and acquisition fund in Napa County. While on-site replacement is preferred where feasible, replacement habitat may be either on-site or off-site as approved by the County."

The County currently practices a tiered approach. Mitigation occurs first on developable land on-site. Where that is insufficient (in whole or in part), mitigation occurs in a combination of ways including a reduction in project size, and off-site mitigation for habitat of same or better quality, within the same watershed. Where that is not feasible, mitigation occurs within Napa County where there is public benefit. This process allows mitigation to be located as close to the impact as possible, while allowing for limited vineyard development.

As noted elsewhere in this report (at the beginning of this section and No. 10 above), the ability to mitigate on- or off-site can have a significant effect on the amount of land available for vineyard planting. If mitigation is limited on-site, then where it is allowed on-site becomes another key factor. Currently, forests within stream setback areas and on slopes of more than 30% or greater are allowed to be used for mitigation purposes. Since slopes of 30% or greater may be developed with a Use Permit, there is a nexus or rationale for prioritizing their protection. If the Board directs that vineyard development be prohibited on slopes of 30% slope or greater, than the basis for their use as mitigation would be lost as they would already be protected. This, in turn, would constrain the amount of vineyard that could be planted within a project area.

Three options have been proposed regarding this question. (A) Amend the County Code to include the tiered approach, which allows off-site mitigation, as currently used in County CEQA documents. (B) Amend the County Code to allow off-site mitigation with 3:1 or higher ratio. (C) Prohibit off-site mitigation.

To provide consistency between the County Code and County CEQA documents, staff recommends option A.

12. When should an ordinance become effective and to whom should it apply?

A land use ordinance would normally become effective thirty (30) days from and after the date of passage, and would apply to all regulated parcels and projects unless the Board includes language creating a transition period or exemption for complete applications that have expended resources in reliance on current requirements. Presently, the County has 29 complete pending applications for erosion control permits (see Attachment G). These applications were submitted between October 2014 and January 2019, and cover 752.5 gross acres of

land. Several of these projects are the subject of draft environmental impact reports that have been circulated to the public for comment and likely would need to be revised in response to an approved ordinance, if the ordinance was applied to pending applications that have been deemed complete, which represents a potentially significant expense to applicants.

Three options have been proposed regarding this question. (A) Set a future effective date in the ordinance, thus creating a transition period for potential applicants. (B) Make the ordinance effective thirty (30) days after passage, and apply it to new and existing incomplete applications. (C) Direct that the ordinance apply to all pending and new applications after the effective date.

To promote fairness and avoid changing the rules mid-stream for existing complete applications, staff recommends option B.

13. **Should current exemptions be applied to new requirements, and should there be additional exemptions?**

The Code currently contains several types of exemptions that may be applied to the new requirements.

- a. Fuel management and firebreaks: The Code exempts the creation and maintenance of firebreaks required by and completed under CalFire direction. (County Code Section 18.108.050.H.) There are two options regarding this issue. (A) Continue to exempt fuel management and fire prevention measures from the requirements of the new ordinance. (B) Require that fuel management and fire prevention measures be subject to the new ordinance. Subjecting the removal of downed, dead or diseased trees and other fuel management practices to the new ordinance could potentially pose a significant threat to public safety due to the timeframe to process a permit for these activities and the additional discretionary review required by CEQA. Given the traumatic impact of the 2017 wildfires and the statewide importance of proper fuel management and fire prevention measures, staff recommends option A.
- b. Healthy forest management practices: The Code currently exempts clearing of vegetation and grading authorized by a state timber harvesting permit where erosion control measures are included in the project, but not projects that include a state timber conversion permit. (County Code Section 18.108.050.I.) There are two options regarding this issue. (A) Continue to exempt forest management practices from the requirements of the new ordinance, including removal of downed, diseased, or dead trees; reducing threats to public safety; and alleviating hazardous conditions or public nuisances. (B) Require that forest management practices be subject to the new ordinance. Staff recommends option A to reduce threats to public safety and avoid hazardous and dangerous conditions.
- c. Fire rebuild structures: The County Policy Manual states that fire rebuild structures are not subject to new road or wastewater requirements, if they do not exceed 125% of the legal footprint of the destroyed structure. There are two options regarding this issue. (A) Exempt residential fire rebuild permits from the new ordinance if they do not exceed 125% of the legal footprint of the destroyed structure. (B) Require fire rebuild structures to be subject to the new ordinance. Consistent with County policy and practice regarding fire rebuild structures, staff recommends option A.
- d. Vineyard replants: For replants with the same vineyard footprint, the Code currently exempts replants of less than one acre, exempts replants from stream setback requirements, and exempts replants from slope limitations subject to approval of an erosion control plan or vineyard replanting program. There are two options regarding this issue. (A) Continue to exempt replants within the same footprint from the requirements of the new ordinance. (B) Require vineyard replants within the same footprint to be subject to the new ordinance. Consistent with past County policy and practice regarding vineyard replants, staff recommends option A.
- e. Small vineyard exemption: The Regional Water Quality Control Board currently exempts from Waste Discharge requirements new vineyards of less than 5 acres and on slopes of less than 30%. The County CEQA Guidelines state that creation of a vineyard of 5.5 acres or less qualifies for a categorical exemption,

and the State Forest Practice Rules exempt timberland conversions of less than 3 acres from Timber Conversion Plan requirements. There are two options regarding this issue. (A) Exempt from the new ordinance one new vineyard of 5 acres or less per legal lot. (B) Require all new vineyards to be subject to the new ordinance. Staff recommends option B in recognition and in combination with the other recommendations set forth above, which attempt to create thoughtful evidence- and science-based requirements on new vineyards and other development.

Proposed Schedule

Pursuant to direction by the Board of Supervisors on January 15, 2019, to move quickly in addressing these issues, staff proposes the following draft implementation schedule:

- | January 15, 2019 Public Hearing: Board approval of Strategic Plan and direction on implementation of Watershed Protection
- | January 29, 2019 Public Hearing: Board workshop and direction to staff
- | February 6, 2019 Release of draft ordinance for public review
- | February 20, 2019 Public Hearing: Planning Commission recommendation on draft ordinance
- | February 27, 2019 Public Hearing: Special Planning Commission meeting (if needed)

This schedule provides multiple opportunities for the public to submit their comments.

SUPPORTING DOCUMENTS

- A . Attachment A - Regulation Comparison Table
- B . Attachment B - Options and Staff Recommendations
- C . Attachment C - Map of 30% Slopes or Greater
- D . Attachment D - Map of Municipal Reservoir Watersheds
- E . Attachment E - Map of National Wetland Inventory
- F . Attachment F - Map of Blue Line Streams
- G . Attachment G - Pending ECPA Project List

CEO Recommendation: Approve

Reviewed By: Leigh Sharp