

PROPOSED AMENDMENTS TO THE CONSERVATION AND OPEN SPACE ELEMENT OF THE TUOLUMNE COUNTY GENERAL PLAN

CHAPTER 4: NATURAL RESOURCES CONSERVATION AND OPEN SPACE ELEMENT

INTRODUCTION

Conservation is the planned management of natural resources so that they will be sustained for the use and enjoyment of future generations. To ensure the protection of the public's interest in conserving natural resources, the State Legislature adopted Government Code Section 65560 which established the criteria for open space to be addressed in the mandatory Open Space Element of a General Plan. The Legislature expanded on this need to manage the State's resources by requiring all General Plans to include a Conservation Element to address the "conservation, development and utilization of natural resources, pursuant to Section 65302(d) of the Government Code."

Because the management of open spaces is directly tied to the management of natural resources, both the Conservation Element and Open Space Element are frequently combined into a single General Plan element. To insure the maximum coordination between the management and use of natural resources and open spaces in Tuolumne County, these two required elements are combined in this Natural Resources Conservation and Open Space Element. (BOSPC)

"Open Space" lands addressed in this Element include open space for the preservation of natural resources, open space used for the managed production of resources, social-use open spaces and open space for public health and safety. Natural resources considered in this Element include water, forests, soils, fisheries, wildlife, plants, energy, minerals and viewsheds. Water resources are considered in the Water Element in Chapter 18 of this General Plan.

Section 65564 of the Government Code requires that an action plan be adopted for the required open space element and the action plan must contain specific programs intended to implement that element. The implementation programs contained herein constitute the State mandated action plan.

GOALS, POLICIES AND IMPLEMENTATION PROGRAMS

TIMBERLAND RESOURCES

The purpose of the Timberland Resources portion of the Conservation Element is to establish policies and implementation programs to promote the stability and productivity of the County's timberlands and timber related industries. This section is intended to provide clear guidelines for land use decisions in timberland areas and express policies that promote and protect the current and future needs of Tuolumne County's timberland resources.

GOAL 4.A **Encourage the conservation and management of timberlands through incentive programs while conforming with California forest practice law.**

Policies

- 4.A.1 Encourage retention of existing, and management of new timberlands by continuing to provide tax incentives to timberland owners, such as Timberland Production (TPZ) zoning ~~or Williamson Act land conservation contracts~~, or other State or Federal incentive programs that may be offered to conserve timberlands.
- 4.A.2 Encourage owners of timberlands which do not qualify for property tax incentives, ~~such as Timberland Production (TPZ) zoning~~, to continue timber production through such incentives as recognition programs, or other local, State or Federal incentive programs that may become available.

Implementation Programs

- 4.A.a Provide Tax Incentives for Timberland Conservation
- Continue to provide tax incentives for the conservation of timberlands, such as Timberland Production (TPZ) zoning, ~~Williamson Act land conservation contracts~~ and other State or Federal incentive programs that may be offered for timberland conservation.

GOAL 4.B Minimize the potential for conflicts between timberland and non-timber related uses.

Policies

- 4.B.1 Discourage the development of incompatible land uses on lands adjacent to commercial timberlands.
- 4.B.2 Provide a mechanism to disclose the existence of, or potential for, timber related land uses to the buyers of land adjacent to timberlands.

Implementation Programs

- 4.B.a Reduce Conflicts Between Timber Activities and Non-timber Related Uses
- Reduce potential conflicts between timber management activities and non-timber related land uses by encouraging the development of new non-timberland uses on land adjacent to commercial timberlands be sited away from common boundaries with the timberlands. Allow flexibility in development regulations so that the overall density of the proposed development project can be concentrated in the portion of the parcel away from the timberland boundary.
- 4.B.b Discourage Incompatible Land Uses on Lands Adjacent to Timberlands
- Encourage the siting of proposed new urban residential development (HDR, MDR, LDR and MU land use designations) on land that is not adjacent to commercial timberlands.
- 4.B.c ~~Clarify~~ Maintain Right to Farm Ordinance Relative to Timber Management
- ~~Clarify~~ Maintain Chapter 5.20 of the Tuolumne County Ordinance Code, the Right to Farm Ordinance, so that it clearly includes timber management and harvesting activities within protected agricultural uses, in order to protect these timber activities, as well as the growing of timber.

1. ~~Include~~ Maintain the "management and harvesting of timber" as an agricultural use in Section 5.20.030 of this ordinance to prohibit an existing timber management activity from being declared a nuisance when land uses in the surrounding areas change and a conflict arises, and
2. ~~Include~~ Maintain the "management and harvesting of timber" as an agricultural use in Section 5.20.040 of this ordinance to require a notice to purchasers of real property filing any grant deed or land sale contract with the County Recorder that discloses the potential for timber management activities in their area, and that normal timber practices may involve operations that inconvenience local residents or generate dust, smoke, noise, lawful and proper use of chemical pesticides and herbicides, and truck traffic, and that adjacent landowners should be prepared to accept such inconveniences or discomforts as a normal and necessary aspect of living in Tuolumne County which has a strong rural character and a healthy timber sector.
3. Clarify ~~Maintain the grievance procedures in that~~ Chapter 5.20 of the Tuolumne County Ordinance Code ~~also applies to timber harvesting and management activities for the grievance procedures outlined in the ordinance and heard by the Agricultural Advisory Committee to resolve disputes concerning timber operations.~~

GOAL 4.C Encourage well planned timber related uses in commercial timberland areas.

Policies

- 4.C.1 Encourage local timber production by ~~expanding the~~ considering the expansion of permitted uses in the Timberland Production Zone (TPZ) district and other zoning districts which permit timber operations to include facilities which are integrally related to the growing, harvesting and processing of forest products.
- 4.C.2 Support the timber industry by considering the expansion of conditionally permitted uses in the Timberland Production (TPZ) zoning district and agricultural zoning districts ~~compatible with Williamson Act land conservation contracts~~ to include timber support services or timber compatible uses.

Implementation Programs

- 4.C.a Amend Land Use Regulations to Expand Permitted Timber Related Uses

~~Amend Title 17 of the Tuolumne County Ordinance Code, the Uniform Zoning Ordinance, and the County's Williamson Act regulations to add logging roads, log landings and log storage areas, parking areas, turn-arounds and fire safety clearance areas to the list of permitted uses and facilities which are integrally related to the growing, harvesting and processing of forest products on land under Williamson Act land conservation contracts and add parking areas, turn-arounds and fire safety clearance areas as permitted in the Timberland Production (TPZ) zoning district.~~ Consider expanding the permitted uses in the Timberland Production (TPZ) zoning district and agricultural zoning districts to include facilities which are integrally related to the growing, harvesting and processing of forest products.
- 4.C.b Expand Timber Related Conditional Uses in Zoning Ordinance ~~and Williamson Act Regulations.~~

Consider expanding the conditionally permitted uses in the Timberland Production (TPZ) zoning district; and agricultural zoning districts ~~compatible with Williamson Act land~~

~~conservation contracts and the County's Williamson Act regulations~~ to include timber support services or timber compatible uses.

Responsibility for Programs: Responsibility for administration and implementation of forest management and practices is solely the responsibility of the California State Board of Forestry. Administration of the Implementation Programs listed in this section is the shared responsibility of the Board of Supervisors, Community Resources Agency Planning Department and Assessor's Office with the Community Resources Agency Planning Department serving as the primary administrator.

Funding Sources: Administration of Implementation Programs listed herein will be funded through the County's General Fund.

Time Frame for Implementation: The target date for implementation of the programs listed in this section related to amendments to the County's development regulations is Fiscal Year 2017-2018 and provision of public information is FY 97-98; all other programs are ongoing.

MINERAL RESOURCES

This Section of the ~~Natural Resources Conservation and Open Space~~ Element describes the County's policies for the conservation and development of mineral resources. (BOSPC)

GOAL 4.D Support existing and intermittently operating, and promote new, commercial mining operations within areas suitable for mineral extraction when compatible with adjacent land uses.

Policies

4.D.1 Map the significant mineral lands classified Mineral Resource Zone 2 (MRZ-2) by the California Department of Conservation Division of Mines and Geology, and target those most appropriate for conservation and possible extraction. To be targeted for conservation and possible extraction, the significant classified mineral lands must be considered as to their location, relationship to their surrounding land uses, and economic viability under a set of established criteria. Those lands which meet the County's criteria will be designated as Mineral Preserve (-MPZ) overlay on the General Plan Land Use Diagrams. Lands not targeted for conservation and possible extraction can still be considered for mineral extraction and mining activities through the process established by the Surface Mining and Reclamation Act and [Chapter 8.20 of](#) the Tuolumne County Ordinance Code. ~~[Resolution 25-99 adopted February 23, 1999]~~

Implementation Programs

4.D.a Create and Maintain Mineral Resources Maps and Database

Create and maintain Mineral Resources Maps and a database to reflect existing and new geologic information provided by the California Department of Conservation California Geological Survey, to recognize significant mineral resources classified by the State under their Statewide mineral classification study program. Update the Mineral Resources Maps to reflect changes made by the California Geological Survey.

4.D.b Identify Classified Areas on the Mineral Resources Maps

Identify on the Mineral Resources Maps the following areas, which have been classified as having significant mineral deposits based upon a study approved by the State Mining and Geology Board pursuant to the State Mining and Reclamation Act of 1975. These lands and all other lands so classified in the future will be mapped on the Mineral Resources Maps:

1. The Southern Half of the Bald Mountain/ Browns Flat Gold Mining District has been classified ~~by the~~ [as](#) State Mineral Resource Zone-2 (MRZ-2b) (Refer to Division of Mines and Geology Report 86-12 SAC, July 11, 1986).
2. The Jamestown Mine property has been classified as State Mineral Resource Zone (MRZ-2a, MRZ-2b, and MRZ-3a) (Refer to Division of Mines and Geology Open File Report 91-04, May 1991).

3. Portions of the Rough and Ready Creek site have been classified as State Mineral Resource Zone (MRZ-2a and MRZ-2b) (Refer to Division of Mines and Geology Open-File Report 93-11, 1993).
4. Various properties with precious metals, carbonate rock, and concrete-grade aggregate resources have been classified as State Mineral Resource Zone (MRZ-2a, and MRZ-2b) (refer to Division of Mines and Geology Open-File Report 97-09, 1997).

~~[Resolution 25-99 adopted February 23, 1999]~~

4.D.c Identify Targeted Mineral Lands

Any classified mineral lands which meet the following criteria will be designated as Mineral Preserve (MPZ) overlay on the General Plan Land Use Diagrams:

1. The property has been classified by the State Mining and Geology Board as Mineral Resource Zone (MRZ-2a or MRZ-2b) under the State Classification System, as shown in Figure 4.1.
2. The property is not within 1,000 feet of the City of Sonora or any of the boundaries of each existing or new defined community.
3. Within 1,000 feet of the property there is no property zoned as an urban level residential zoning district.
4. Within 1,000 feet of the property there is no property designated as any one or a combination of the following: HDR, MDR, LDR, ER, NC, GC, HC, SC or MU by the General Plan.
5. No reservoirs that are used as drinking water supplies are within 1,000 feet of the property.
6. The property has not been designated as a County landmark, such as Table Mountain, by Implementation Program 9.D.d or other sections of the Tuolumne County General Plan, or listed on the Tuolumne County Register of Cultural Resources; with the exception of historic mining resources.
7. There are no known high occupancy structures¹, such as schools, health care facilities, skilled nursing facilities, residential care homes, hotels or motels within 1,000 feet of the property.
8. The property must be within one (1) mile of a State Highway, Federal Aid System (FAS) road, railroad, or arterial or collector road as designated by the Circulation Element of the General Plan.
9. After application of the above criteria, all areas comprised of one or several properties which remain and constitute a total area of less than 37 acres in size, shall be excluded.

¹

For the purpose of this program, high occupancy structures are defined as those housing more than six persons in the case of skilled nursing homes and residential care homes, featuring more than six guest rooms in the case of hotels and motels, and providing facilities for more than six students in the case of schools and six patients in the case of health care facilities.

10. All operating or permitted mining operations which have approved reclamation plans that have been classified by the State Mining and Geology Board as Mineral Resource Zone (MRZ-2a or MRZ-2b) under the State Classification System shall be designated as Mineral Preserve (-MPZ) overlay on the General Plan Land Use Diagrams, notwithstanding any of the previous criteria which would otherwise exclude the property from that designation.

~~[Resolution 188-98 adopted September 1, 1998; [Resolution 25-99 adopted February 23, 1999]]~~

4.D.d Maintain and update the GIS Database for Geological and Mineral Resources

Maintain and update the database on the Tuolumne County Geographic Information System (GIS) to centralize known geological and mineral resource information. Geological data gathered in the preparation of the Geologic Hazards Section of the Safety Element of the General Plan, as well as State classified mineral resources, will be available in the database. The data generated by the required geologic and geotechnical studies in the various mineral resource zones will supplement the basic information. The database will serve as a convenient way to eliminate duplication of studies, facilitate future studies, and be used to maintain and update the Geologic, Mineral Resources and Geotechnical Interpretive Maps.

GOAL 4.E Conserve the County's mineral resources for future use by encouraging well-planned, compatible uses in and adjacent to significant mineral lands and by reclaiming lands that have been disturbed by mining activities.

Policies

- 4.E.1 Protect lands classified as significant Mineral Resource Zone-2 (MRZ-2) by the State Department of Conservation Division of Mines and Geology, and meeting the criteria established in the General Plan for Mineral Preserve (-MPZ) overlay, from conflicts, such as incompatible development on surrounding land, which might prevent future mining activities. ~~[Resolution 25-99 adopted February 23, 1999]~~
- 4.E.2 Reduce potential conflicts between mining operations and non-mining land uses by considering the provision of buffers between potentially incompatible uses. The provision of buffers shall be the responsibility of new development.
- 4.E.3 Enhance mineral resource lands after development through the reclamation process by requiring such lands to blend with the surrounding landscape.

Implementation Programs

4.E.a Consider Buffers Between Mining and Non-mining Land Uses

Consider buffer areas between extraction sites or mining operations and non-mining land uses. The buffer areas between newly permitted mining activities and existing non-mining land uses shall be provided on lands of the new mining site. The buffer areas between new non-mining development and existing mining operations shall be on lands proposed for such new development adjacent to the existing mining

operation. Mining operations which have been operated intermittently or considered idle shall be exempt from providing buffer areas at the time they are reactivated but may be subject to such buffer areas in conjunction with approval of permits for expansion of the operation. Creative solutions and flexibility should be encouraged in the creation of buffer zones. The designation of conservation easements, setbacks or open space zones for buffers shall not in any manner authorize trespass upon private property, or increase the right of public agencies to gain access to private property.

4.E.b Protect Existing Development

Existing development (commercial, residential and public facilities) as well as undeveloped private lands, shall be protected from adverse environmental effects caused by mining through appropriate mitigation measures.

4.E.c Notify Property Owners of Targeted Mineral Lands

The County shall use the Mineral Preserve (-MPZ) overlay on the General Plan Land Use Diagrams as a means to provide for the public awareness of the existence of significant mineral deposits and the potential for mining in that area.

4.E.d Reclaim Land After Mineral Extraction

Enhance mineral resource lands after development by reclaiming the land for future uses compatible with mineral extraction and mining operations and/or by landscaping with plants native to the local area and restoring natural habitats. The natural, undisturbed condition of each habitat type should be mimicked when creating or restoring plant or wildlife habitats and to aesthetically blend the reclaimed site into the surrounding area. [~~Resolution 25-99 adopted February 23, 1999~~]

4.E.e Require a Reclamation Plan for all Mining Operations

A reclamation plan, consistent with the State Surface Mining and Reclamation Act (SMARA) standards, is required for all mining operations. Reclamation shall:

1. Prevent, mitigate, or minimize adverse effects on the environment.
2. Encourage the production and conservation of minerals.
3. Provide for the protection and subsequent beneficial use of mined and reclaimed land.
4. Eliminate residual hazards to the public health and safety.
5. Ensure that mined lands are reclaimed on a timely basis to a usable condition that is readily adaptable for alternative land uses.
6. Avoid the environmental and legal problems created by improperly abandoned mines.

Responsibility for Programs: Administration of the Implementation Programs listed in this section is the shared responsibility of the Board of Supervisors and the Community Resources Agency Planning Division of the Community Development Department with the Community Resources Agency Planning Division serving as the primary administrator at the direction of the Board of Supervisors.

Funding Sources: Administration of the Implementation Programs listed herein will be funded through the County's General Fund, land development application fees and mine inspection fees.

Time Frame for Implementation: All programs are ongoing.

FIGURE 4.1

CALIFORNIA MINERAL LAND CLASSIFICATION DIAGRAM					
	AREAS OF IDENTIFIED MINERAL RESOURCE SIGNIFICANCE		AREAS OF UNDETERMINED MINERAL RESOURCE SIGNIFICANCE		AREAS OF UNKNOWN MINERAL RESOURCE SIGNIFICANCE
	Demonstrated	Inferred			
	Measured/ Indicated				
ECONOMIC	MRZ-2a Reserves	MRZ-2b Inferred Resources	MRZ-3a KNOWN MINERAL OCCURRENCE	MRZ-3b INFERRED MINERAL OCCURRENCE	MRZ-4 NO KNOW MINERAL OCCURRENCE
MARGINALLY ECONOMIC	MRZ-2a Marginal Reserves	MRZ-2b Inferred Marginal Resources			
SUB-ECONOMIC	MRZ-2B Demonstrated Subeconomic Resources	MRZ-2b Inferred Subeconomic Resources			
NON-ECONOMIC	AREAS OF NO MINERAL SIGNIFICANCE				
	MRZ-1				

ENERGY RESOURCES

This Energy Resources section of the ~~Natural Resources Conservation and Open Space~~ Element addresses conservation, development, and utilization of energy resources, such as hydropower, biomass, solar power and other energy resources. (BOSPC)

GOAL 4.F Encourage reduced consumption of energy, products and resources, by promoting recycling and reuse.

Policies

- 4.F.1 Encourage land uses which maximize the efficient use of energy and facilitate the use of renewable energy resources in order to reduce dependence on imported and non-renewable energy supplies.
- 4.F.2 Encourage the development of new and expansion of existing businesses which reuse products and materials, recycle waste materials or convert waste products to energy.
- 4.F.3 Encourage the recycling of products and materials and support the efforts of agencies, businesses and the general public to reduce the waste stream.

Implementation Programs

4.F.a Expedite Permits

Expedite all permits under the County's jurisdiction which are necessary for the development of energy generating facilities using renewable resources and enterprises which are engaged in other types of energy conservation programs, such as biomass co-generation facilities, businesses which utilize recycled products and materials, and recycling facilities.

4.F.b Participate in Recycling ~~Market Development Zone Program~~

Continue to ~~require franchise waste haulers to offer the Commingled Recycled System or a similar recycling program~~ ~~participate in the Recycling Market Development Zone program to provide opportunities for businesses which recycle or utilize recycled products and materials to participate in grant funding and marketing programs offered by the State.~~ require franchise waste haulers to offer the Commingled Recycled System or a similar recycling program

4.F.c Support Recycling Facilities

Support ~~the~~ existing, and encourage the development of new recycling facilities.

4.F.d Processing of Yard Debris

~~Identify a program for~~ Continue to offer a program for processing brush and yard debris in the County which avoids adverse impacts to energy consumption and generates a usable product, such as the Cal Sierra Earth Resource Facility. ~~Identification of such a program will be accomplished with a time frame which will allow the program to be implemented prior to~~

~~cessation of acceptance of wood and yard debris by Sierra Pacific Industries at their Standard sawmill.~~

GOAL 4.G Encourage reduced consumption of fossil fuel energy by promoting alternative transportation methods and encouraging pedestrian oriented development to reduce the use of motor vehicles.

Policies

4.G.1 Promote efficient use of traditional transportation systems, such as ride sharing, and alternative forms of transportation for the movement of the County's people, goods and visitors, such as bicycling or walking, to reduce consumption of fossil fuels.

4.G.2 Promote the concentration of new urban density residential development near major transportation corridors and transit routes and in proximity to community centers, major commercial areas and neighborhood commercial centers to facilitate use of alternative means of transportation.

Implementation Programs

4.G.a Encourage Public Transit and Non-Motorized Transportation

Encourage use of existing public transit and non-motorized transportation, such as bicycle and pedestrian facilities, and promote the expansion of these modes of transportation.

4.G.b Facilitate Non-motorized Travel Within and Between Communities

Designate areas on the General Plan land use ~~diagrams~~ ~~maps~~ for urban residential development near community centers, major commercial areas, neighborhood commercial centers, integrated mixed-use areas and other community facilities, such as schools and parks, and identify routes for non-motorized travel between defined communities to provide for travel by bicycle or foot, as well as automobile.

4.G.c Permit Park-and-Ride Facilities

~~Seek funding for park-and-ride facilities and develop, or support the development of such facilities, within the defined communities and permit~~ Permit park-and-ride facilities in commercial and industrial zoning districts, ~~and conditionally allow park and ride facilities in agricultural zoning districts in proximity to State Highways and the County's arterial roads.~~

GOAL 4.H Encourage development of ~~alternative~~ energy-producing facilities which conserve the County's ~~energy producing~~ natural resources.

Policies

4.H.1 Plan development so as not to preclude the future utilization of significant energy producing minerals or water resources necessary for hydroelectric facilities.

4.H.2 Encourage the use of solar power and other innovative energy sources as alternatives to more traditional forms of energy.

4.H.3 Support biomass energy facilities as an alternative to traditional forms of energy.

Implementation Programs

4.H.a Provide Information on Alternative Energy Sources

Assist landowners wishing to utilize solar power and other alternatives by offering information on the requirements for their use in building codes.

4.H.b Promote Energy Efficient Landscaping

Encourage the use of deciduous landscape trees near new development to provide shade during the hot summer months and allow solar warming during the cold winter months.

Responsibility for Programs: Administration of the Implementation Programs listed in this section is the shared responsibility of the Board of Supervisors and the Community Resources Agency, Planning Department, Department of Building and Safety and Department of Public Works.

Funding Sources: Administration of the Implementation Programs listed herein will be funded through the County's General Fund.

Time Frame for Implementation: ~~The target date for implementation of the programs listed in this section related to amending the County's development regulations and identifying a program for processing of yard debris is FY 97-98; all other~~ All programs are ongoing.

SCENIC RESOURCES

This Section of the ~~Natural Resources Conservation and Open Space~~ Element addresses the County's recognition of its scenic resources and measures to conserve these resources for enjoyment by its residents and visitors. (BOSPC)

GOAL 4.I **Conserve the scenic environment and rural character of the County which contribute to the quality of life of the County's residents and encourage tourism and economic development, while acknowledging the private property rights of the individual.**

Policies

- 4.I.1 Recognize that agricultural and timberlands have historically defined the rural character and scenic beauty of Tuolumne County.
- 4.I.2 Conserve the natural scenic quality and rural character along designated transportation routes in the County.
- 4.I.3 Conserve the natural scenic quality of hillsides and hilltops throughout Tuolumne County.
- 4.I.4 Support the efforts of individual communities which desire to promote the compatibility of new development with their historical character.
- 4.I.5 Conserve scenic resources, landmarks and the natural landscape.
- 4.I.6 Encourage voluntary efforts to protect clusters of native trees and outstanding individual native and non-native trees which help define the character of Tuolumne County.
- 4.I.7 ~~Signs will be regulated~~ **Regulate signs** in terms of size, location, height, construction, general appearance and safety in the County in order to improve the visual attractiveness and appeal of the County to new business, and to protect and enhance its visitor-serving and recreational activities.
- 4.I.8 Encourage and support voluntary efforts to conserve the County's scenic resources.

Implementation Programs

- 4.I.a Recognize Scenic Value of Agricultural and Timberlands

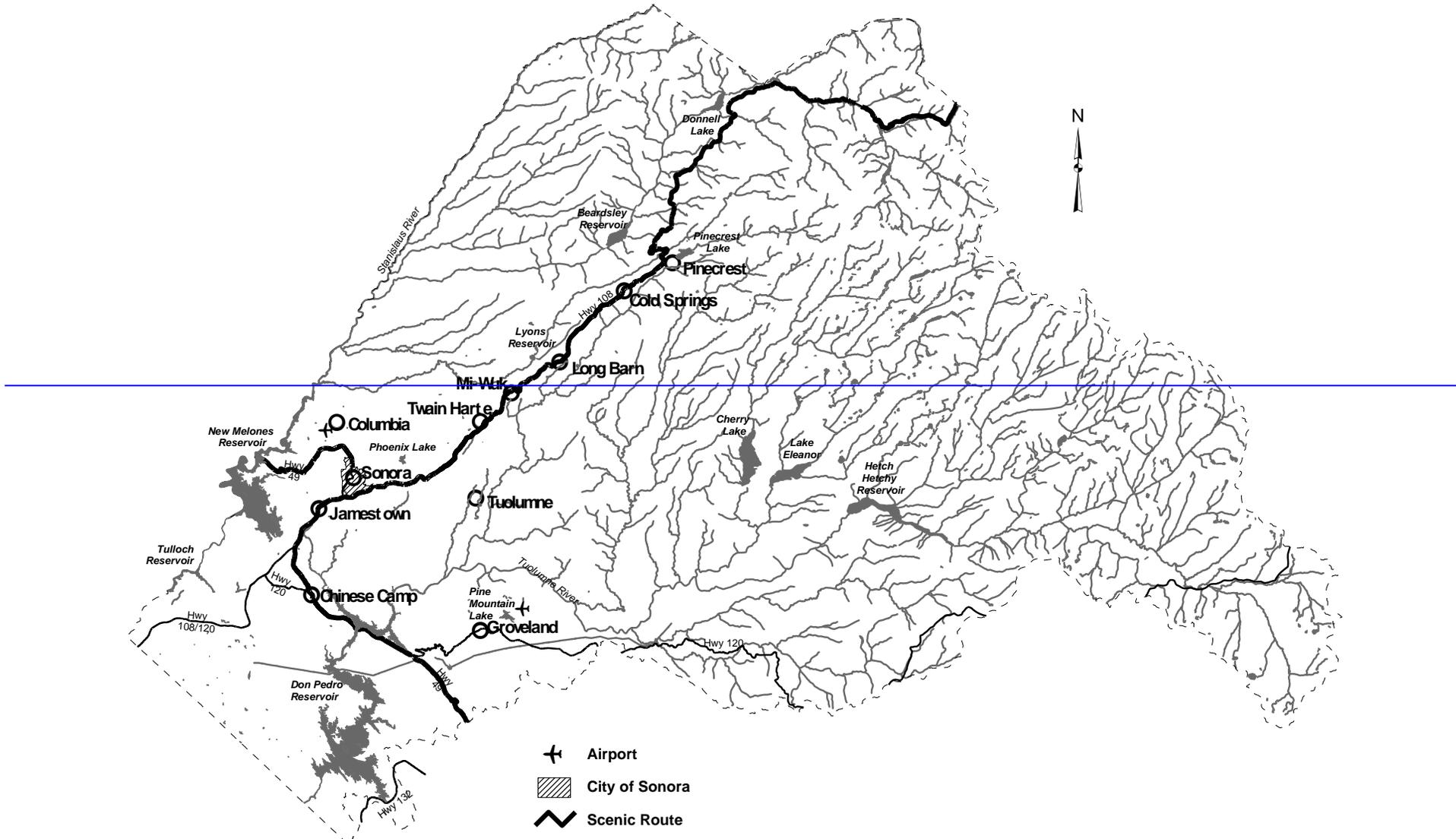
Recognize the scenic value of agricultural and timberlands by exempting lands designated on the General Plan land use ~~diagrams maps~~ as Timberland Production Zone (TPZ), or Agricultural ~~le~~ (AG) when the parcel is 37 acres or larger and supports an agricultural or residential land use or is vacant, from the County's programs for conserving scenic resources.
- 4.I.b Designate Scenic Routes

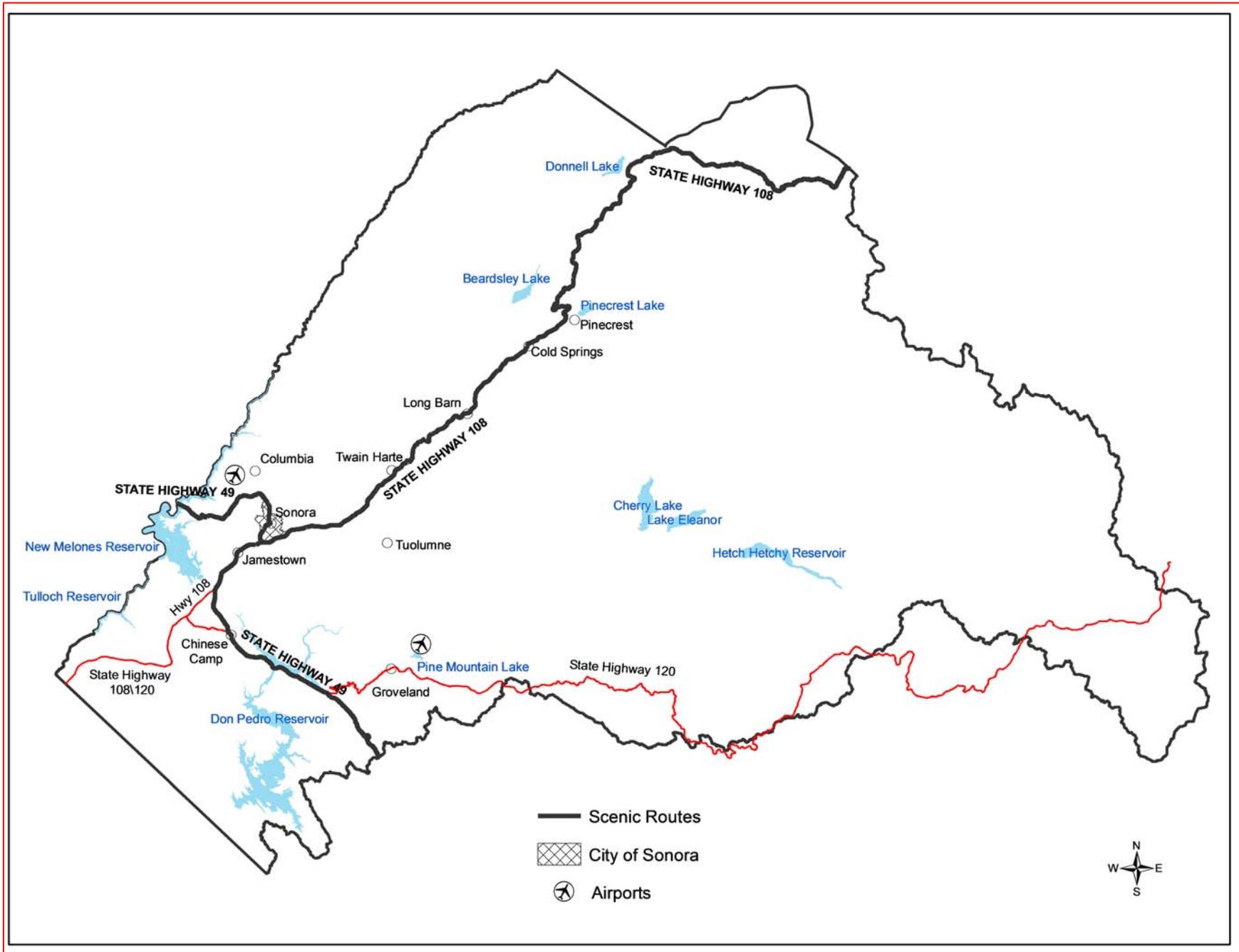
Designate the following sections of State Highways which traverse an area of outstanding scenic quality as Scenic Routes ~~and provide for inclusion of any County maintained roads:~~

FIGURE 4.2

SCENIC ROUTES	
Route	Description
State Highway Route 49	This route traverses the western foothills and Mother Lode and connects many historical sites and towns. This highway shall be designated as a Scenic Route from the Mariposa County line to Route 120 near Moccasin Creek and from Route 120 at Chinese Camp to the Calaveras County line, exclusive of the City of Sonora. This highway is included in the "Master Plan for State Scenic Highways".
State Highway Route 108	The Sonora Pass Highway, from Route 49 easterly into Mono County. This, like State Route 49 described above, gives access and exposure to spectacular mountain country. This route is also in on the State Scenic Highways "Master Plan for State Scenic Highways ".
State Highway Route 120	From Route 49 near Chinese Camp easterly to Route 49 near Moccasin Creek. This route is also in the "Master Plan for State Scenic Highways".
The land use restrictions on Scenic Routes and lands adjacent to them as outlined in the Streets and Highways Code of the State of California shall only apply to lands designated as non-urban on the General Plan land use diagrams maps . Land designated as TPZ or AG when the parcel is 37 acres or larger and supports an agricultural or residential land use or is vacant shall be exempt from these restrictions.	

~~Designation of additional Scenic Routes shall only be approved by the Board of Supervisors after consent of the owners of a minimum of 51% of the property area and 51% of the owners of the property affected by the proposed Scenic Route. The determination of the consent of the property owners for the designation of a Scenic Route shall be based upon each parcel having one vote. [Resolution 188-98 adopted September 1, 1998]~~





4.1.c Conserve Scenic Hillides and Hilltops

Encourage hillside development to be designed and located to be compatible with, rather than imposed on, the landscape and environment by minimizing the amount of grading and topographical alteration it necessitates. ~~Formulate~~ Maintain guidelines which provide recommendations for integrating new construction with hillsides and hilltops. These recommendations will be made available to assist in the designing of new land development projects which are proposed on hillsides or on ridgetops. The guidelines should address fire-safe construction techniques, vegetation retention, retaining wall enhancement, alternative road construction techniques to reduce cuts and fills, ~~reduced standards for bicycle and pedestrian facilities,~~ and illustrate techniques for blending new construction with the surrounding hillsides and hilltops.

4.1.d Support Community Efforts to Retain Scenic Character

Support the efforts of individual defined communities which desire to promote compatibility of new development with their historical character through the development of design guidelines or other means.

4.1.e Encourage New Development to Blend with Existing Landscape

Encourage the design of new development to blend with the natural contour of the land and the natural vegetation.

4.1.f Consider Flexibility in Development Standards

Consider providing flexibility in development standards to facilitate the clustering of new development in order to encourage the retention of scenic resources, landmarks and the natural landscape.

4.1.g Conserve Scenic Resources Along Transportation Routes

Encourage the conservation of the County's scenic resources along the transportation routes identified as Scenic by ~~formulating~~ maintaining guidelines which provide recommendations for integrating new development with the surrounding landscape and natural topography. These recommendations will be made available to assist in the designing of new land development projects which are proposed along Scenic Routes. The guidelines should address the retention of trees and other native vegetation which contribute to defining the County's character, screening of outdoor storage areas, landscaping and revegetation, signage, architectural design and materials, lighting and retention of landscape features that reflect the County's history and character.

4.1.h Designation of Additional Scenic Routes

Designation of additional Scenic Routes shall only be approved by the Board of Supervisors after consent of the owners of a minimum of 51% of the property area and 51% of the owners of the property affected by the proposed Scenic Route. The determination of the consent of the property owners for the designation of a Scenic Route shall be based upon each parcel having one vote.

4.1.i Encourage and Support Voluntary Conservation of Scenic Resources

Encourage and support the voluntary conservation of scenic resources through recognition programs and the provision of incentives, such as flexibility in development standards or reductions in appropriate County fees.

4.I.ji Establish a Heritage Tree Program

Establish a Heritage Tree Program which:

1. Establishes criteria for identifying individual or groves of native and non-native trees and street trees as heritage trees, based on outstanding scenic, historic or biological value and/or the status of the tree as unique in terms of age and/or size when compared to other trees of the same species. Trees considered local landmarks and those contained in the National Register of Big Trees also should be considered as heritage trees.
2. Creates programs encouraging the preservation of heritage trees including recognition and public education programs and participation in intercounty and interstate competitions.
3. Addresses health and safety issues associated with trees located adjacent to local airports.

4.I.kj Continue Sign Regulations

Continue to regulate signs in terms of size, location, height, construction, general appearance and safety in the County in order to improve the visual attractiveness and appeal of the County to new business, and to protect and enhance its visitor-serving and recreational activities through the County's existing sign ordinance and to ~~periodically~~ ~~periodic~~ review and ~~update~~ ~~updating-of~~ that ordinance.

4.I.lk Vegetation Removal

Formulate and maintain a program to retain existing significant vegetation, such as Heritage Trees, stands of oak woodlands, or clusters of native shrubs, which contributes to defining the County's character, within new development requiring a discretionary entitlement subject to the California Environmental Quality Act through incentives. Revegetation programs may be required for premature vegetation removal. Continue to maintain the Premature Removal of Native Oak Trees Ordinance. This program shall not apply to vegetation removal under a Timber Harvest Plan approved by the California Department of Forestry and Fire Protection, for agricultural uses, for fire protection purposes, for safety purposes or in response to storm damage.

Responsibility for Programs: Administration of the Implementation Programs listed in this section is the shared responsibility of the Board of Supervisors and the Community Resources Agency, Planning Department, Department of Public Works and Department of Building and Safety with the Community Resources Agency ~~Planning Department~~ serving as the primary administrator.

Funding Sources: Administration of Implementation Programs listed herein will be funded through the County's General Fund.

Time Frame for Implementation: The target date for implementation of the program listed in this section related to developing a vegetation removal program is Fiscal Year 2017-2018 ~~FY 97-98~~; all other programs are ongoing.

BIOLOGICAL RESOURCES

This Section of the Conservation and Open Space Element addresses the County's recognition of its diverse biological resources and identifies measures to conserve them to maintain a healthy ecosystem.

Goal 4.J — Employ a proactive planning approach to conserve biological resources by adopting predictable and consistent evaluation and mitigation standards.

Policies

- 4.J.1 — Recognize that agricultural and timberlands of 37 acres or larger provide open areas and habitat for wildlife and that most agricultural and timber management land uses are compatible with the conservation of biological resources.
- 4.J.2 — Maintain a biological resources conservation program to facilitate a consistent, fair and cost-effective approach to biological resource mitigation and provides for permit streamlining while conserving important biological resources and protecting the private property rights of the individual property owners while fulfilling all State and Federal mandates.
- 4.J.3 — Recognize that Tuolumne County contains a large percentage of publicly owned lands that provide open space for use by wildlife in formulating a biological resources conservation program for mitigation of impacts associated with discretionary entitlements subject to the California Environmental Quality Act (CEQA) on biological resources.
- 4.J.4 — Maintain an updated biological resources database to help eliminate redundant and costly biological studies.
- 4.J.5 — Comply with the "no net loss" policy, and any changes thereto, for wetland areas regulated by the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game by requiring new development which is subject to review under the California Environmental Quality Act (CEQA) to achieve "no net loss" of wetland habitat values through avoidance or appropriate mitigation in accordance with the County's Biological Resources Conservation Program referenced in Implementation Program 4.J.a and through the CEQA process.
- 4.J.6 — Require new development which is subject to review under the California Environmental Quality Act (CEQA) to achieve "no net loss" of habitat values for Valley Oak Woodland (VOW), Serpentine Soils (SER), Old Growth Coniferous Forest (OGC), Big Trees Forest (BTF), Old Growth Oak (OGO), Aspen Grove (ASP), Native Perennial Grasslands (PGS), Native Grasslands (NGS), and Cliff (CLF) habitats through avoidance or appropriate mitigation in accordance with the County's Biological Resources Conservation Program referenced in Implementation Program 4.J.a and through the CEQA process.
- 4.J.7 — Recognize that wildlife, fish and their habitats are important resources, which are valued by the County's citizens for recreational nature study, hunting and fishing, scientific research, education, shade, beauty, and open space. These resources enhance property value and attract visitors, a major source of revenue for the local economy. [Resolution 41-98 adopted March 24, 1998]

Implementation Programs

4.J.a Maintain a Biological Resources Conservation Program

~~Maintain a Biological Resources Conservation Program which requires a land owner and/or applicant requesting a discretionary entitlement subject to the California Environmental Quality Act (CEQA) to mitigate impacts to biological resources in the manner set forth in the Tuolumne County Biological Resources Conservation Handbook (BRCH). This Handbook will be updated periodically as necessary to reflect changes in State and Federal laws or County ordinances. The adoption of the Tuolumne County Biological Conservation Handbook by the Board of Supervisors will supersede the Tuolumne County wildlife Handbook adopted by the Board of supervisors through Resolution 230-96 on December 26, 1996, to serve as the interim biological Resources Conservation Handbook.~~

~~The Tuolumne County Biological Resources Conservation Handbook shall be prepared in coordination with the State and Federal agencies having jurisdiction over such resources and the purpose of the Handbook shall be to provide a consistent, fair and cost effective approach to biological resource mitigation and conservation while providing for streamlining of the land use permitting process.~~

~~The Tuolumne County Biological Resources Conservation Handbook shall be implemented to mitigate impacts associated with a discretionary entitlement subject to the California Environmental Quality Act (CEQA). The Biological Resources Conservation Handbook shall provide an applicant the same or similar optional methodology for identifying impacts to biological resources and selecting mitigation measures for those impacts as contained in the Tuolumne County Wildlife Handbook. The Biological Resources Conservation Handbook and its associated site evaluations, aerial photographs, Geographic Information System biological resources inventory and database and the biological resources maps shall not be utilized to designate areas as Open Space on the General Plan land use maps. Zoning of land to Open Space to mitigate impacts on biological resources on private property shall only be accomplished in conjunction with a discretionary entitlement subject to CEQA and as agreed to by the property owner and/or applicant of the entitlement who has selected the Biological Resources Conservation Handbook option for such mitigation.~~

~~The Tuolumne County Biological Resources Conservation Handbook shall articulate the role and duties of the Planning Department relative to its implementation.~~

~~The Tuolumne County Biological Resources Conservation Handbook shall, at a minimum, address: a priority system of evaluating relative values of wildlife habitats on private lands; mitigation measures for listed threatened and endangered species and other special status species; avoidance of Second Priority habitats including setbacks from wetland areas; guidelines for determining the necessity for biological studies for special status species and habitats; mitigation for Third Priority habitats to avoid cumulative adverse impacts to those habitats; mitigation for offsetting impacts to habitats and species including avoidance, conservation easements, mitigation banks, enhancements and restoration of on-site and off-site properties to mitigate on-site impacts.~~

~~In formulating the Biological Resources Conservation Handbook, coordinate with the U.S. Fish and Wildlife Service, California Department of Fish and Game and other governmental agencies having jurisdiction over biological resources to develop and implement the following to mitigate cumulative impacts on biological resources:~~

1. ~~Guidelines for determining when surveys for rare, threatened and endangered species shall be required on private lands in conjunction with land development applications.~~
2. ~~Inventory and map of Gabbrodioritic soils (GAB), assessment of potential impacts to that habitat type and mitigation program for potential impacts.~~
3. ~~Map of, and mitigation measures for impacts to, important deer migration corridors through the following Third Priority habitats: Ponderosa pine (ppn), Sierran mixed conifer (smc), Red Fir (rfr), Lodgepole pine (lpn), White fir (wfr), Subalpine conifer (scn), and Jeffrey pine (jpn) located above 3,000 feet in elevation.~~
4. ~~Minimum acreage preservation standards for the following third priority habitats: Blue oak woodland (bow), Blue Oak bull pine woodland (bop), Chamise chaparral (che), Mixed chaparral (mch), Montane chaparral (mcp), Montane hardwood (mhw), and Montane hardwood conifer (mhc) and, if so determined by the California Department of Fish and Game, Live oak woodland (low) habitat.~~
5. ~~Map of the distribution of the Live oak woodland (low) habitat, assessment of impacts to that habitat and mitigation program for potential impacts.~~
6. ~~Minimum criteria for establishing and/or preserving existing species movement corridors between communities and buffers along riparian corridors to maintain the ability of wildlife to move to and from various habitats.~~

~~The Tuolumne County Biological Resources Conservation Handbook shall be updated at least once every five years to reflect new technical information and, if necessary, changes in local resource conditions. [Resolution 261-97 adopted December 2, 1997]~~

~~4.J.b Recognize Open Space Value of Agricultural and Timber Lands~~

~~Recognize the open space provided by agricultural and timberlands by exempting lands designated on the General Plan land use maps as Timberland Production Zone (TPZ), or Agriculture (AG) when the parcel is 37 acres or larger and supports an agricultural or residential land use or is vacant, from the County's programs for conserving non-targeted biological resources. [Resolution 41-98 adopted March 24, 1998]~~

~~4.J.c No Net Loss of Wetland Habitat~~

~~Coordinate with the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game and any other governmental agency having jurisdiction over wetlands to comply with applicable Federal and State laws concerning "no net loss" of wetland areas. Develop, in coordination with these agencies, programs for mitigating impacts to wetlands that prioritize avoidance, on-site or off-site protection, and existing wetland acquisition higher than creation of new wetlands and include the programs in the County's Biological Resources Conservation Handbook referenced in Implementation Program 4.J.a and coordinate with these agencies at all levels of review of land development applications requiring a discretionary entitlement subject to the California Environmental Quality Act which do not utilize the County's Biological Resources Conservation Handbook to identify appropriate mitigation measures and to address Federal and State wetland laws. [Resolution 41-98 adopted March 24, 1998]~~

4.J.d ~~—————~~ No Net Loss of Second Priority Habitat Values

~~Require new development which is subject to review under the California Environmental Quality Act (CEQA) to achieve "no net loss" of habitat values for Valley Oak Woodland (VOW), Serpentine Soils (SER), Old Growth Coniferous Forest (OGC), Big Trees Forest (BTF), Old Growth Oak (OGO), Aspen Grove (ASP), Native Perennial Grasslands (PGS), Native Grasslands (NGS), and Cliff (CLF) habitats through avoidance or appropriate mitigation in accordance with the County's Biological Resources Conservation Program referenced in Implementation Program 4.J.a and through the CEQA process. Develop, in coordination with Federal and State agencies with jurisdiction over these habitats, programs for mitigating impacts to such habitats for inclusion in the County's Biological Resources Conservation Handbook referenced in Implementation Program 4.J.a and coordinate with these agencies at all levels of review of land development applications requiring a discretionary entitlement subject to the California Environmental Quality Act which do not utilize the County's Biological Resources Conservation Handbook to identify appropriate mitigation measures and to address Federal and State policies relative to these habitats.~~

4.J.e ~~—————~~ Minimize Conflicts Between Wildlife and Vehicular Traffic

~~Work with the California Department of Fish and Game, the California Highway Patrol and other resource and public safety officials to address the impacts associated with, and identify mitigation for, the inherent conflicts between wildlife and roadways.~~

~~GOAL 4.K ———— Encourage and support voluntary and educational efforts to preserve biological resources.~~

~~Policies~~

~~4.K.1. ———— Require all biological resources materials and programs generated by the County to be pre-approved by the Board of Supervisors without delegation.~~

~~4.K.2 ———— Develop, promote, identify and assist in the implementation of voluntary incentive programs to encourage private property owners to conserve high value biological resource areas.~~

~~4.K.3 ———— Support efforts to identify and acquire high value biological resource areas from willing sellers on private lands, especially those biological resource areas that provide additional public benefits including educational, recreational and scenic opportunities, protect and encourage productive use of valuable agricultural lands and areas which provide buffers between defined communities.~~

~~4.K.4 ———— Support educational programs which describe methods for habitat conservation, encourage voluntary efforts to protect and enhance biological resources, provide opportunities for ongoing study by local students, and provide opportunities for recreation and enjoyment by the community.~~

~~Implementation Programs~~

~~4.K.a ———— Create a Voluntary Conservation/Incentive Program to Manage Biological Resources~~

~~Establish a Voluntary Conservation/Incentive Program involving willing property owners and including:~~

1. ~~Notifying owners of valuable biological resources of available incentive programs including tax incentives and the California Forest Stewardship Program Stewardship Incentive Program.~~
2. ~~Assisting willing owners to form agricultural preserves, enter into Williamson Act Contracts on land conforming to Williamson Act requirements, and zone resources for management at no cost.~~
3. ~~Formulating recommended conservation easement models to assist property owners in protecting valuable biological resources for profit.~~
4. ~~Applying for funding from local, state and federal grant sources to assist in the acquisition of valuable biological resources.~~
5. ~~Developing voluntary tree protection guidelines which address, at a minimum, protecting driplines, avoiding compaction of soils, and proper irrigation. In addition, guidelines should address health and safety issues associated with trees located adjacent to local airports.~~
6. ~~Identifying appropriate agencies to accept and/or manage land dedications, donations and conservation easements.~~

~~To assist in promoting this program, and new incentive programs as they become available, the Planning Department should act as a repository to collect and maintain brochures and handouts describing economic incentives including local, State and Federal tax advantages for donating land and selling conservation easements to conservation agencies.~~

~~4.K.b Create Voluntary Register of High Value Biological Resources~~

~~Create a voluntary survey program to identify high value biological resource areas and establish a voluntary register listing properties qualifying as such high value resources to assist in implementing voluntary preservation efforts, assist in reducing costs of new development associated with identifying biological resources and assist in avoiding project delays by identifying areas which may be acquired and/or managed as off-site mitigation areas to offset impacts to species and habitats, especially those located in areas identified for urban development under the General Plan. Surveys conducted on private property shall occur only with prior written permission of the landowner. Lands listed on the Register may qualify property owners for incentive programs, be acquired from willing sellers, or be managed in cooperation with willing landowners. The register should include, in addition to a wide range of habitat areas, Table Mountain as one of the County's most important scenic and biological resources and large tracts of oak and mixed oak woodlands. Listing on the Register shall require the consent of the property owner.~~

~~4.K.c Support educational tree stewardship programs~~

~~Cooperate with the University of California Cooperative Extension, the California Department of Fish and Game, the California Oak Foundation and other interested agencies to develop a public education program encouraging voluntary stewardship of tree resources including:~~

1. ~~Providing brochures, produced by cooperating and interested agencies, illustrating native tree protection methods for construction near native trees.~~
2. ~~Distributing handouts promoting the retention of tree quality and quantity throughout the County by providing guidelines, including size and quantity, for replacing native~~

~~trees removed during construction. Handouts should be made available to the public with Building and Grading Permits and at other public counters.~~

~~3. Promoting elementary and secondary school programs providing education on the benefits of native trees and including acorn and tree planting programs.~~

~~4. Participation in workshops, educational field days, or presentations on tree care including appropriate landscaping, erosion prevention, and tree preservation during construction.~~

~~4.K.d Public presentations for Biological Resource Conservation Program~~

~~Maintain a public presentation program to inform interested agencies and schools of the Biological Resources Conservation Program.~~

~~4.K.c Update Tuolumne County Wildlife Project Brochure~~

~~Revise and reprint the Tuolumne County Wildlife Project Brochure which summarizes the biological management goals, policies and implementation programs for the County for distribution to persons interested in new development projects in Tuolumne County. Include, as feasible, a reference list of State and Federal agencies and regulations which might also apply to local development projects. This action should be undertaken contingent upon securing funding.~~

~~**Responsibility for Programs:** Administration of the Implementation Programs listed in this section is the shared responsibility of the Board of Supervisors and Planning Department with the Planning Department serving as the primary administrator at the direction of the Board of Supervisors.~~

~~**Funding Sources:** Administration of Implementation Programs listed herein will be funded through the County's General Fund.~~

~~**Time Frame for Implementation:** The target date for implementation of the programs listed in this section related to establishment of conservation programs and provision of public information is FY 98-99; all other programs are ongoing.~~

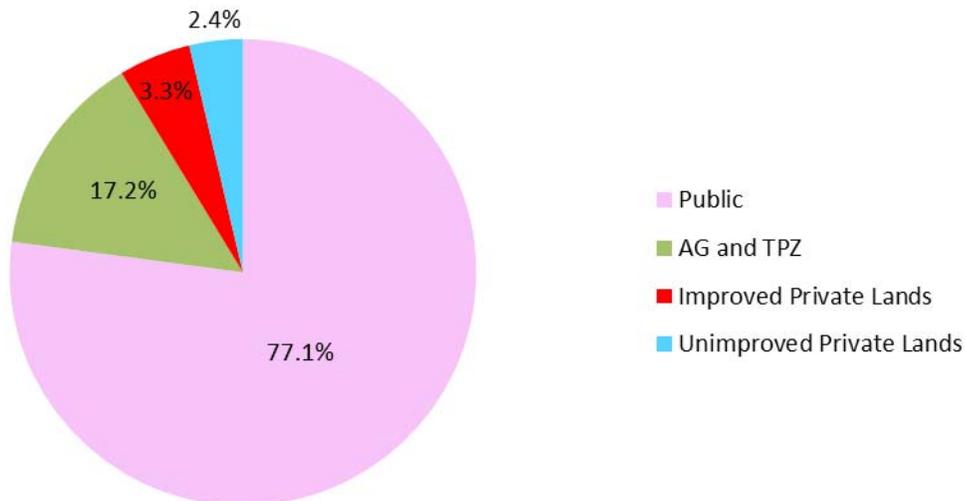
BIOLOGICAL RESOURCES

The Biological Resources Section of the Natural Resources Element recognizes the diversity of biological resources in Tuolumne County, which range from coniferous forests in the high Sierra to annual grasslands in the lower foothills. The County is bordered to the north by the Stanislaus River and is bisected by the Tuolumne River. These river systems and their tributaries provide riparian habitat, for which potential impacts associated with development must be addressed under state and federal law.

This section identifies measures to conserve those resources while balancing the rights of private property owners. This section recognizes that 77% of the land in the County is publicly owned or managed and provides conservation of biological resources and open space values. Large portions of the Stanislaus National Forest and Yosemite National Park are located in the County. These and other public lands within the County provide habitat for a wide variety of plants and animals.

This Section also recognizes that agricultural and timberlands provide open areas and habitat for wildlife. Many agricultural and timber management uses are compatible with conservation of biological resources. Approximately 163,000 (49%) of the 334,000 acres of privately owned land in Tuolumne County are designated for agricultural uses and approximately 87,000 acres (26%) are designated for timber production, which together represent 17.2% of all land in the County.

Land Ownership in Tuolumne County

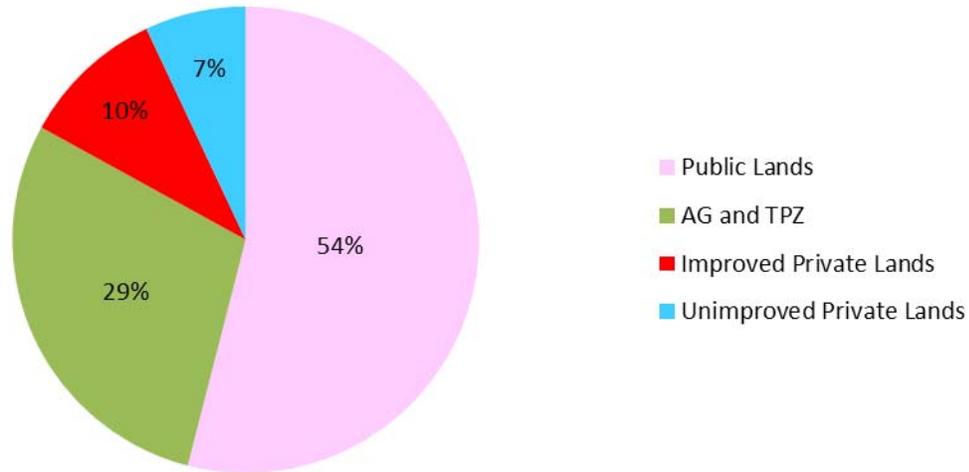


Oak Woodlands

Section 21083.4 of the California Environmental Quality Act requires the County to determine if the conversion of oak woodlands resulting from a development project will have a significant effect on the environment. There are approximately 270,000 acres of oak woodlands in Tuolumne County. Approximately 146,000 acres (54%) of the oak woodlands in the County occur on public lands while 124,000 acres (46%) are on private lands. Of the total amount of oak woodlands in the County, approximately 67,000 acres (25%) occur on land designated for agriculture and 10,000 acres (4%) occur on land designated for timber production, leaving approximately 47,000 acres (17%) on private land that is developed, could be developed or could support additional development. Oak

trees not only provide wildlife habitat, they also contribute to the rural character of the County and the identity of our communities.

Oak Woodlands in Tuolumne County



Goal 4.J Employ a balanced approach to the conservation of biological resources.

Policies

- 4.J.1 Recognize that agricultural and timberlands that support an agricultural, timber management or residential use or are unimproved may be compatible with conservation of biological resources.
- 4.J.2 Recognize that wildlife, fish and their habitats provide scenic values and opportunities for recreational uses and educational pursuits which are important to County residents, attract visitors and are a major source of revenue to the County.
- 4.J.3 Provide local information to assist in the evaluation of biological resources.
- 4.J.4 Evaluate impacts to biological resources in accordance with, but not exceeding, the requirements of State and Federal law.
- 4.J.5 Balance the conservation of biological resources with the need to reduce wildland fire hazards.
- 4.J.6 Recognize the problems associated with invasive plant species.
- 4.J.7 Encourage planting of native species or other drought tolerant species in landscaping, revegetation and reclamation.
- 4.J.8 Encourage development in urban areas and infill projects to minimize impacts to biological resources.

Implementation Programs

4.J.a Recognize Value of Agricultural and Timberlands

Recognize that the open area provided by land designated as Agricultural (AG) or Timber Production (TPZ) on the General Plan land use diagrams that supports an agricultural, timber management or residential land use or is unimproved may be used to provide on-site or off-site mitigation for development projects.

4.J.b Allow Use of Conservation Areas

Allow trails, other recreational uses and educational pursuits in areas conserved for biological resources if the effects of such uses are determined to be compatible with conservation of the resources.

4.J.c Provide Information

Provide the following information to assist in the evaluation of biological resources:

- Tuolumne County Wildlife Maps
- Aerial photography
- Deer Herd Maps and Management Plans

4.J.d Digitize Tuolumne County Wildlife Habitat Maps

Complete digitizing the Tuolumne County Wildlife Maps to assist in evaluating the effects of land development projects.

4.J.e Property Owner Consent Required to Designate Land Open Space

The County shall not designate areas as Open Space (O) on the General Plan land use diagrams without the consent of the property owner.

4.J.f Property Owner Consent Required to Zone Property to Open Space

The County shall not zone areas to O (Open Space) or O-1 (Open Space-1) without the consent of the property owner.

4.J.g Mitigate Impacts Consistent with State and Federal Law

Require development that is subject to a discretionary entitlement from the County and to environmental review under the California Environmental Quality Act (CEQA) to evaluate potential impacts to biological resources and mitigate significant impacts for the following or as otherwise required by State or Federal law:

- Threatened and Endangered plant and animal species listed by the Federal Endangered Species Act.
- Rare, Threatened and Endangered plant and animal species listed by the California Endangered Species Act.
- Other special status species including, but not limited to, Federal candidate species for listing, State candidate species for listing, California Fully Protected Species, California Species of Special Concern, State designated

Birds of Prey (subject to Section 3503.5 of the Fish and Game Code), birds subject to the Migratory Bird Treaty Act, plant species listed by the California Native Plant Society as Rank 1 or 2, bald eagles and golden eagles.

- Wetlands under either Federal or State jurisdiction.
- Oak woodlands, except as provided in Implementation Program 4.J.h.

4.J.h Thresholds of Significance for Oak Woodland Conversion

Establish thresholds of significance under the California Environmental Quality Act (CEQA) for the conversion of oak woodlands in Tuolumne County as follows:

- Oak woodland conversion on parcels two acres or smaller in area or that are designated for urban land uses is not considered a significant impact.
- Oak woodland conversion on parcels larger than two acres in area where the oak woodland would be reduced by less than the following percentages is not considered a significant impact:
Parcel size greater than 2 acres up to 10 acres = 50%
Parcel size greater than 10 acres up to 20 acres = 25%
Parcel size greater than 20 acres = 5 acres or 10%, whichever is greater
- Oak woodland conversion on parcels larger than two acres in area or not designated for urban land uses may be considered to not be a significant impact if so determined by the decision making body after considering an analysis prepared by a biologist, botanist, arborist or registered professional forester on the County's list of approved environmental consultants.

4.J.i Wildland Fuel Reduction in Biological Resources Conservation Areas

Consult with the Tuolumne County Fire Department, California Department of Forestry and Fire Protection and the California Department of Fish and Wildlife to identify acceptable levels of wildland fuel reduction in areas conserved for biological resources on a programmatic basis or a project specific basis.

4.J.j Vegetation Removal for Fire Protection

Encourage vegetation removal for fire protection purposes or as otherwise required by the Tuolumne County Fire Department in the O (Open Space) zoning district or areas conserved through AE-37 (Exclusive Agricultural, Thirty Seven Acre Minimum) zoning, provided such vegetation removal is addressed in a management plan prepared by a biologist on the County's list of approved environmental consultants and approved by the County following review under the California Environmental Quality Act.

4.J.k Eradicate Invasive Plant Species

Support the efforts of the Agricultural Commissioner to eradicate invasive plant species from the County. Refer applications for discretionary land development entitlements to the Agricultural Commissioner to identify potential impacts from invasive plant species and recommend appropriate mitigation measures. Encourage eradication of invasive plant species in biological resource conservation areas provided such eradication is addressed in a management plan prepared by a biologist on the County's list of approved environmental consultants and approved by the County following review under the California Environmental Quality Act.

4.J.l Seek Funding for Eradication of Invasive Plant Species

Support the efforts of the Agricultural Commissioner to seek grant and other funding sources for programs to eradicate invasive plant species from the County.

4.J.m Programmatic Approach for Vegetation Removal

Develop a programmatic approach to vegetation removal for fire protection purposes and eradication of invasive plant species that is implemented through an administrative process with the decision making authority at the staff level and the opportunity to appeal the decision to the Planning Commission and Board of Supervisors.

4.J.n Encourage Vegetation Removal by Providing Incentives

Encourage the removal of vegetation for fire protection and eradication of invasive plant species by providing incentives, such as assisting property owners in identifying the appropriate methods to utilize and waiving fees for County services.

4.J.o Utilize Native Species and Other Drought Tolerant Species

Encourage the use of native species and other drought tolerant species listed on the Tuolumne County Landscape Guidelines for landscaping, revegetation and reclamation to promote water efficiency and reduce impacts associated with exotic species.

4.J.p Encourage Development in Urban and Infill Areas

Provide incentives to encourage development in urban and infill areas to minimize impacts to biological resources.

4.J.q Reduced Impacts from Urban and Infill Development

When evaluating land development projects proposed in urban and infill areas, recognize that there may be reduced impacts to biological resources from concentrating new development adjacent to existing developed areas rather than disturbing remote areas that are free from the effects of development.

Goal 4.K: Support voluntary and educational efforts to conserve biological resources.

Policies

4.K.1 Develop, promote, identify and assist in the implementation of voluntary incentive programs to encourage private property owners to conserve areas that support high value biological resources, such as habitat for rare, threatened and endangered species; habitats that are particularly valuable to wildlife and/or rare in the County; and undisturbed oak woodlands.

4.K.2 Support efforts to identify and acquire high value biological resource areas on

private lands from willing sellers, especially those areas that provide additional public benefits including educational, recreational and scenic opportunities, protect and encourage productive use of valuable agricultural lands and areas which provide buffers between defined communities.

4.K.3 Support educational programs which describe methods of habitat conservation, encourage voluntary efforts to protect and enhance biological resources, provide opportunities for ongoing study by local students, and provide opportunities for recreation and enjoyment by the community.

4.K.4 Encourage the conservation of oak woodlands and the preservation of heritage trees.

Implementation Programs

4.K.a Create a Voluntary Register of High Value Biological Resources

Create a voluntary register of high value biological resources, such as habitat for rare, threatened and endangered species; habitats that are particularly valuable to wildlife and/or rare in the County; and undisturbed oak woodlands. Listing on the register shall only occur at the request of the property owner. Prior to listing an area on the register, the area shall be surveyed by County Staff or a biologist on the County's list of approved environmental consultants to verify the value of the biological resources thereon. Surveys conducted on private property shall occur only with prior written permission from the property owner. The register would assist in implementing voluntary preservation efforts, assist in reducing the cost of new development associated with identifying biological resources and identifying areas which may be acquired and/or managed as off-site areas to mitigate impacts of new development. Lands listed on the register may qualify the owner for incentive programs, be acquired from willing sellers, or be managed in cooperation with willing property owners. Oak woodlands listed on the register could be purchased by the County or conserved through an easement using the Tuolumne County Oak Woodlands Conservation Fund.

4.K.b Notify Owners of Incentive Programs

Notify owners of high value biological resources of available incentive programs including tax incentives and the California Forest Stewardship Program.

4.K.c Williamson Act Contracts

Assist willing property owners to form agricultural preserves and enter into Williamson Act contracts to conserve biological resources on land conforming to the requirements of the Williamson Act. Consider amending the County application fee schedule to allow processing such applications at no cost.

4.K.d Apply for Grants

Apply for grants from local, state and federal sources to assist in funding the acquisition of high value biological resources, such as habitat for rare, threatened and endangered species, habitats that are particularly valuable to wildlife and/or rare

in the County, and undisturbed oak woodlands.

4.K.e Identify Agencies

Identify agencies to accept and/or manage land dedications, donations and conservation easements.

4.K.f Tuolumne County Oak Woodland Voluntary Management Guidelines

Continue to make the Tuolumne County Oak Woodland Voluntary Management Guidelines available to property owners upon request to assist them with voluntary conservation of oak woodlands.

4.K.g Support Tree Stewardship Programs

Cooperate with the University of California Cooperative Extension, the California Department of Fish and Wildlife, the California Oak Foundation and similar agencies in their efforts to encourage voluntary stewardship of tree resources including:

1. Providing brochures, produced by these and other interested agencies, illustrating protection methods for construction near native trees.
2. Distributing handouts promoting the retention of tree quality and quantity throughout the County by providing guidelines for replacing native trees removed during construction, including size and quantity.
3. Promoting elementary and secondary school programs providing education on the benefits of native trees and including acorn and tree planting programs.

WATER RESOURCES

This Water Resources Section of the Conservation and Open Space Element addresses the conservation, development, and utilization of water resources, and the protection of the quality and quantity of these essential resources.

~~GOAL 4.L — Conserve the quality and quantity of the County's water resources, while protecting the rights of the land owner.~~

Policies

- ~~4.L.1 — Protect the quality of the County's water resources. Prevent surface water and groundwater contamination by insuring Tuolumne County development standards are adequate to protect water resources. [Resolution 41-98 adopted March 24, 1998]~~
- ~~4.L.2 — Require new urbanization to locate in areas where public water and sewer services are available or can be developed. [Resolution 41-98 adopted March 24, 1998]~~
- ~~4.L.3 — Support the efforts of the local water agencies in identifying and procuring new water resources to meet projected future demands from growth in the County, including the use of reclaimed water for non-potable uses.~~
- ~~4.L.4 — Encourage the conservation of water resources in a systematic manner that is sensitive to the maintenance of water quality, natural capacities, ecological values, and consideration of the many water related needs of the County.~~
- ~~4.L.5 — Require new development to connect to public water and public sewer where harmful areawide impacts to groundwater exist based on known hazard areas. [Resolution 41-98 adopted March 24, 1998]~~
- ~~4.L.6 — Recognize that the decisions made by the County of Tuolumne concerning water resources has an effect on the State of California's ability to meet its water supply needs for all beneficial uses of water, including urban, agricultural, environmental and other uses, such as recreation and power generation and that Tuolumne County has an important stakeholder interest in the success of the State's water management efforts.~~
- ~~4.L.7 — Support the State's efforts to implement the *Water Resources and Delta Restoration Clean, Safe, Reliable Water Supply for Cities, Farms, and the Environment Act of 1996* by encouraging water conservation and watershed rehabilitation programs initiated by water agencies, other public agencies and private entities.~~
- ~~4.L.8 — Participate in the State and Federal sponsored CAL-FED program to develop comprehensive and long-term solutions to the problems of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (bay-delta) which is nationally recognized as both an important feature of the State's environment and an important component of the State's water supply system by promoting improved management of watersheds in Tuolumne County to contribute to long-term bay-delta recovery and protection.~~
- ~~4.L.9 — Recognize that clean water is essential to the public health, safety and welfare; fosters economic development and job creation; protects the environment; maintains fish and wildlife; and supports recreation.~~

- 4.L.10 Encourage water resources to be protected from pollution, conserved, and recycled whenever possible to provide for continued economic, community, and social growth.
- 4.L.11 Promote improved watershed health and improved water quality and water quantity yields of the watersheds in Tuolumne County.

Implementation Programs

4.L.a Develop Conservation Program for Water Resources

Develop a conservation program for important water resources in conjunction with the County's biological resources conservation program which has been sanctioned by the Federal and State agencies having jurisdiction over such resources to facilitate a consistent, fair and cost-effective approach to water resource mitigation and encourages and supports the restoration of degraded riparian areas through public education programs demonstrating the value of healthy riparian habitats in protecting water quality, and provide for permit streamlining while conserving important water resources. Applicants seeking discretionary entitlements subject to the California Environmental Quality Act shall have the option of using the County's water resource conservation program to mitigate impacts from their projects on such resources or pursue a project-specific mitigation program to comply with environmental regulations in effect at that time. They shall also be entitled to mitigation credits for restoration projects in degraded riparian areas as provided in the County's water resources conservation program. Important water resource areas include reservoirs, lakes, ponds, marshes, springs, vernal pools, wetlands, rivers, water supply ditches, and perennial and intermittent streams as identified on the United States Geological Survey (USGS) maps. The water conservation program shall address the following minimum standards:

1. Provision for the continued implementation of the National Pollution Discharge Elimination System (NPDES) permitting program enforced by the Central Valley Regional Water Quality Control Board (CVRWQCB).
2. Maintaining vegetative filters and/or buffers adjacent to water resources to assist in reducing the introduction of sediments and pollutants into surface water resources.
3. Best Management Practices for grading on steep slopes, maintaining sediments on-site, preserving adjacent parcel owner property values by avoiding or reducing substantial runoff over neighboring properties and revegetating and/or terracing on large cut and fill slopes.
4. Flexible development standards for reducing grading, where appropriate.
5. Methods for avoiding and maintaining water resources which are to be avoided during construction and maintained on-site.
6. Assignment of responsibility for the maintenance of sedimentation control facilities on and revegetating graded areas that are abandoned during construction. [Resolution 41-98 adopted March 24, 1998]

4.L.b Land Uses Adjacent to Public Drinking Water Reservoirs

Participate in the State Source Water Assessment Program. Amend Tuolumne County Ordinance Codes to provide for local source water protection and wellhead protection programs to protect the sources of drinking water supplies in compliance with the State Source Water Assessment Program. In the interim, require new areas proposed for urban land uses (HDR, MDR, LDR, NC, GC, HC, and MU) and industrial land uses (BP, LI, and HI)

~~on the General Plan maps to avoid being located above public drinking water reservoirs and open (uncovered or un piped) public drinking water conveyances (ditches, flumes, and canals) where discharge or contamination is likely to occur, unless public water and sewer are available or can be developed, or impacts can be mitigated. [Resolution 41-98 adopted March 24, 1998]~~

~~4.L.c — Landscaping Standards~~

~~Promote the use of xeriscape landscaping plants and materials to conserve water, the use of water conserving irrigation systems for landscaping, and the use of reclaimed or reuse water for irrigation.~~

~~4.L.d — Provide for Graywater Irrigation~~

~~Allow the subsurface irrigation of non food plants from sinks, showers, washing machines, car washing bays and other non sewage sources, and educate property owners in the proper use of graywater systems.~~

~~4.L.e — Consider Regulating Groundwater Exportation~~

~~Consider regulating the exportation of groundwater to preserve the County's limited groundwater reserves for use by its residents and businesses.~~

~~4.L.f — Require Confirmation of Water Availability for New Development~~

~~Continue to require new urban development needing discretionary entitlements to secure a letter from the jurisdictional public water agency stating that the proposed project can be served by that agency and that there is an available water supply.~~

~~4.L.g — Require Connection to Public Sewer~~

~~Continue to require new urban residential development with a density of three dwelling units per acre, or greater, and commercial development, except that on land designated Special Commercial (SC) by the General Plan, to connect to public sewer.~~

~~4.L.h — Require Connection to Public Water~~

~~Continue to require all new urban development, except on land designated as Special Commercial (SC) by the General Plan land use maps, to be served with public water.~~

~~4.L.i — Create and Update Septic System Hazard Maps~~

~~Create and update, as needed, Septic System Hazard Maps indicating areas of high ground water, impervious soils, limestone or other hazards which, either by themselves or in combination, create potentially serious health conditions due to failing septic systems or which are inappropriate for on-site sewage treatment and disposal on an areawide basis.~~

~~4.L.j — Address Septic System Hazard Areas~~

~~Continue to develop and evaluate criteria to allow development to occur in septic system hazard areas without degrading the water resources.~~

~~4.L.k — Provide Grading and Surface Runoff Standards~~

~~Provide grading and surface runoff standards necessary to protect water resources in compliance with State and Federal water quality regulations and with the County's water conservation program referenced in Implementation Program 4.L.a.~~

~~4.L.l — Expand List of Permitted Uses in Open Space 1 Zoning District~~

~~Expand the list of permitted uses in the O-1 (Open Space 1) zoning district in Title 17 of the Tuolumne County Ordinance Code for the conservation and utilization of the County's water resources to include such uses as water monitoring installations excluding wells; improvements to aquatic, plant and wildlife habitat; erosion control projects; and vegetation removal for flood control.~~

~~4.L.m — Address Water Supply Sources for Anticipated Growth~~

~~Continue to coordinate the County's long range land use planning program with local public water agencies to determine that water supplies and delivery systems can meet the demands of the anticipated new development and population growth of the County. Prepare and maintain a water supply and demand chart summarizing projected water needs based on growth projections and anticipated supply levels from the Tuolumne Utilities District, Tuolumne County Water District #1, Groveland Community Services District, Lake Don Pedro Community Services District and other local public water agencies. In accordance with Section 65352.5 of the California Government Code, the General Plan Land Use Diagrams were formulated in coordination with the applicable urban water plans from these agencies and any amendments to those diagrams shall be reviewed in coordination with the respective public water agency serving the parcel or parcels affected by the proposed amendment.~~

~~4.L.n — Watershed Rehabilitation Projects~~

~~Promote the development of plans for watershed rehabilitation projects which provide for such watershed improvements as:~~

- ~~1. — A reduction in the presence of contaminants in drinking water by addressing the origins of the contaminants, including, to the maximum extent practicable, the specific activities that affect the drinking water supply of a community or communities.~~
- ~~2. — An increase in the quantity of water available from the watershed.~~
- ~~3. — The improvement, restoration, or enhancement of fisheries habitat, including riparian habitat, in and along streams and watercourses in the watershed. These projects may address factors which increase sedimentation in streams and watercourses in the watershed.~~
- ~~4. — The improvement of overall forest health, including the reduction of factors which may contribute to the severity of wildfires in the watershed.~~

~~4.L.o — Formulation of Watershed Rehabilitation Plans~~

~~Initiate or assist in the formulation of plans for watershed rehabilitation projects by serving as the coordinating agency for the various stakeholders in such a plan, such as property owners, water agencies, other public agencies, private industry, recreational facility providers and other interested groups and organizations. Provide technical assistance in the development of plans for watershed rehabilitation projects through such means as data sharing.~~

4.L.p Funding for Watershed Improvement

Submit applications for grants from the CAL FED and other programs which become available for funding for County initiated or sponsored watershed rehabilitation projects and support the efforts of other public agencies, water agencies, such as the Tuolumne County Water Agency, and other entities in their efforts to seek funding for their respective watershed projects. This support may manifest itself in such ways as adopting a resolution of support or co-sponsoring an application for funding for a watershed project.

4.L.q Coordination Among Agencies

Cooperate and coordinate with Federal, State and local agencies, such as the Tuolumne County Water Agency, in promoting the stewardship of the watersheds within the County. Coordinate with these agencies to avoid duplication of effort and to maximize use of public resources in working towards a common goal of improving the watersheds within Tuolumne County which will, in turn, contribute to the State and Federal objective of providing long term bay delta recovery and protection.

GOAL 4.M Conserve public water resource areas with high recreational value for future public use.

Policies

4.M.1 Permit recreational uses in flood zones if it can be demonstrated that additional flooding or hazards will not result.

4.M.2 Provide public access to the County's public waterways, lakes and reservoirs in compliance with State statutes while protecting private property rights and maintaining the biological, scenic and historical integrity of these features and lands adjacent to these features.

Implementation Programs

4.M.a Conditionally Allow Low Impact Recreational Uses Within Open Space Zoned Areas

Continue to conditionally permit, in the O (Open Space) and O-1 (Open Space-1) zoning districts, recreational uses where such uses do not adversely impact water resources, such as beaches, picnic areas, non-motorized pedestrian and equestrian trails and other recreational uses that do not entail the construction of buildings or structures.

4.M.b Develop a Program to Identify and Provide Access to Public Waterways

Develop a program to identify public waterways, lakes and reservoirs that do not already provide reasonable public access, but which are required to provide such access pursuant to State statutes. The program should include provisions for identifying which bodies of water require public access, identification of reasonable access points to these water bodies and procedures for providing such access.

Responsibility for Programs: Administration of the Implementation Programs listed in this section is the shared responsibility of the Board of Supervisors, Planning Department, Department of Public Works, Department of Building and Safety and Division of Environmental Health with the Planning Department serving as the primary administrator at the direction of the Board of Supervisors.

~~**Funding Sources:** Administration of Implementation Programs listed herein will be funded through the County's General Fund and Health Fund.~~

~~**Time Frame for Implementation:** The target date for implementation of the programs listed in this section related to development of conservation programs, generation of resource maps and provision of public information is FY 98-99; all other programs are ongoing.~~