



September 26, 2018

Honorable Butte County Planning Commissioners  
Butte County Planning Commission  
Butte County Department of Development Services  
7 County Center Drive  
Oroville, CA 95965

Via email to: [cthistlethwaite@buttecounty.net](mailto:cthistlethwaite@buttecounty.net)

RE: Draft Butte County Oak Woodland Mitigation Ordinance

To the Honorable Larry Grundmann and fellow Butte County Planning Commissioners:

The California Oaks program of California Wildlife Foundation works to conserve oak ecosystems because of their critical role in sequestering carbon, maintaining healthy watersheds, and providing wildlife habitat. We have communicated numerous suggestions for the oak ordinance to Development Service, and also to the Board of Supervisors. These materials are included as an attachment, with key points summarized below.

**Applicability to agricultural lands:** One of our principle concerns is that the scope of the draft ordinance does not include agricultural lands. We understand that the ordinance is meant to codify procedures for discretionary projects. We also understand that the ordinance is written to conform to California Public Resources Code 21083.4. Nonetheless, the ordinance should apply to agricultural lands because California Environmental Quality Act (CEQA) requires the analysis and mitigation of greenhouse gas emissions associated with proposed oak woodland or oak forest conversions. Further explanation is provided in prior communications.

**Retention of the county's oak canopy:** Butte County's Oak Woodland Assessment Report calls for maintaining a 30 percent canopy, stating: *When harvesting oaks for fuel or range improvement, encourage land owners to maintain an average leaf canopy of at least 30 percent* (Standiford and Tinnin 1996). University of California Cooperative Extension made this recommendation before climactic trends were understood as they are today. The language of the ordinance, which in the current draft allows up to *70 percent removal* without project-specific CEQA review, and *greater than 70 percent removal* with project-specific CEQA review, is not sufficiently protective. We recommend an uppermost figure of 10 percent removal and also recommend that the ordinance place restrictions on removals in subsequent years, using the 10 percent figure as the uppermost limit. The current iteration of the oak ordinance puts the county on a pathway to destroy its natural infrastructure.

**Oak canopy replacement ratio:** California Oaks concurs with local representatives who suggest that successful oak replanting requires much higher replacement ratios. We also agree that conservation of an oak woodland of like size to the woodland that is impacted still results in

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degradation of the county's oak resources such that impacts remain significant. Thus a more rigorous metric is needed for this calculation as well.

Our prior communications noted that Butte County's Climate Action Plan has no discussion of the carbon sequestered in standing trees. We have subsequently reviewed the Sustainable Agricultural Lands Conservation (SALC) strategy documents, and again find the remarkable omission of the county's trees, which stabilize and enrich soil and sequester carbon above and below ground.

We urge your commission to uphold the natural resource values of Butte County by strengthening the protections in the ordinance.

Sincerely,



Janet Cobb, Executive Officer  
California Wildlife Foundation/California Oaks

Encls.