

XX-10 Impacts.

Current language of Ordinance:

- A. Less than Significant impact, no replacement required. Replacement of oak woodlands shall not be required for projects that meet the following standards provided that no oak trees that are 24 inches or greater in DBH are removed.

Suggested change in language:

- A. Less than Significant impact, no replacement required. Replacement of oak woodlands shall not be required for projects that meet the following standards provided that no Blue Oak (*Quercus douglasii*) trees that are 24 inches or greater in DBH, or Black Oak (*Quercus kelloggii*), or Valley Oak (*Quercus lobata*) that are 32 inches or greater in DBH are removed.

Both Black Oak and Valley Oak are faster growing, larger oaks. Valley Oaks have been reported up to 9 feet in DBH. (Bolsinger, Charles L. 1988. *The hardwoods of California's timberlands, woodlands, and savannas*. Resour. Bull. PNW-RB-148. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 148 p. [5291]);

(Griffin, James R. 1977. Oak woodland. In: Barbour, Michael G.; Malor, Jack, eds. *Terrestrial vegetation of California*. New York: John Wiley and Sons: 383-415. [7217])

Black Oaks grow to 4.5 feet DBH typically and have been reported up to 5 feet DBH.

(<https://www.fs.fed.us/database/feis/plants/tree/quekel/all.html> , Accessed 8/10/2018)

It would be appropriate for these faster growing, larger oaks to have a larger threshold before mitigation needs to occur.

XX-11 Oak Woodland Replacement.

Current language of Ordinance:

(E.) On-site replanting does not count toward replacement. Replanting within a conservation easement, mitigation bank or land trust does qualify for replacement.

*I would like to advocate that On-site replacement **be an acceptable** means for mitigation of Oak Woodland replacement.*

- On-site replacement allows a property owner to take advantage of micro habitat that is already available on location.
- Allows wildlife corridors/habitat to remain in an area already being used by wildlife.
- Allows islands of wildlife habitat to co-exist along the wildland/urban interface.
- On-site replacement gives a property owner the choice of promoting oak woodlands within a development, allowing individuals to enjoy the woodland area while living near it, allowing species diversity to thrive and allowing wildlife corridors to remain.

In offering only the choice of Conservation Easement, Mitigation Bank payment, Land Trust payment or State Oak Woodlands Conservation Fund payment, there will be a subtle push toward loss of Oak Woodlands interspersed with urban development, the loss of possible genetic differences that arise in populations isolated from each other with individual micro-habitat as Oak Woodland replacement is carried out on a larger scope on property that has a conservation easement, or in conjunction with a Land Trust. Unique genetic individuals are often found in unique micro habitat, often in isolated islands. By replacement in large tracts either through Mitigation Banking, Land

Trust, or State Oak Woodlands Conservation Fund payments, there can be a loss of genetic diversity, therefore a loss of species diversity.

In their Mitigation Guideline, the California Native Plant Society (CNPS) endorses the types of mitigation for environmental impacts that are listed in CEQA (Section 15370):

- a) Avoiding the impact altogether by not taking a certain action.
- b) Minimizing impacts by limiting the degree or magnitude of the action.
- c) Rectifying the impact by repairing, rehabilitation or restoring the impacted environment.
- d) Reducing or elimination the impact over time by preservation and maintenance operations during the life of the project.
- e) Compensation for the impact by replacing or providing substitute resources or environments.

CNPS advocates site specific mitigation measures be developed individually considering unusual soils, microclimates or water regimes. Furthermore, they go on to state that ‘Compensating for the impact by protecting substitute resources or environments has been used in some instances to mitigate unavoidable impacts. In most instances off-site compensation does not fully reduce impacts to an insignificant level because of a net loss of individuals or habitat that supports a natural self-sustaining rare plant population.’ *Mitigation of Impacts Policy, California Native Plant Society Rare Plant Scientific Advisory Committee, 1991, revised 1998.*
<https://www.cnps.org/conservation/endangered-species/mitigation-impacts-policy>; accessed 8/10/2018.

Thank you for the opportunity to offer opinion on this matter.

Sincerely,

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