

Habitat Preservation on Shaky Ground

"We stand now where two roads diverge. But unlike the roads in Robert Frost's familiar poem, they are not equally fair. The road we have long been traveling is deceptively easy, a smooth superhighway on which we progress with great speed, but at its end lies disaster. The other fork of the road — the one less traveled by — offers our last, our only chance to reach a destination that assures the preservation of the earth."

—Rachel Carson, Silent Spring

The Open Space and Conservation Element of the current 2000-2020 General Plan contains six programs and thirty-five policies designed to protect and preserve natural habitats and the wildlife they support.

The six programs require the County to...

- ♦ Compile inventories of ecologically significant resource areas in the county
- ♦ Maintain current maps of significant habitat for important fish and game species
- ♦ Prepare and maintain an updated list of state and federal rare, threatened, and endangered plant species known or suspected to occur in the county
- ♦ Adopt an ordinance creating riparian protection zones that identify allowable activities and mitigation techniques in riparian protection zones
- ♦ Make the County's Oak Management Guidelines and other educational resources available to landowners located in oak woodland habitat
- ♦ Work toward the acquisition by public agencies or conservation organizations of areas that are rich in wildlife or are ecologically fragile — when such areas cannot be preserved through the regulatory process.

The county's most recent Annual Progress Report (APR) on the implementation of the General Plan states that there was "no activity" by County staff for any these six programs during calendar year 2020.

As part of the update of the General Plan for 2020-2040, the County proposes to remove the three programs that

direct the County to engage in data collection. The County reasons that it can rely on environmental data provided by state and federal agencies, as those agencies are more knowledgeable and are better equipped to generate and maintain such information. The County also proposes to delete the program mandating the adoption of an ordinance to protect riparian areas. While the County has not provided a reason for this deletion, the County's most recent APR did state that "*budgetary constraints*" have delayed implementation.

The County proposes to retain the program directing the County to educate landowners about oak woodland management; however, the County's most recent APR acknowledges that the program cannot be implemented since "the boundaries of the oak woodland habitat area have yet to be established." The County will also retain the program that directs the County to assist agencies in their efforts to conserve ecological areas even though the County's APRs from 2000 to 2020 did not document successful conservation under this program.

With respect to the thirty-five policies that support the conservation of aquatic areas and woodlands, all but one were adopted as mitigation measures to lessen the adverse effect that buildout under the plan was expected to have on habitat and wildlife. Government Code 21081.6 requires the County to monitor enforcement of such measures. Even so, the County does not prepare mitigation monitoring reports for the General Plan.

The thirty-five policies are being carried over into the 2020-2040 plan unchanged: no additions, deletions or modifications, but some of these policies may need rethinking. Policies OS-E.4 and OS-D.5 are vacuous. They require the County to "*encourage private landowners to adopt sound wildlife habitat management practices,*" and "*consider developing a formal Habitat Conservation Plan.*" Policy OS-E.6 expresses opposing objectives without any criteria for resolution, as it requires the County to "*ensure the preservation*" of large expanses of contiguous habitat "*as long as this preservation does not threaten the economic well-being of the county.*"