STAFF REPORT

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To: Board of Supervisors

From: Grady Williams and Bob Nisbet, General Services

Regional Conservation Strategy

EXECUTIVE SUMMARY

Since its listing as an endangered species nearly five years ago, wildlife agencies have sought to protect Santa Barbara County's California Tiger Salamander (CTS) in accordance with federal and state law. The result has been a slow and expensive patch-work of protection and mitigation efforts on a project-specific basis. This approach has provided less than satisfactory protection to the population of the CTS in the county, and less than satisfactory ability of land owners to use their property in an otherwise legal manner. To remedy this, the County of Santa Barbara has pursued a method to establish a long-term conservation program to protect endangered species and mitigate effects of future development in the range of the CTS, and to do so in a manner that achieves the following goals:

1. protection of stakeholders' (public and private) land use interests;
2. predictability and streamlined processes in land use permitting within the range, and;
3. economic viability in its implementation.

A process has been in place for decades that, when designed and implemented regionally and appropriately, has achieved the stated goals. It is called the Habitat Conservation Plan, or HCP, sanctioned in the federal Endangered Species Act. All too often it has not been implemented well and thus has a spotted reputation. Recently a new approach has emerged that appears to offer a solution providing the same level of protection to the species but achieved faster and for less cost. It is the approach in preparation by the County of Sonoma. Compared to the HCP it has some potential disadvantages, including more risk to legal challenges, less commitment from wildlife agencies and less grant money available for its implementation. The advantages of lower development cost and time appear to outweigh the disadvantages at this time.

It is recommended that the Board of Supervisors adopt the "Conservation Strategy" approach being employed in Sonoma to protect the species within the previously established CTS Range of 190,000 acres, and that a team of local jurisdictions, stakeholders, and regulating agencies be assembled for its development. Sonoma has recently improved its team structure greatly by establishing an oversight committee subject to the Brown Act, and it is recommended that the Santa Barbara team consider this as well.

The Conservation Strategy would include development of a biological framework, species description, mitigation, implementation and funding. Implementation of the plan would include long-term development of a CTS preserve area, as identified by the biological framework. It is conceivable the preserve could be more than 10,000 acres at full build-out. While that may seem large, the cost to establish it (est. up to $6 million per year over 30 years) is estimated to be less than the current cost of mitigation for building development, when considered long-term (est. up to $8 million per year over 30 years).

Finally it is recommended $130,000 be approved for this fiscal year for the project. An estimated $420,000 would be needed next fiscal year, but it is recommended that expenditures in out-years be evaluated by the Board at strategic milestones of the project. It is estimated the plan can be completed in less than four years for a total cost of about $1.4 million.

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I. INTRODUCTION

A. Purpose of Report

This report is intended to provide the Board of Supervisors and public, staff's findings on the need for a regional strategy to improve the preservation of the California Tiger Salamander and other endangered species in the north county, and at the same time make much needed improvements for land owner's in property use permit processing. Methods that have been successful in other counties are presented as options. Also presented are descriptions of potential impacts to land owners and local jurisdictions if similar methods were implemented in Santa Barbara County versus doing nothing at all. The report is not exhaustive in its presentation of these, but it is believed the information is sufficiently developed to allow the Board of Supervisors the ability to make decisions on recommendations presented. Recommendations are provided on how to proceed with a conservation strategy for Santa Barbara County, along with a description of the plan envisioned. Examples are provided which demonstrate potential impacts to property owners with and without the proposed plan. Finally, the report provides initial estimates of anticipated costs and how they might be funded.

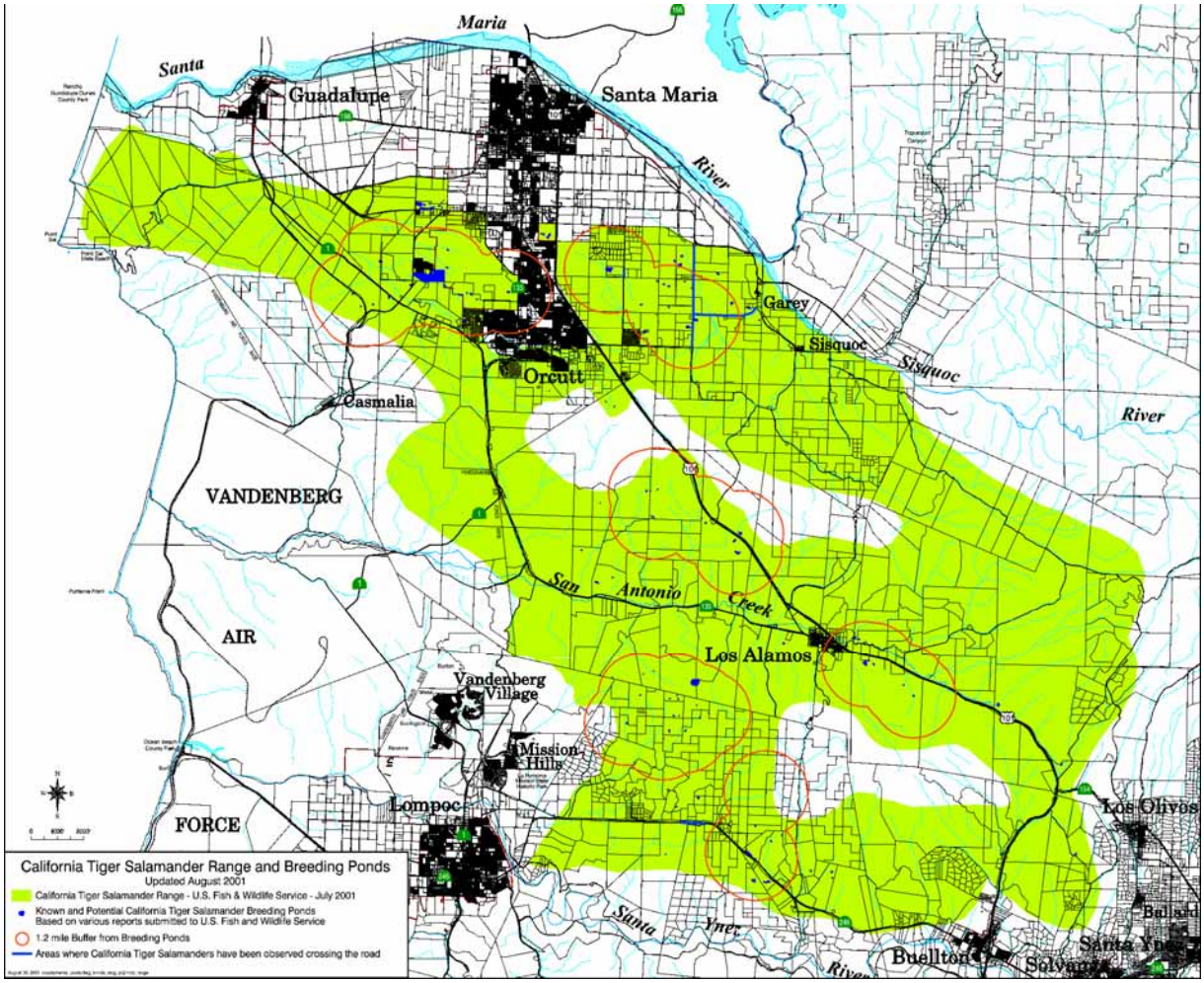
The first half of the report presents the problem, solution options and a recommendation. The second half describes the recommended plan and its cost. Additional details are provided in appendices as referenced.

A list of acronyms used herein can be found on page 35, immediately preceding the appendices.

II. DECRIPTION OF CURRENT ISSUE

A. Endangerment of Species

The local field office of the US Fish and Wildlife Service (USFWS) and the County of Santa Barbara have mapped sitings of the California Tiger Salamander (CTS) for over five years, and a CTS range of about 190,000 acres has been well established. The range extends from the northern boundary of the City of Buellton at its southern end, nearly reaches Lompoc to the west, and all the way to western Santa Maria at it northern end, (see map below).



The CTS is not only unique to Central and Northern California, but distinct population segments exist within the general population as well. The CTS in Santa Barbara County has been listed as one of those distinct segments. Due to its unique biology and life history, the CTS are vulnerable to habitat destruction, modification, and fragmentation by human activities. Many CTS subpopulations statewide face a high degree of threat from the physical elimination of habitat.

The USFWS was petitioned in 1992 to list the species as endangered. The USFWS completed a review in 1994 that concluded that listing was warranted, but precluded by other listing actions with higher priority. On January 19, 2000, the Santa Barbara County population of the California tiger salamander was listed as an endangered species under an emergency basis and simultaneously proposed for regular listing as endangered. On September 21, 2000, the USFWS listed the Santa Barbara County population as endangered. On January 22, 2004, the USFWS proposed critical habitat for the Santa Barbara County population. Finally, on August 19 of this year the USFWS, by court order, reaffirmed the listing at the endangered level.

During this time landowners seeking permits for development and some agricultural activities have been required to perform Habitat Conservation Plans (HCP) under the Endangered Species

Act (ESA) to identify mitigation requirements by the USFWS and obtain an Incidental Take Permit.

The CTS is certainly the most extensive and critical of the endangered species in the County. However, there are over 30 threatened or endangered species in the Santa Barbara County not including birds, fish and island species. For example, another important endangered species that exists within the CTS Range is the Red-legged frog.

B. Activities Affected by the Listing

Under the ESA, activities that result in an incidental "take" of protected species generally are prohibited unless the USFWS has authorized such take. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or to attempt to engage in any such conduct." Take also includes habitat modification that significantly disrupts normal behavioral patterns, such as breeding, feeding or sheltering, leading to the injury or death of a listed species. Only an incidental take permit provides immunity from liability for a "take." Activities affected by this prohibition range from residential and commercial development and public infrastructure projects to ongoing agricultural activities and single-family home construction. Changing the use of agricultural lands from grazing pasture to row crops is also prohibited under the ESA.

Santa Barbara County's CTS species exist in areas consisting primarily of agricultural and currently undeveloped lands. County-wide agriculture is a $1.8 billion industry consisting primarily of non-irrigated pasture, broccoli and wine grapes in terms of acreage. At the northern end of the CTS Range is the City of Santa Maria which is the County's largest and fastest growing city. Just south of Santa Maria is the unincorporated area of Orcutt, which is where most of the potential urban growth area, within county jurisdiction of the CTS Range, lies.

C. Ineffective Land-Use Regulation and Conservation Management

While many larger project proponents are aware of the prohibitions and obligations imposed under the ESA to protect listed species, many Santa Barbara County residents are unaware of the restrictions on activities occurring in the CTS Range. As a result, those activities continue to contribute to the long-term decline in animal and plant populations.

Because of the regulatory protections afforded the species, individual landowners proposing projects near endangered species often must conduct extensive and time-consuming studies and obtain approval by wildlife agencies, including negotiations on required mitigations and fees. This process often requires multiple submittals and is time consuming and expensive for both the owner and the agencies. The listing of the CTS in particular has resulted in substantial expense and delay for a wide range of public and private projects. At the same time, the current piecemeal, project-by-project, owner-by-owner approach to mitigation of impacts has resulted in a patchwork of preserved habitat throughout the 190,000-acre Range that is not conducive to the long-term survival and recovery of the species.

The listing of threatened or endangered species and designation of critical habitat has also caused a level of uncertainty for local jurisdictions, land owners, farmers and developers about how these listings affect their activities.

III. PROJECT OBJECTIVES

In pursuit of a solution to the short-comings of the current condition, the goal would be to establish a long-term conservation program to more effectively protect endangered species and mitigate effects of future development in the Range of the California Tiger Salamander. Simultaneously the goal would be to reach that objective only in a manner that achieves the following:

1) protection of stakeholders' (public and private) land use interests;

2) predictability and streamlined processes in obtaining land use permits within the Range, and;

3) economic viability in its implementation.

Objective number three is particularly important because without economic viability there is no project. With no project there is less protection to the species.

The goal of the project will be to advance several regional conservation and economic objectives. Most important, the project must provide an alternative to the existing project-by-project approach to ESA compliance by offering a comprehensive conservation program that affords far greater benefits to the species, while creating a more efficient and timely process for public and private project proponents to satisfy the requirements of the ESA and the California Endangered Species Act, (CESA).

By identifying priority areas for conservation outside of areas targeted for future development (i.e., primarily outside the established urban growth boundaries of local jurisdictions), the program must provide much needed certainty in the land use and development process and help achieve a reasonable balance between species conservation and economic growth in the region.

Specifically, the overall objectives of the program would be to:

- Provide for the long-term survival and contribute to the recovery of CTS and other species through the preservation, restoration, management and monitoring of species habitat in a contiguous preserve system outside of areas targeted for development;
- Provide for a predictable and streamlined process that substantially all public and private activities can utilize to achieve compliance with the ESA;

- Accommodate appropriate growth and development within the CTS Range, consistent with general plans adopted by local jurisdictions;
- Ensure that impacts to the species are appropriately minimized and mitigated consistent with the requirements of the ESA;
- Establish guidelines and appropriate practices to facilitate on-going operations and maintenance of existing and future infrastructure and public facilities;
- Maximize opportunities for the restoration and enhancement of degraded habitat areas;
- Ensure ongoing adaptive management and monitoring of habitat areas conserved under the program; and
- Monitor the effectiveness of the program and provide for enforcement of its terms in order to meet its objectives.

IV. POTENTIAL OPTIONS

A. Option #1 – Develop a Regional Habitat Conservation Plan

Most government leaders, land owners and environmentalists agree that the present system does not accomplish its intended goal as well as it could. Up to this point, different interests have all too often viewed business development and environmental protection as opposing interests. An alternative is to bring all interested stakeholders to the table collaboratively, working toward common interests of environment, economy and quality of life. A way others have achieved this goal is through the creation of what's known as a Regional Habitat Conservation Plan (R-HCP), as opposed to project specific HCPs. A 1982 Congressional amendment to the ESA authorized "incidental take" through the development and implementation of R-HCPs. This approach was patterned after the San Bruno Mountain R-HCP, what was then an innovative land-use plan in San Francisco's bay area that began with a classic conflict between development activities and environmental protection. In 1983 this planning effort culminated in the first issuance of an incidental take permit. It was an unusual approach at the time because it was the first attempt to resolve competing interests through negotiations and compromise rather than continued litigation and losses for both the economy and the species.

There are many versions of the R-HCP. They can be simple or complex. They can cover unlimited number of species, or just one. Some plans are designed to be process driven; others are goal oriented.

A more recent, notable example of a R-HCP was developed by the County of San Diego. It covers 86 species and more than 500,000 acres of land. It was initiated by environmental groups seeking a solution to the loss of endangered species' habitat. In the end the developers came to

be one of its biggest supporters. It was implemented 7 years ago and its performance continues to be deemed a success by leaders in the environmental and business communities alike.

B. Option #2 – Develop a Regional Conservation Strategy Like Sonoma

1. Background

There are many success stories in California and throughout the country demonstrating the effectiveness of the R-HCP in promoting protection to the species and to land-use interests. There also have been some failures, primarily with the single-site, project-specific HCP involving one private land owner. The HCP process is known to take a minimum of two years to complete and as many as a dozen. It is also known to cost more than $50,000 typically for single projects. Most private land-owners are unable to afford that much time and money. Multi-species, R-HCP's like San Diego County's required six years and $6 million to develop. Many local jurisdictions are unable to afford, or have insufficient public support to spend that much time and money. As a result, other innovative approaches have been developed to achieve similar goals. Most of these are based on some form of what's come to be known as the "Section 7" approach. One such approach is the Sonoma Conservation Strategy, which is presented here as Option #2.

2. Summary of Section 7 Process

The ESA includes two separate provisions; Section 7 and Section 10, which authorize the incidental take of listed species. Although these sections are intended to address different circumstances, their similarity in purpose has triggered debate about their appropriate application and use. Generally, the provisions of **Section 7** are aimed at authorizing incidental take of listed species resulting from federal actions, including those authorized, funded, or carried out by federal agencies. In contrast, **Section 10** provides a mechanism by which non-federal activities, such as development on private lands or actions undertaken by state and local governments, may obtain such take authorizations. That mechanism is the HCP and R-HCP. Over the years, however, as the USFWS has explored various regulatory approaches under the ESA, the lines between sections 7 and 10 have become increasingly blurred.

Among the approaches that have challenged the conventional application of Sections 7 and 10 has been the use of voluntary agreements between the USFWS and non-federal parties to provide a basis for Section 7 consultations. Under this approach, the USFWS has used written agreements, such as memoranda of understanding (MOU) or conservation agreements, to create a federal nexus for the purpose of triggering the consultation provisions of Section 7 and authorizing take for non-federal actions. A Section 7 process is often desirable because, for an individual project, it is usually faster and less expensive than an HCP or R-HCP. Although the USFWS has effectively used these agreements on a number of occasions, the practice has not

been routinely or uniformly adopted, nor have the legal ramifications associated with the approach been entirely settled within the USFWS and the Solicitor's Office, despite the unequivocal support of the courts[1].

3. The Sonoma Conservation Strategy

To date the most innovative approach taken by a jurisdiction to provide a regional, comprehensive habitat conservation plan using a method other than the HCP or R-HCP is being attempted by the City of Santa Rosa, together with the County of Sonoma. Hereinafter these two jurisdictions will simply be referred to as "Sonoma". The Sonoma project was initiated by a group of developers requesting the City devise a plan to solve their land use problem related to the CTS. To distinguish it from a R-HCP, they call their approach the "Santa Rosa Plain Conservation Strategy Plan", which will hereinafter be referred to typically as the "Sonoma Plan" or Sonoma approach . More than 90% of the Santa Rosa Plain, which defines their area of interest, is within areas subject to US Army Corps of Engineers 404 permit requirements (largely due to existence of wetlands or flood plain areas). This lends itself well to the Section 7 process. They will develop an MOU with wildlife agencies to trigger the Section 7 consultation process, and they believe that the use of such an agreement offers a legally defensible means to extend take authorizations to non-federal activities, including those covered under their proposed regional conservation efforts. Their legal counsel believes not only is such an approach permissible under the ESA and the Section 7 implementing regulations, but that it serves as an effective mechanism to provide regulatory coverage to federal and non-federal activities, including those that do not fall within 404 permit requirements, under a single agreement. A public hearing on the draft document in September of 2005 was attended by Staff, who found the environmental community to be the plan's strongest supporter.

Sonoma has completed the strategy for mitigation and preserve area requirements and is currently preparing the main document. They have some issues remaining on the scope of the plan, and hope to finalize their approach by early next year. They anticipate completing the implementation document by spring of 2006.

4. Applicability to Santa Barbara

[1] Support by the courts is demonstrated by two important cases, Ramsey v. Kantor, 96 F.3d 434 (9th Cir. 1996), and Friends of the Wild Swan v. Babbitt, 168 F.3d 498 (9th Cir. 1999). In the first case, for example, the court agreed with the federal government and held that Section 7 (o)(2) indicates that any taking - whether by a federal agency, private applicant, or other party - that complies with the conditions set forth in the incidental take statement is permitted. The court stated "although there are few, if any, cases considering the permissible scope of Section 7 and Section 10 incidental take authorizations, our relatively expansive interpretation of Section 7 is consistent with the evidence of how the two provisions have been implemented."

Sonoma's Section 7/MOU approach appears to be applicable to the CTS Range in Santa Barbara County. Sonoma understands they are more at risk from potential legal challenges to their plan than they would be with the more established R-HCP. It is important to understand that the Santa Rosa Plain is more than 90% subject to federal control (US Army Corps of Engineers 404 permits), and as such they fit better into the Section 7 model than does Santa Barbara's CTS Range, which has probably less than 10% lands subject to federal control. Only the MOU that Santa Barbara would enter into with the USFWS gives Santa Barbara that federal nexus needed for the Section 7 approach.

C. Option #3 – Do Nothing

The current process varies by project type (ministerial vs. discretionary), and in many cases involves applicants individually consulting with the USFWS and the California Department of Fish and Game (CDFG), often after the local jurisdiction has issued land use permits. The local jurisdiction's obligation under the California Environmental Quality Act (CEQA) is to review projects and mitigate for any potentially significant impacts. The federal USFWS obligation is to determine whether "take," as defined in the ESA, will occur. The process often results in the county separately negotiating CEQA mitigation (or issuing permits), and USFWS separately negotiating ESA mitigation. For ministerial projects, this usually entails preparation of an initial field assessment followed by permit issuance, if the results of the initial field assessment are no, or low, probability of impact. For discretionary projects, habitat assessments and further studies are often required. The county has typically deferred to USFWS on the type of surveys necessary, and reviews projects on a case-by-case basis. Site design, construction practices and procurement of off-site mitigation, if necessary, are negotiated through the federal HCP or other process, if that is determined to be necessary.

Both the CEQA and ESA processes are typically expensive, time-consuming, and redundant, even if well-coordinated and integrated.

V. RECOMMENDED APPROACH FOR SANTA BARBARA COUNTY

Based on findings that are presented below, staff finds the do-nothing approach to be the most costly and the least protective to the species. Between the two action options, staff recommends Santa Barbara County follow Sonoma's Conservation Strategy approach, but allow for an easy diversion to a R-HCP if Sonoma's experience warrants such, as explained later in Section X below. Staff's recommendation is to pursue the plan that takes the least amount of time and money, yet affords at least as much protection to the species. That is the Sonoma approach, based on what is known today. Because the Sonoma and R-HCP methods are very similar, the Sonoma plan can be followed for several of the initial tasks before the two methods diverge. It is believed these tasks would require at least a year to complete. Schedules of time and money, shown later in this report, depict the points at which Santa Barbara's approach should be re-evaluated before proceeding further.

VI. COMPARISON OF OPTIONS

A. Introduction

This section presents a comparison of the three options proposed previously. The matrix below provides a summarized synthesis of the comparison. It will be important for the reader to review the paragraphs that follow the matrix. These paragraphs describe each feature compared, and explain the assumptions used. Paragraphs for items 1 – 12 are labeled with the same number for easy reference. The reader must understand that some of the information provided for this comparison is based on very rough approximations and assumptions developed with minimal resources. The information is believed to be sufficient to provide the reader a relative comparison of the options presented, a general understanding of the scope of the regional conservation strategy effort, and the ability to make a choice between options presented. It would be the work of the project team over several years, if this project is approved, to determine the values of the parameters estimated herein.

COMPARISON MATRIX

	#1 – R-HCP	**#2 – Sonoma Strategy**	**#3 - Do Nothing (HCPs)**
1. Topics Addressed	a) Project Description b) Species Description c) Predicted Take d) Changed Circumstances e) Adaptive Management f) Mitigation g) Funding h) Implement Agreement i) NEPA Assessment	a) Project Description b) Species Description c) d) e) Adaptive Management f) Mitigation g) Funding h) Implement Agreement i) NEPA Assessment	a) Project Description b) Species Description c) Predicted Take d) Changed Circumstances e) Adaptive Management f) Mitigation g) Funding h) Implement Agreement i) NEPA Assessment
2. Species Protection	5	5	3
3. Development Cost	Appx. $3 - $5 million **once**	Appx. $2 - $4 million **once**	Appx. $3-$6 mil. in 30 yrs
4. Implemented Cost	Perhaps $3 - $6 million/yr	Perhaps $3 - $6 million/yr	Perhaps $3 - $8 million/yr
5. Development Time	4 to 10 years, **one time**	4 to 6 years, **one time**	1 to 5 years, **each project**
6. Experience	22 years	none	22 years
7. Local Independence	90-95%	Unknown	0%
8. Legal Defensibility	Moderate to good	Unknown	Moderate to good
9. No Surprises Rule	Provided	Not provided	Provided
10. Critical Habitat	No impact	Some impact	No impact
11. Commitment	Unlimited (typ. 30 - 75 yrs)	Unknown	Unlimited
12. Grant Monies	Available (up to several %)	Not currently available	Available (up to several %)

1. Substantive Differences (Topics Addressed in Conservation Plan)

The HCP, R-HCP and the Sonoma Plan contain essentially the same elements and address the same topics. The Do-Nothing option would require project owners to continue to prepare a HCP, so Options #1 and #3 are identical in this feature. Option #2 is primarily meant to provide a simpler version of each of the components of a HCP. The HCP components are:

a) Project Description
b) Species Description
c) Predicted Take
d) Changed and Unforeseen Circumstances
e) Adaptive Management
f) Mitigation
g) Funding
h) Implementing Agreement
i) Environmental Assessment (NEPA – National Environmental Policy Act)

Currently the Sonoma Plan (Option #2) intends to address each of these topics, with the exception of Changed or Unforeseen Circumstances. Also, Sonoma addresses Predicted Take only by stating that predicted take will be determined for individual projects.

2. Level of Protection to Species

The numbers shown in the comparative matrix for this feature represent a relative comparison based on an arbitrary scale of 1 to 5, with 5 being the highest protection. The Sonoma Plan intends to offer the level of protection required by the ESA, and is thus the same as that required by the R-HCP. Therefore Options #1 and #2 are the same. Option #3 on the other hand offers less protection even though it involves a HCP, because it represents individual, project-specific HCPs that cannot provide as much protection as a comprehensive, well planned, regional conservation plan.

3. Development Cost

a) Costs for Options #1 and #2

Development cost of a regional plan is largely defined by the type and complexity of the problem, regardless of whether it is addressed by a HCP, R-HCP or a Sonoma-type strategy. Simpler HCP and conservation strategies with fewer species and stakeholders will take less time. More complex plans with more features, more jurisdictions and more rivalry will cost more to develop and implement.

It is expected that the Sonoma Plan will cost less than a comparable R-HCP, but until their plan is completed, this remains undetermined. Both San Diego and Riverside spent $6 million each to produce and execute their R-HCPs. Riverside spent more than $10 million. Santa Barbara County's project would be far smaller than these projects and thus cost somewhere near the

lower end of the range shown in the matrix for Option #1. To date the City of Santa Rosa has spent about $300,000 in consulting costs, and anticipates spending an additional $150,000 in consulting to produce their document, represented in Option #2. Added to this is the cost of local jurisdiction's staff that has worked to produce the Sonoma Plan. Currently, Sonoma's Plan includes a contingency to proceed with the development of a R-HCP if found to be "necessary or appropriate", (this is discussed further in Section X.A below). If they find it's not necessary to prepare a R-HCP, they will spend significantly less than $6 million.

b) Cost for Option #3

Option #3 considers the current situation in Santa Barbara County. The individual land owner today is typically required to hire his own consulting biologist. Costs for these studies vary. In the table below, Staff has estimated costs (and the time frame for completion) for many of the typical CTS surveys and studies, based on review of various projects involving CTS over about the past five years in northern Santa Barbara County.

POTENTIAL HCP DEVELOPMENT COSTS FOR LANDOWNERS

Task	Cost Range	Development Time
Initial field assessment	$150 to $250	2 - 4 weeks
Habitat evaluation and assessment	$1,000 to $2,000	1- 2 months
Dip-netting and aquatic sampling	$2,500 to $4,000	4 - 6 months
Protocol Survey (drift fence study)	$25,000 to $60,000	2 years
Small, project-specific HCP	$4,000 to $10,000	6 months – 1 year
Larger, project-specific HCP	$150,000 to $200,000	6 months – 1 year

The table shows the development costs can range from $150 to $280,000 for each individual project. Conducting CEQA review, completing wetland analysis and delineation, and obtaining Corps of Engineers 404 permits, and CDFG streambed alteration agreements, if these are necessary, adds to these costs.

Over the past five years, it is estimated that at least 75-100 landowners have been required to prepare initial field assessments prepared for small projects (e.g., single-family dwellings, remediation of individual oil wells) within the county's jurisdiction, and the county has issued land use permits for most of these. The estimated range of costs to develop a HCP, together with this estimated range of projects, provides the estimated range of annual cost for HCP development paid by Santa Barbara County landowners.

A very small percentage of these landowners have fallen into the "moderate" impact category, requiring further surveys and analysis, which some applicants have had difficulty completing. Another 30 or so larger projects have required more intensive habitat evaluations and detailed CEQA review (i.e., initial study and Mitigated Negative Declaration or Environmental Impact

Review, (EIR)), and, according to USFWS,[2] some of these may still be unresolved in terms of ESA compliance. Approximately four or five project applicants have conducted, or are in the process of conducting, drift fence surveys. In actuality, as of this date, very few project-specific HCPs for CTS have been completed for projects within county jurisdiction.

If one considers the quantity of land that is undeveloped but currently zoned residential and lying within the CTS Range, and assumes that land will be developed eventually, then the cost to develop the many project-specific HCPs that would be required could be very high. In lieu of any more precise means, an estimate of $6 million has somewhat arbitrarily been selected to represent this cost, which is the same cost for the other options. To check its reasonableness, assume the average cost to developers to prepare necessary documentation for getting a take permit is $50,000. Over a development period of 30 years, only 4 such developers would be required per year, on average, to accumulate that cost. That seems reasonable, especially when there are several thousand acres of such land to be developed (see related discussion in Section X.A), and many agricultural conversions that are likely to be applied for additionally.

The comparison shows that the Do-Nothing option does have cost, and the cost incurred to landowners over the long term would likely be as high as the one time cost to local jurisdictions to develop a regional plan.

4. Implemented Cost

This item represents the cost to assemble and manage a habitat preserve area, and a system of project processing and incidental take permitting. Considerable discussion and background information is required to present the assumptions used to estimate these costs. After presenting other pertinent information, Section X below explains how this cost range presented in the matrix was determined. In summary, when considering current mitigation requirements by the USFWS and assuming current vacant land zoned for residential development is fully built over the next 30 years, the annual cost, over a 30-year period, would likely be no more costly than the Do-Nothing option. In fact, the county of San Diego spent considerable time and money to conduct a thorough cost analysis of the HCP versus Do-Nothing options. In their case, hard data provided conclusive evidence that a regional HCP would save them money over a 30-year period.

5. Development Time

Development time is impacted by the same factors that effect development cost, regardless of whether it's a HCP or a Sonoma-type Plan. Those factors include plan complexity, number of species, number of stakeholders represented, number of local jurisdictions, etc. An example of a complicated, R-HCP is Kern County, where they have been working on one of their R-HCPs for

[2] Presentation to Santa Barbara County Board of Supervisors by USFWS, December 13, 2002.

nearly a decade. Individual, project-specific HCPs in Santa Barbara County (Option #3) were shown above to require up to 2 years and more.

To represent Option #2, Sonoma has published the following schedule, as modified by recent discussion with Sonoma's Implementation Team staff:

Action	**Time Frame**
• Draft Conservation Strategy (the biology)	1 year (actual)
• Implementation Document and Final MOU	1 year
• Programmatic Biological Opinion and permits	1 year
• Local Ordinances and Example HCP templates	1 year
• Prepare R-HCP "if necessary or appropriate"	2 years
TOTAL:	**4 to 6 years**

For comparison with Option #1, below are some example R-HCPs that have been developed, including a description of the scope of the plans:

Jurisdiction	**Development Time**	**Species Included**	**Area Covered acres**	**Acres Preserved**
County of San Diego	6 years for R-HCP	86	580,000	172,000
County of Riverside	6 years for R-HCP	146	1,260,000	500,000

For perspective, here are the scopes of Sonoma and Santa Barbara Counties:

Sonoma County	4 years, possibly 6	4	80,000	4,000
Santa Barbara	undetermined	2 or 3	190,000	undetermined

The comparison demonstrates that the Sonoma Plan (Option #2), is expected to require less time than the regional HCP of Option #1. It also shows that the R-HCP does not require all that much more time, which is important to consider given the apparent added benefits from an R-HCP.

6. Experience

The Sonoma Plan is the first of its kind. Contrarily, hundreds of R-HCPs have been developed. The USFWS has reported that by the end of the century, a total of 290 incidental take permits had been issued covering 20 million acres of land and protecting over 200 species. The first HCP has been in operation for more than 20 years. San Diego's R-HCP is in its 7th year of operation. With this history of the R-HCP, many lessons have been learned and refinements made to the R-HCP process, which can provide an added level of confidence in the product. This is applicable to both Options #1 and #3.

7. Independence from Federal and State Processes

R-HCPs were designed to provide the applicant a programmatic incidental take permit (ITP). San Diego, for example, has made its successful land-use applicants third party beneficiaries of their ITP. The result is, traditional permitting agencies for endangered species no longer have to be involved in most, if not all, projects covered by the R-HCP. This greatly speeds land-use application processing. Sonoma envisions being able to do the same, however as of this date there is still uncertainty among their team members and local agencies that this will be possible without a R-HCP.

8. Legal defensibility

Because the Sonoma plan has never been done before, there is less certainty it would be upheld in a law suit against it compared to an R-HCP. However, Sonoma's legal counsel believes the approach is defensible.

9. No Surprises Rule

"No Surprises" assurances are provided by the ESA through Section 10(a)(1)(B) process to non-Federal landowners. Essentially, private landowners are assured that if "unforeseen circumstances" arise, the Services will not require the commitment of additional land, water or financial compensation or additional restrictions on the use of land, water, or other natural resources beyond the level otherwise agreed to in the R-HCP without the consent of the permittee. The government will honor these assurances as long as a permittee is implementing the terms and conditions of the R-HCP, permit, and other associated documents in good faith. In affect, this regulation states that the government will honor its commitment as long as the R-HCP or HCP permittees honor theirs.

The No Surprises Rule applies only to R-HCPs and HCPs (Options #1 and #3). However, this presumably does not preclude any agreement between parties made in an MOU, (Option #2).

10. Potential Impact with Critical Habitat Designation

Currently there are several designations of Critical Habitat for various species within the CTS Range. Critical Habitat can be defined as geographic areas designated by the USFWS where threatened or endangered species exist, or the physical or biological resources essential for their conservation. Critical habitat designation affects only Federal agency actions or federally funded or permitted activities. Such activities are not permitted to jeopardize or adversely modify Critical Habitat.

For R-HCPs and HCPs there is no issue with critical habitat because the process follows Section 10 of the ESA. Critical habitat does not apply to Section 10. This would be the case for Options #1 and #3. Using the Section 7 process of Option #2, the entire CTS Range would essentially

become a federally permitted activity and thus critical habitat does apply. Sonoma is working very hard to prevent a critical habitat designation by the USFWS.

Staff believes that the Section 7 issues that arise from existing Critical Habitat designations in our CTS Range can be resolved. The USFWS would eventually prepare a biological opinion if Option #2 were pursued. When USFWS find jeopardy or adverse modification to critical habitat in developing that opinion, signatories to the MOU need only to adopt "reasonable and prudent" alternatives for eliminating that jeopardy. Such alternatives are the essence of the regional conservation strategy. In conclusion, there would be no Critical Habitat issue with Options #1 and #3. There is an issue with Option #2, but it is believed that the Option #2 process overcomes the issue.

11. Duration of Commitment

There is no statutory limit on R-HCP and HCP agreements, and typically R-HCPs provide a longer commitment. For example, San Diego's R-HCP is for 50 years. Riverside's is for 75 years. Sonoma intends to pursue with the USFWS a duration of commitment in the MOU agreement, but it is unknown what if any will be given.

12. Grant Money Availability

Section 6 of the Endangered Species Act (ESA) provides for federal grants for implementing R-HCPs. For example, grants totaling more than $25 million were announced on September 27, 2005 for the State of California. Specifically, $10 million was given to the county of San Diego alone for two R-HCPs it has implemented. The grants are primarily for the acquisition of land, private or public, to be used for assembly of preserve area identified in the R-HCP. A minor amount is targeted for conservation of existing habitat.

These grant monies are not available for anything other than a R-HCP or HCP (Options #1 & 3).

A full listing of the grants awarded to California this year is provided in Appendix A. This Appendix also shows all R-HCPs that have been implemented in the State of California.

B. Other Negative Consequences Associated with Option #3 – Do Nothing

The current process is piecemeal, may not provide adequate protection for species and habitats, and results in inefficient and duplicative efforts. Each individual project owner must hire his/her own consultant, and each consultant has their own level of knowledge and approach to defining the conditions and recommending the required mitigation. If the county decides not to prepare a regional conservation strategy, not only is the species less well protected, but also there are a

number of potential stakeholders and interests that will experience negative consequences.[3] The consequences include:

- Endangered, Threatened, and other sensitive species and habitats will continue to experience loss and degradation, with corresponding difficulty in protecting connected blocks of habitat and corridors between them;
- landowners/developers will continue to experience a lack of economic and regulatory certainty;
- the county and other local agencies will continue to implement what is perceived to be an ineffective and lengthy permit process;
- federal and state agencies will continue to experience insufficient resources to provide permit processing that prevents landowner dissatisfaction and species and habitat loss;
- the general public may experience inefficient expenditures of public funds for redundancies in the process; and
- the courts may see increased caseloads due to potential landowner dissatisfaction with the process.

C. Conclusion of Comparison

The alternatives to doing nothing, whether a R-HCP or a conservation strategy, can benefit all stakeholders by improving regulatory certainty, reducing the need for surveys and mitigation negotiation, reducing redundancies and thereby decreasing costs and time spent on project review. In addition, it would provide an integrated and coordinated approach for acquiring mitigation and conserving species and habitats, and do so likely for less cost than the current approach. For these reasons and because there are no economic advantages to doing nothing over the long term, Staff recommends the Do-Nothing option be eliminated from further consideration.

Bottom Line: Because Option #2 achieves a regional conservation plan for potentially the least cost and time, it has been recommended in Section V above as the preferred option.

D. Beneficiaries

The apparent beneficiaries from the recommended plan would include the following:

1. The involved species

[3] This analysis assumes that there is general belief in the "take" concept, as defined in the Endangered Species Act; that there is general belief in the existence of the California tiger salamander as a distinct species and a Distinct Population Segment in Santa Barbara County, and its corresponding Endangered status; and finally, for the wetland component, that regional general permits for wetlands can be negotiated with Corps and EPA.

2. Property owner interest, including
    a) Development
    b) Agricultural preservation
    c) Permit processing
    d) Land development cost

3. Environmental protection interests, including
    a) Protection of wildlife
    b) Protection of open space

4. Local jurisdiction interest, including
    a) Environmental stewardship
    b) Project development
    c) Land development permit processing

VII. DESCRIPTION OF REGIONAL CONSERVATION STRATEGY

A. How Regional Conservation and Land-Use Permitting Work Together

1. Conservation

The central element to conservation is a biological framework for preserving contiguous areas of high quality habitat in the CTS Range. The Regional Conservation Strategy recommended here, or RCS, will identify areas throughout the Range that are suitable for the establishment of species preserves. Under the plan, mitigation for development projects and other activities affecting CTS or other subject species generally will be required to occur within identified targeted areas.

The RCS would set individual preserve goals for each preserve area. It is envisioned the RCS would not change land use designations or permitted uses of any property within the plan area.

While the RCS contemplates that the preserve system will be assembled primarily through mitigation for development projects and other activities, the plan anticipates that land from other sources (such as public lands or preservation of lands that are used for compatible activities) will be used to meet the preserve goals.

Under the RCS, mitigation for impacts to CTS will likely be required within 1.2 miles of known CTS breeding sites at a ratio to be established based primarily on the quantity of land required for the preserve system. Areas outside of 1.2 miles, but within potential habitat areas, may have the option of mitigating at a lower ratio, paying an appropriate in-lieu fee or conducting surveys to establish the presence or absence of affected species. Areas throughout the CTS Range that are covered by an existing "no effect" or "not likely to effect" determinations or that meet the criteria for such determinations would not be subject to mitigation requirements. The RCS will

include a provision for Safe Harbor[4] agreements between land owners and wildlife agencies, without involvement of the local jurisdiction.

Mitigation may be provided in the form of land set aside within appropriate areas and the payment of a fee to support the long-term management and monitoring of the mitigation site, or through the purchase of credits at an approved mitigation bank. Lands within the preserve system will be actively managed and monitored in perpetuity to ensure that habitat values are maintained or enhanced over time. Certain projects and activities will be required to comply with minimization measures and best management practices to reduce impacts to listed species.

2. Land Use Permitting

It is envisioned that property owners seeking a permit for development or other change in land use would have one application from one jurisdiction to contend with for discretionary projects, including species protection and mitigation. Generally there would be no separate USFWS or other environmental protection permit required. Exceptions to this might be unique projects in wetlands or flood plain areas controlled by the US Army Corps of Engineers or the Clean Water Act (CWA), or exceptional projects with unusually critical habitat. The requirements and review of projects required for the RCS would be rolled into the existing permit application, greatly streamlining the process for both the owner and the jurisdiction and ensuring compliance with the conservation plan. While staff is looking at setbacks and height limits, other staff is looking at conformance with the RCS requirements. It would be similar to how projects are currently analyzed against a jurisdiction's General Plan. For the land owner it will be one-stop-shopping with the local jurisdiction.

B. Proposed Outline for Regional Conservation Plan

Appendix B provides an outline of the envisioned the Regional Conservation Strategy.

C. Implementation

It is envisioned the RCS will be implemented primarily at the local level through local ordinances. Local jurisdictions would review development projects and ensure that the mitigation and minimization measures required under the Plan are included as a condition of development.

Once the RCS has been approved by the USFWS and California Department of Fish and Game, (CDFG), projects that undergo local review or otherwise comply with the Plan would be covered

[4] A voluntary agreement between the USFWS and a property owner and any other cooperator that a) sets forth specific management activities that the non-Federal property owner will undertake or forgo to provide a net conservation benefit to species covered by the agreement, and b) provides the property owner with Safe Harbor assurances described within the agreement and authorized in an enhancement of survival permit.

by federal and state "take" authorization under the ESA and CESA pursuant to a programmatic biological opinion relating to all activities covered by the Plan. However, the RCS would not eliminate the requirement to obtain other, less common federal approvals, such as a Section 404 (wetlands) permit where such is required. The USFWS could probably issue a programmatic biological opinion to the US Army Corps of Engineers to ensure that the RCS is consistently implemented during any Section 7 consultations relating to the issuance of Section 404 permits, thus speeding the Corps' review process also.

D. Administration and Management of Preserve Areas

Local jurisdictions would administer the RCS. Oversight of the management and monitoring of the preserve areas, and enforcement of the RCS, would be the responsibility of the USFWS and CDFG, working in conjunction with the local jurisdictions and preserve managers, including operators of established mitigation banks. The RCS would incorporate a management and monitoring program designed to respond to changing circumstances and the needs of the subject species.

E. Federal and State Laws and Regulatory Requirements

Appendix C provides a description of the federal and state laws that apply, and how they would be addressed by the RCS.

F. Overview of Proposed RCS Development Process

1. Local Jurisdictions

Given the responsibility to implement the RCS, local jurisdictions would necessarily play a dominant role in development of parts of the RCS that must integrate the goals of species conservation with other core objectives. Other core objectives include the creation of a predictable and streamlined process that substantially all public and private activities can utilize to achieve compliance with the ESA, and the accommodation of appropriate growth and development within the CTS Range, consistent with local general plans.

The local jurisdictions that at least partially lie within the CTS Range and may wish to participate are the County of Santa Barbara and the City of Santa Maria. Because the City of Buellton's, northern boundary lies at the southern most extent of the CTS Range, it may wish to participate also.

2. Role of Stakeholders in the Development of the RCS

The goal of the RCS will be to enhance protection of the species, enhance protection of land owner interests, and enhance local jurisdiction efficiency in governance. This goal umbrellas a large number of groups having interests in one or more of these areas. These interested parties, or stakeholders, need to be represented in the development of the conservation strategy. Stakeholders that will be represented in the development of the conservation plan include the following:

- Local jurisdictions
- US Fish & Wildlife
- California Department of Fish and Game
- US Army Corps of Engineers
- North Coast Regional Water Quality Control Board
- The environmental community
- The development community
- The farming community, and
- The ranching community

Ideally the RCS will represent, and find compromise among, each of the stakeholders. Thus, it will be important to involve each stakeholder in the process of developing the plan. To accomplish this, the team of stakeholders will be assembled to meet on a regular basis over the course of about 2 years to consider available biological, land use and other information relevant to the development of a conservation strategy. In general, an interest group or jurisdiction will be involved in determining who best represents that group and should be part of the team. The team of stakeholders will be responsible for preparing the regional conservation strategy. It is envisioned the County would provide leadership, expertise and staff resources to assist the team in development of the document, and serve as "middle ground" in helping to achieve compromise among potentially competing interests. The USFWS would provide leadership and expertise in biological and regulatory requirements, which necessarily guide the development of the end product.

3. Team Organization

Santa Barbara County staff has been participating in Sonoma's Conservation Strategy Implementation Team meetings, and has dialogued with its team leader and many of its members. Staff has also visited with members of San Diego City and County R-HCP teams. This has afforded the opportunity to learn what does and does not work, and what can be done better. The recommendations herein are based on those lessons, and reflect much of what Sonoma has recently changed.

First, choosing the size of the team has conflicting considerations. On the one hand a team that represents as many different interest groups as possible is desired. On the other hand it's well known that a smaller team is typically more efficient and able to accomplish more in a shorter amount of time.

Second, it is important the team have a structure conducive to effective management of focus, schedule and budget. Sonoma's approach was to have one team made up of all stakeholders to address most of the topics of a R-HCP, but to especially focus on the biology (preserve areas, mitigation ratios, etc.). That team had 10 members. A second team consisting only of local jurisdictions was established afterward to develop the implementation plan, though not all jurisdictions were represented equally. The members of one team were mostly exclusive to the other. Both were lead by an independent facilitator. Early in the implementation team's work there was less than full buy-in of the first team's work from some of the second team's members. Also, non-jurisdictional stakeholders such as the environmental and development communities were excluded from the Implementation Team, but were eventually made members. The initial Implementation Team grew to more than 23 members before it was finally dissolved. After action by some local jurisdictions, a new team structure was convened on February 15, 2006. The new structure provides for a policy oversight committee, subject to the Brown Act, to direct, review and approve the work of technical advisory committees (TAC). By design, the oversight committee initially consisted of two elected officials from each local jurisdiction and one member each from the wildlife agencies. That group is now soliciting nominations for individuals to represent stakeholder groups who, as voted by the original committee, will become members of the oversight committee. The oversight committee will then be supported by TACs as needed to assist and develop the desired products of the committee. The oversight committee will meet two hours each month to direct and consider work of the TACs.

Santa Barbara County Staff observe these changes to be a major improvement, see great advantage in learning from Sonoma's experience, and recommends a similar oversight committee/TAC structure, at least at the point of developing the implementation plan. Staff recommends one team be established for the entire process; not two, and preferably be no more than a dozen members in total.

Experience also shows that a project of this nature is most successful when decisions are made by consensus. The oversight committee approach is not meant to detract from that, but rather to provide a mechanism to keep the process focused and to prevent development of a plan that jurisdictions and regulating agencies ultimately cannot adopt. Sonoma will complete the body of work within its TACs through consensus of TAC members. TAC members will consist of staff from local jurisdictions, from stakeholder groups, and from regulating agencies.

Staff recommends the team have a leader and not merely a facilitator. The leader must be impartial and accepted by stakeholders as fair and balanced, and must possess skill in consensus building. The team leader should understand clearly the goals of the team, be familiar with the subject matter, and be capable of leading the team to goal achievement. There should be at least two TACs; one for biology, and one for implementation. The TACs would carry out their work under the direction of the larger team, and submit data and proposed language for the full team's consideration.

From the beginning all team members should understand that there is latitude in development of most of the RCS plan, but that local jurisdictions, in their representation of the entire population,

must ultimately determine where there is no latitude and what best represents their constituents at large. Local jurisdictions must and do understand that if they represent only a minority of the team's opinion, they have achieved nothing. The USFWS, in its representation of the Department of Interior, would ultimately find the RCS plan compliant with the ESA or not, and CDFG would find it compliant with CESA or not. The various stakeholders would find the RCS plan one that they would use or not.

4. Participation of the Public in Development of the RCS

A public workshop will be held early on in the plan development to receive public input on the scope of the conservation strategy and its implementation. It will post its meeting minutes and other issues of public concern on a dedicated website with public access. Eventually a Draft Regional Conservation Strategy will be made available to the public on the website. A second public workshop will be held to receive comments on the Draft RCS. Further public review and opportunity to comment on the final RCS will be provided as part of the environmental review process under CEQA and NEPA and the local public hearing process required prior to final adoption of the RCS.

VIII. IDENTIFICATION OF CONSERVATION AREA

A. Biological Resources Within the Plan Area

The assembled team of stakeholders and its sub-committees would determine the required conservation area based on a collection of the best available data. The subsequent RCS will provide a general discussion of resources found in the CTS Range and specific information about species such as:

- Habitat types and vegetation communities found in the Range
- Species covered by the Conservation Strategy

  Animals
  - Historic presence in Plan Area
  - Summary of behavioral and life cycle characteristics
  - Factors affecting local populations

  Plants
  - Presence in the Plan Area
  - Summary of biological characteristics
  - Factors affecting local populations

B. Land Uses Occurring Within the Plan Area

Similarly land uses within the participating areas will be depicted, such as;

- Land ownership patterns
- Existing and Planned Land Uses
- Existing Areas of Preservation
- Historical and Forecast Growth (areas likely to be impacted in future)

IX. LIKELY ACTIVITIES COVERED BY THE CONSERVATION STRATEGY

Once adopted, it is envisioned that compliance with the RCS will provide take authorization to local jurisdictions for all covered activities throughout the RCS area. Covered activities may include:

- New Activities. Examples may include residential, commercial and industrial development, public projects and infrastructure (including linear projects), agricultural conversion on undeveloped land and new recreational facilities.
- Existing or Ongoing Activities. Examples may include on-going public and private operations and maintenance of existing facilities, infrastructure, and development.
- Compatible and Exempt Activities. Examples may include minor development, certain existing agriculture and grazing activities, conversion to new, compatible agricultural uses, habitat management and passive recreation.

X. FINANCING HABITAT ACQUISITION AND MANAGEMENT

A. Approach to Financing

This section describes typical approaches to financing the various elements of a regional conservation strategy which includes land preservation, adaptive management, monitoring, and plan implementation. It also identifies what similar land acquisitions have cost other jurisdictions, and how they have financed this cost. Finally it provides a very rough, order-of-magnitude estimate of what habitat acquisition in Santa Barbara County's CTS Range may cost, and how the cost might be financed.

1. Land Acquisition

a) General

The RCS will identify what conservation measures will be required to preserve the CTS habitat and other selected species. To this end, the local government participants will adopt policies, procedures, and/or regulations to ensure that the minimization and mitigation measures adopted by the plan are properly implemented. Having contemplated the preserve system required, the RCS will determine how best to assemble the needed preserve lands. The primary way it has been achieved by most R-HCPs is through mitigation for development projects and other activities. An additional, significant method is to set-aside lands that are used for compatible activities (such as farmland used for grazing), whereby a willing land-owner would sell a mitigation easement to a developer, thereby ensuring the use of the land remains compatible to the species in perpetuity. In other counties publicly owned lands have often been an additional source of land to meet the preserve goals. In any case, whenever land or an easement must be purchased, it will be done so only from a willing seller.

b) Sonoma's Approach

Sonoma has identified the need to acquire about 4,000 acres. Currently Sonoma's primary approach to acquiring this land is through mitigation. Sonoma has significant lands dedicated for urban growth around the City of Santa Rosa. As a means to mitigate development, they have determined how many acres of preserve land a developer must provide to compensate for the number of acres developed. Currently the mitigation ratio is proposed to be 2:1 for most urban development. Also, local jurisdictions have pledged to contribute a combined 20% of the land needed for the preserve.

c) San Diego's Approach

The County of San Diego needs 172,000 acres of preserve land for mitigation. Their plan is to distribute the cost between three sources:

- Lands already in public ownership
- Acquisition from willing sellers, and
- Private development contributions through development regulations and mitigation of impacts (like Sonoma).

Nearly a decade ago the local jurisdictions within San Diego County performed a study to determine how best to fund the approximate 27,000 acres that must be acquired by public means. It estimated this cost to range between $260 and $360 million, assuming the price per acre to be between $10,000 and 13,000. The acquisition will be performed over a 30-year period. Federal and State agencies agreed to cover the cost of half of this. The local jurisdictions will fund the remaining 15,000 acres. The County has been able to cover its share, $3 million per year, through their general fund for the past seven years. Staff understands, however that voters there passed a transportation tax to cover this cost in the future.

Prior to implementing their plan, the County of San Diego also performed a study a decade ago to estimate the total financial impacts on households and business within local jurisdictions if a

benefit assessment were used to fund the entire cost of the required preserve acquisition. It estimated that over a 30-year period, a household would pay $20 to $25 per year and commercial and industrial property owners would pay $71 to $88 per acre per year.

2. Preserve and Compliance Management and Monitoring

Under the RCS, it will likely be the local jurisdictions that are responsible for implementing a program for the management and biological monitoring of lands that are conserved as part of the mitigation process. The local government participants may want to establish an endowment to ensure that management and monitoring will be carried out in perpetuity for those lands conserved under the plan. Project proponents and public entities that provide preserve lands as a result of the mitigation process would typically be required to contribute to the endowment. Projects and other activities might be assessed a fee for each acre of habitat conserved of an amount necessary to support the management and monitoring of those lands in perpetuity. These funds would be deposited in an endowment for that purpose. The wildlife agencies will want to ensure that adequate funding has been established for management and monitoring of the preserve.

The management endowment could also fund the cost of compiling information to be included in a annual reports that would typically be submitted by the local jurisdiction to the wildlife agencies. Project proponents would be responsible for providing the local jurisdictions with information related to project-related activities necessitating take authorizations. To help underwrite these costs, local jurisdictions could also use funds derived from payment of in lieu fees imposed on activities occurring within potential habitat areas.

The City of San Diego's Parks and Recreation department manages and performs these functions for what is today a 270,000-acre preserve area identified in their R-HCP. It has a staff of three dedicated to this effort.

3. Program Administration

In addition to preserve management and biological and compliance monitoring, funds will be required to manage and administer the Regional Conservation Strategy. Such administration may include: financial planning and management; legal support; report preparation; database management; coordination among local jurisdictions, wildlife agencies, and other public agencies, and; support personnel and facilities. The management endowment could serve as the primary source of funding to support these activities.

The City of San Diego has such an endowment, and has a staff of three to perform this administrative function for their 270,000-acre system.

B. Federal and State Funding Programs

For Sonoma and San Diego, as with most jurisdictions implementing R-HCPs, the wildlife agencies have agreed to work with the local jurisdictions to identify and secure funding from state and federal programs designed to support such efforts. Such sources may include grant programs administered by the Fish and Wildlife Service to assist conservation efforts, state land acquisition funds derived from bond-supported initiatives, and other grant programs funded by a range of state and federal agencies to support various conservation efforts. The RCS will seek to identify these sources of funds.

XI. POTENTIAL PROJECT COSTS

A. RCS Development Cost

This report has previously recommended that Santa Barbara follow the Sonoma approach. Staff has discussed with Sonoma their cost to date, and has anticipated additional requirements. Using this and the tasks and time-frames outlined in Sonoma's Plan, the cost to develop a Regional Conservation Strategy for Santa Barbara County is estimated below. These costs include time spent by existing county staff. Also shown below is the point at which the County should re-evaluate its approach before spending additional funds, as mentioned previously and described additionally below:

Task	Completion Date	Task Cost
1. Strategy and Implementation Plans		
a. Initial Hearing	March 14, 2006	$30,000
c. Define and Outline RCS	June 30 2006	$100,000
d. Mitigation Requirements	November 2006	$270,000
Sub-Total:	**0.5 Years Elapsed**	**$400,000**
1st Re-evaluation before proceeding		
e. Expanded Outline RCS	January 2007	$55,000
f. Draft RCS	May 2007	$80,000
g. Public Hearing on Draft Doc	July 2007	$30,000
h. Final RCS	August 2007	$80,000
Sub-Total:	**1 More Year Elapsed**	**$245,000**
2nd Re-evaluation before proceeding		
2. MOU Development	December 2007	$80,000
3. Programmatic Biological Opinion	June 2008	$40,000
Sub-Total:	**1 More Year Elapsed**	**$120,000**
3rd Re-evaluation before proceeding		
4. Ordinances, EIR/EIS, Execute	October 2009	$660,000
Evaluate if more is needed		
	TOTAL AFTER 3 ½ YEARS:	**$1,425,000**

The table below breaks down the same costs by fiscal year. The labor costs shown represent an increase in staff:

Fiscal Year	Budget by Fiscal Year		
	Labor	**Specialty Consultants**	**Total**
05/06	70,000	60,000	**130,000**
06/07	300,000	120,000	**420,000**
07/08	125,000	90,000	**215,000**
08/09	310,000	40,000	**350,000**
09/10	270,000	40,000	**310,000**
Totals:	1,130,000	345,000	**1,425,000**

In developing the above budget, it has been assumed that Santa Barbara County can duplicate some of the work performed by Sonoma and others resulting in lower cost. It assumes that the CDFG or the USFWS will provide the bulk of required mapping work. It assumes that existing biology work is largely complete, and that the USFWS will develop the bulk of the biology work that remains, (this has been expressed by the USFWS). It assumes the County pays for outside consulting work from which other jurisdictions, such as the City of Santa Maria, will benefit, (the County of Santa Barbara may want to discuss a cost sharing agreement with other jurisdictions at some point in the near future). Finally, if the team determines there is to be an outside team facilitator, it assumes someone other than the County provides this.

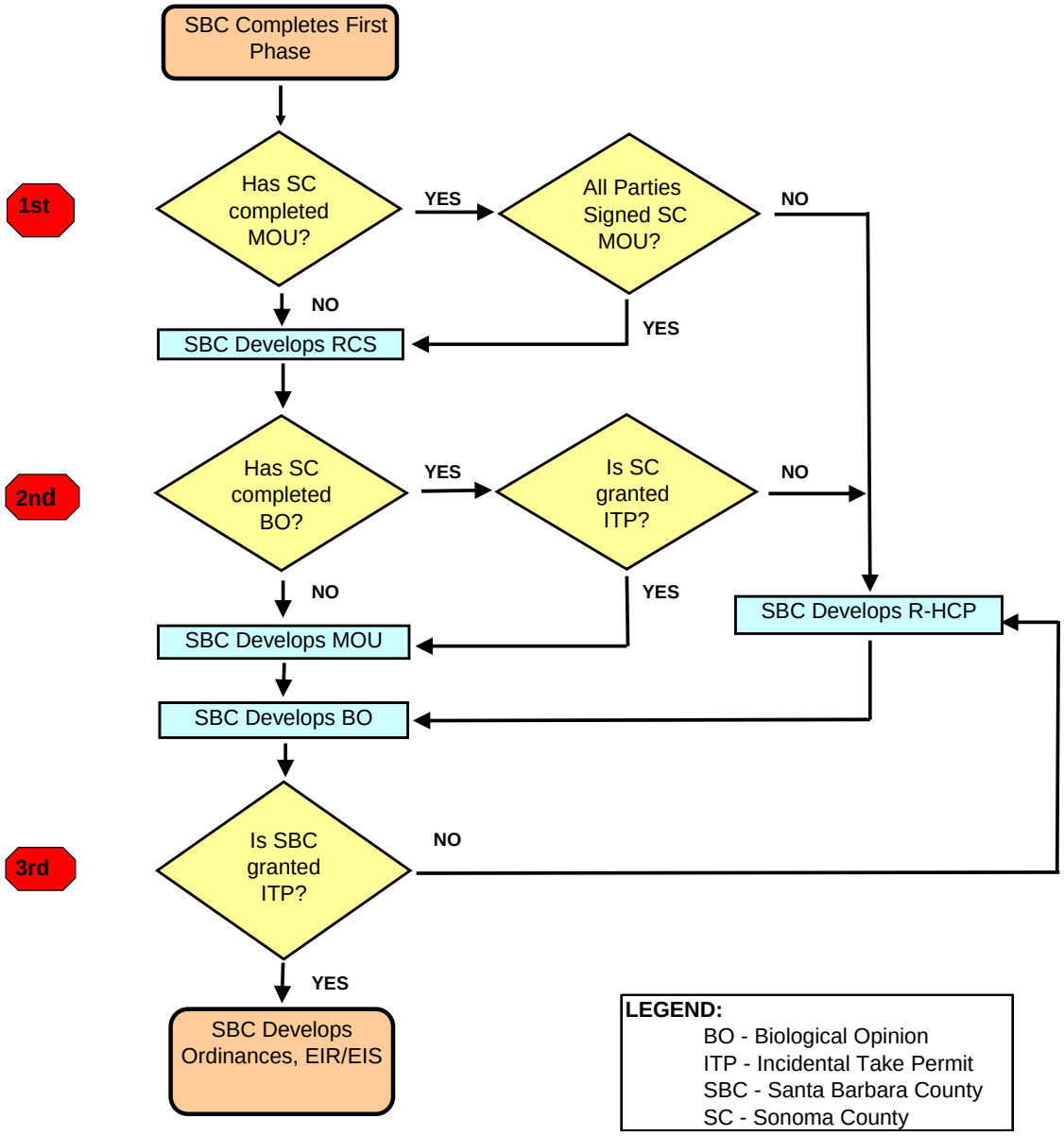
Once the draft mitigation requirements is established, there is potential that landowners may begin to see benefit from reduced mitigation requirements if sufficient assurances can be established that the preserve areas defined will be established, and wildlife agencies are willing to use the mitigation measures proposed. Otherwise, more concrete benefits will first be realized after the USFWS completes their Biological Opinion of the RCS. Full benefits of the project will be achieved once local jurisdictions complete ordinances to streamline permit processes and manage preserve areas, as shown.

It needs to be stressed that Sonoma is not certain their proposed strategy will be sufficient to achieve their goals. They show in their draft Conservation Strategy plan a contingency to develop an R-HCP if such is found to be “necessary or appropriate”. They do not say in the plan what determines this. But at Sonoma’s implementation team meeting on September 14, 2005, they again questioned whether or not they may want to revert to a R-HCP format for their plan. The reasons given then were from uncertainty expressed by USFWS that the Sonoma plan could

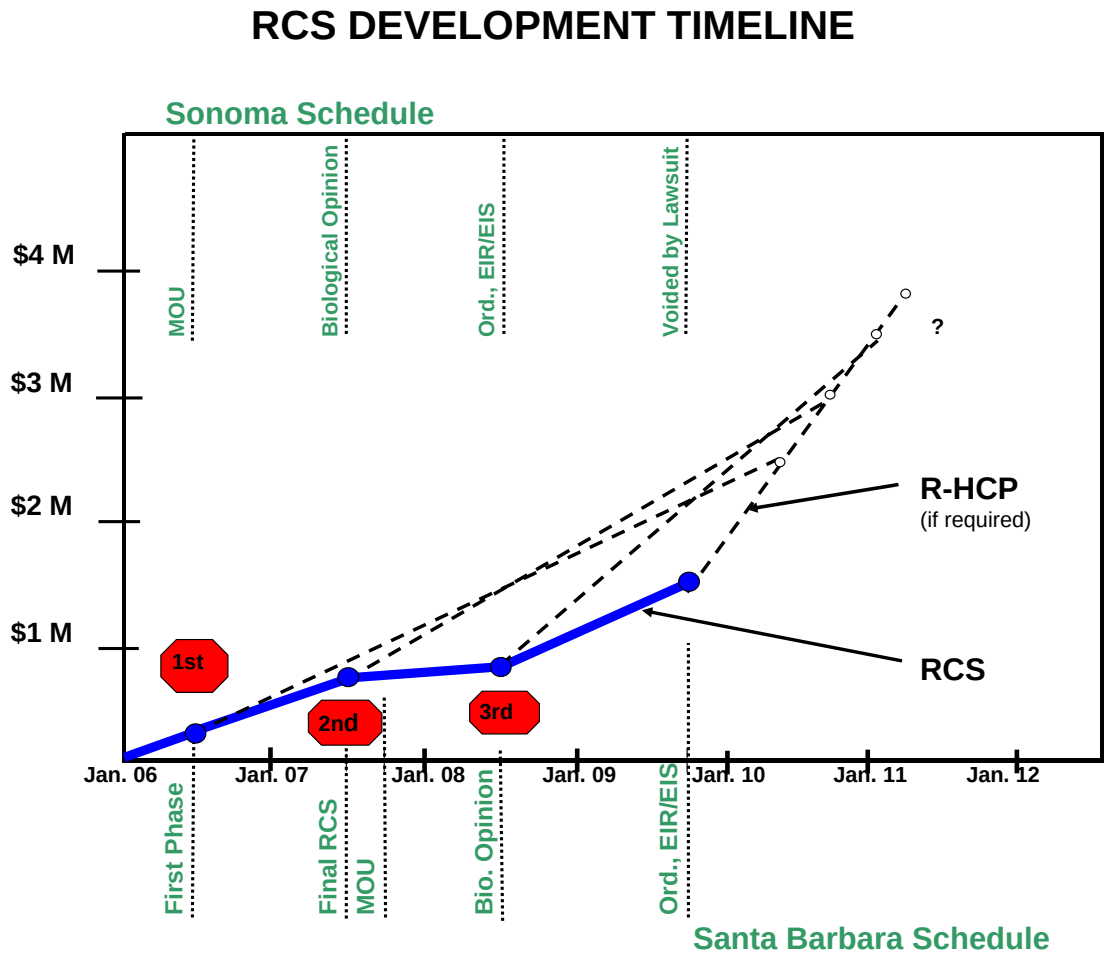
lead to a programmatic take permit, and that the risk of the plan withstanding a legal challenge would be sufficiently low, (it was eventually concluded that this uncertainty did not warrant a change in plan at that point). Santa Barbara may want to consider adopting a similar contingency. If for example Sonoma implements their strategy and it gets struck down in a law suit, then Santa Barbara may want to switch to a R-HCP. If so, it is estimated it would cost an additional $1 or 2 million. This added cost might be at least partially offset by federal grants that are provided exclusively for R-HCPs, (for example the $10 million grant San Diego was just awarded).

Whatever approach Santa Barbara County takes, it will meet the requirements of the Endangered Species Act in terms of species protection. Given that, perhaps the single most important goal desired from the RCS is USFWS granting the County a programmatic take permit which will allow the county to streamline, and make predictable, the land use permitting process. Based on achievement of that goal, the following decision tree provides an example of the re-evaluation process Santa Barbara County might use in determining any need to modify from a Sonoma-type plan. This decision tree is meant to provide an example only, and does not attempt to provide consideration of all goals, questions and outcomes that will likely arise during the RCS development process. The “1st”, “2nd” and “3rd” decision points shown correspond to those shown in the task budget table above:

Evaluation Process For RCS Development



The chart below depicts how the decisions made from the re-evaluation process might impact time and cost, if the decision were to divert from a RCS to a R-HCP. It was constructed using a January start date, and must be modified according to the actual start date:



B. Implementation and Management Cost

The primary cost to implement the RCS will be the acquisition of lands for the mitigation and preserve system. Preserve acquisition cost cannot be determined until the RCS plan is completed. However, it is important to have some level of understanding of the potential cost impact from such a plan to aid in the decision to develop the plan or not. The analysis below attempts to provide a rough estimate of the cost impact by using preliminary data, making some educated assumptions, and by extrapolating from what others have experienced. Nothing from this analysis should be interpreted as a definition of proposed County policy.

Based on studies done by various researchers and agencies between 1998 and 2001, the locations of a number of CTS breeding ponds within the CTS Range of Santa Barbara County were identified. As Sonoma and others have done, one can use the area within a 2,200 foot radius around those ponds to define an approximate number of acres that might be desired to preserve as CTS habitat. The location of this number of acres, and within how many groups of acreage they should exist, would be part of the study that would go into the RCS plan. For the purpose of this preliminary cost analysis, that level of detail is not required. For the number of known CTS

breeding ponds currently shown on the map developed by the County in conjunction with the USFWS and dated August 30, 2001, Staff has determined such an area would be about 12,000 acres. It is unlikely that all of this land would have to be purchased for a mitigation and preserve system, but if it were, at an average cost of $30,000 per acres, it could cost as much as $360 million. Putting this cost into a 30-year sinking fund with a discount rate of 6%, it could be annualized at $4.6 million per year. As with San Diego and others, this cost could potentially be shared among several interests, rather than relying on only on development. This amount likely represents the upper end of potential preserve acquisition cost.

Given this size of preserve area and experience from others, it is estimated management and monitoring costs could be $1 million per year. This, combined with the $4.6 million above, rounded to $5 million, represents the upper end of the cost range shown in the comparison matrix of Section VI.

C. Potential Cost Recovery

Similar to the above analysis, it is useful to approximate how the cost identified above might be offset. The methods used by other jurisdictions, as described in Section X.A, would likely be employed by Santa Barbara County. But, for the sake of a simple analysis for this report, cost recovery will be demonstrated using only mitigation fees from land development within county jurisdiction alone.

Appendix D provides a table prepared by Planning and Development Department's staff for this report using zoning maps, photo interpretation and Graphic Information System (GIS) technology. The table shows there are approximately 2,500 acres of land in unincorporated urban areas of the county, within the CTS range, that are currently zoned residential, and which have not yet been developed. If this land was developed over the next 30 years and all of it was mitigated by developers at a ratio of 2:1, similarly as Sonoma has chosen for development, it would produce 5,000 acres of the 12,000-acre preserve suggested previously. (In reality, the mitigation ratio ultimately determined by the RCS team will likely vary depending on the proximity of the development to a breeding pond or other critical habitat.)

To complete the 12,000-acre preserve postulated for this example, another 7,000 acres would be needed. Appendix D also shows there are about 126,000 acres of rural land within the CTS range that is currently undeveloped or used only for grazing. If, for example, 14,000 acres were approved for agricultural conversion over the next 30 years, and mitigated at even a minimal ratio of, for example, 0.5:1 (understated), that would produce another 7,000 acres of preserve and full build-out would be achieved without any external funding.

D. Cost of Doing Nothing

The analysis used above can be applied to estimate the cost of continuing the present practice of mitigating on a project-by-project basis. The analysis considers the next 30 years as the period of study, as before.

Currently the USFWS typically require landowners to mitigate at a ratio of 3:1. If the same 2,500 acres zoned residential were developed with that mitigation requirement, it would cost developers $2.8 million per year. If the same 7,000 acres of land zoned for agriculture were converted to a non-compatible use, and mitigated at an even lesser ratio than used today, say 2:1 (to conservatively underestimate cost for this analysis), this would provide another 14,000 acres and would represent a cost to landowners of $5.3 million per year. The total cost to landowners, if this development were to occur over the next 30 years, would thus be about $8 million per year.

When this cost is combined with the cost spent developing individual HCP's over the next 30 years, the Do-Nothing option is found to be significantly more costly to develop the same amount of property. And for the Do-Nothing case, the preserve area created by mitigation requirements would be many small pieces of land separated from each other, as opposed to the few large, contiguous pieces desired.

XII. LAND USE CASE EXAMPLES

A. Introduction

The purpose of this section is help the reader conceptualize what life might be like for the land owner before and after implementation of a regional habitat conservation plan. To do this a few scenarios involving a land owner's process of obtaining an incidental take permit, with and without the RCS proposed herein, is provided. Except for Scenario #1, the cost numbers, mitigation ratios, fees and time frames shown do not portray actual figures or proposed policy. Instead they provide somewhat realistic approximations of these, only for the purpose of demonstrating these scenarios.

B. Scenario #1 – Application by a Local Jurisdiction

This happens to be an actual case. The Laguna County Sanitation District initiated the HCP process in July of 2002 to remove approximately 800,000 cubic yards of soil stockpiled to the north of Laguna's plant. The Reservoir Stockpile covers an area of approximately 30 acres south of the District's existing Storage Reservoir and is approximately 600 feet from a known CTS breeding pond. The USFWS office was not able to comment on the draft HCP until October of 2003, (due to staff shortcomings that do not exist now). Laguna staff responded to comments and sent the revised Draft HCP to the USFWS in November of 2003. Laguna staff met with USFWS staff in May of 2004 to discuss the mitigation required for the stockpile removal project. At the meeting, the USFWS requested that acreage (an unspecified amount) be set aside as a conservation easement to compensate for impacts. This would be a requirement of the HCP.

Following the meeting, this project was put on hold by the Laguna County Sanitation District and the County due to the take of a CTS at a County project nearby. Up to that time, the District waited nearly four years, spent $30,000 plus staff time, and no permit was achieved.

With a new RCS implemented, Laguna Sanitation, following the same procedure as a private developer, would submit an application for a general development permit that has now been modified to collect additional information to allow the local jurisdiction the ability to determine if and how much mitigation would be required. From the application, it is determined the project is between 500 feet and 2,200 feet of a known CTS breeding pond and is likely to impact the species. Therefore, using a mitigation ratio established in the RCS, which will be taken for this example to equal Sonoma's mitigation ratio of 2:1 for a case such as this, the District is required to give the local jurisdiction an easement of 60 acres to be set aside as mitigation to preserve the species. A small fee for management and monitoring the preserve area may also be assessed. Having published a RCS, this requirement would have been known to the District in advance. The process of getting a take permit would be the same amount of time as getting any development permit from the local jurisdiction.

C. Scenario #2 – Application for Agricultural Conversion

This scenario probably represents the most difficult and least developed situation with respect to a conservation strategy. It has only preliminarily been addressed in the Sonoma plan. The RCS will recognize that agricultural lands can be important to the needs of wildlife, providing linkages to native habitats. Existing agricultural use that is defined by the RCS to be compatible with the species will likely be exempt from mitigation requirements. However application for agricultural conversions, outside of county discretionary authority will need to be a priority of the RCS development team. The range of possibilities includes giving any agricultural use lower mitigation ratio requirements, to treating them the same as a developer. An early proposal by Sonoma suggests conversions to vineyards within 1.3 miles of a known breeding pond would be mitigated by paying $1,000 per acre. Any policy provided in the RCS would likely allow the owner to opt-into whatever provisions the RCS provides, or consult with wildlife agencies directly as they do now.

D. Scenario #3 - New Housing Development

A developer wants to build 10 homes in a 5-acre area plot that is within the CTS Range but has no CTS breeding ponds within 1.2 miles of the project site. The owner applies for a grading and building permit from the local jurisdiction. The owner is told she will also need to perform an environmental impact report and apply for an incidental take permit with the USFWS. The USFWS tells the owner she must perform a protocol CTS survey and prepare a HCP, or simply provide 15 acres of other land that can be used for mitigation, based on a 1.5:1 mitigation ratio. The protocol survey requires two years and costs at least $50,000. The HCP costs at least another $50,000. The required mitigation on the other hand costs $450,000.

With the RCS in place, the same developer goes to the local jurisdiction and submits one application that takes care of CTS submittal requirements at the same time as building requirements. Even though the project is beyond the 1.2 mile radius of a CTS pond, its location within the Range has "Potential for CTS." As such, the owner will be required to pay either $45,000 per acre of development or provide mitigation at 1.5:1. To determine the least cost option, the developer shops among several, county-approved mitigation banks and finds that she can mitigate for less than $45,000 per acre. The process takes about 60 days.

XIII. RECOMMENDATIONS

That the Board of Supervisors;

a) Adopt the method of a Conservation Strategy similar to Sonoma County's approach, in the pursuit of a regional habitat conservation plan limited to the range of the CTS, but with the requirement that the approach be re-evaluated before development of a MOU with wildlife agencies, or other implementation effort;

b) Authorize staff, in partnership with the US Fish & Wildlife and the City of Santa Maria, to develop a Conservation Strategy Team structure for consideration by the Board at a later hearing, and;

c) Authorize a budget revision in the amount of $130,000 for additional staff and consulting costs, to be released from the Vehicle License Fee Gap Loan.

LIST OF ACRONYMS

BO – Biological Opinion

CDFG – California Department of Fish and Game

CESA – California Endangered Species Act

CTS – California Tiger Salamander

CWA – Clean Water Act

EIR – Environmental Impact Review (state law)

EIS – Environmental Impact Statement (federal law)

ESA – Endangered Species Act

GIS - Graphic Information System

HCP – Habitat Conservation Plan

ITP – Incidental Take Permit

LJ – Local Jurisdiction

MOU – Memorandum of Understanding

NEPA – National Environmental Policy Act

RCS – Regional Conservation Strategy

R-HCP – Regional Habitat Conservation Plan

SBC – Santa Barbara County

SC – Sonoma County

TAC – Technical Advisory Committee

USFWS – US Fish & Wildlife Service

APPENDIX A - EXISTING HCP'S IN CALIFORNIA & RECENT GRANT AWARDS

Existing HCP	Grant Amount
City of Rancho Palos Verdes, Ocean Trails	$2,000,000
Orange County Central Natural Community	$3,120,741
Western Riverside County Multiple Species	$5,000,000
San Diego County Subarea	$5,000,000
San Diego County Multi-Species	$5,000,000
City of Encinitas Subarea Plan	$27,000
East San Diego County	$184,000
City of San Marcos Subarea Plan	$154,000
Placer County, Phase I	$193,000
Mendocino Redwood Company	$137,000
Yolo County HCP/Natural Communities	$605,000
Santa Clara Valley HCP/Natural Communities	$487,000
Solano County HCP/Natural Communities	$487,000
Peninsular Bighorn Sheep, Santa Rosa Mtns	$100,000
Contra Costa Goldfields	$796,101
Arroyo Toad - Riverside County	$200,000

For interest, below is a list of other regional HCPs in California:

Coachella Valley
San Diego Gas and Electric
San Diego Water District
Imperial Irrigation District
San Bernardino County
Kern County (2 plans)
City of Santa Cruz
Santa Cruz County
San Benito County
Santa Clara County
Contra Costa County
Sacramento County
Sutter County
Yuba County
Pacific Gas & Electric
San Francisco PUC

APPENDIX B - ENVISIONED OUTLINE FOR REGIONAL CONSERVATION STRATEGY

1. **Project Description**

2. **Species Description**

3. **Potential Take**

4. **Biological Goals and Objectives**

5. **Approach to Developing a Preserve System**
    a. **Identification of the Preserve System**
    b. **Basis for Identifying Preserve System**
        i. Biological Criteria
            1. Selection of Listed Species to Include
            2. Land Use Criteria
    c. **Preservation Goals**

6. **Assembling the Preserve System**
    a. **Summary of policies and methods of preserve assembly**
    b. **Establishment of Designated Conservation Strategy Areas**
        i. Targeted Mitigation Areas
        ii. Identified Habitat Areas
        iii. Potential Habitat Areas
        iv. "No Effect" Areas
    c. **Mitigation Obligations within Designated Conservation Strategy Areas**
        i. Activities occurring within Targeted Mitigation Areas
        ii. Activities occurring within an Identified Habitat Area (including within the urban growth boundary)
        iii. Activities occurring within Potential Habitat Areas
        iv. Activities occurring within “No Effect” Areas
        v. Mitigation Obligations for Activities Not Subject to Local Discretionary Approval
    d. **Likely Exemptions from Mitigation Requirements**
        i. Single family homes
        ii. Operations and Maintenance Activities
        iii. Passive Recreation
        iv. Use and Maintenance of Trails
        v. Compatible Agricultural Activities
    e. **Role of Mitigation Banks**
    f. **Preserve Assembly by Local Jurisdictions and Special Districts**
    g. **Preserve Assembly by Federal and State Governments**
    h. **Options for Non-financial Methods of Habitat Acquisition**
        i. Private Land Donation / Land Trusts
        ii. Conservation Easements on lands used for compatible activities

APPENDIX C - FEDERAL AND STATE LAWS AND REGULATORY REQUIREMENTS

Federal Laws and Requirements

Endangered Species Act

The United States Congress passed the ESA in 1973 to protect various species of plants, invertebrates, fish and other wildlife species from extinction. Section 9 of the ESA prohibits the taking of a listed fish or wildlife species

Under the Section 7 process, the Service issues a biological opinion at the completion of formal consultation. The biological opinion can conclude that the project as proposed is either likely or not likely to jeopardize the continued existence of the species. If the Services issue a "no jeopardy" biological opinion, the action can proceed as proposed. If the Services issue a "jeopardy" biological opinion, the Services will identify "reasonable and prudent alternatives" to the proposed action that would avoid jeopardizing the species. Included in the biological opinion is an incidental take statement which authorizes a specified level of take anticipated to result from the proposed action. The incidental take statement contains "reasonable and prudent measures" that are designed to minimize the level of incidental take and that must be implemented as a condition of the take authorization.

Clean Water Act

In 1972, Congress passed the Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA), with the goal of "restor[ing] and maintain[ing] the chemical, physical, and biological integrity of the Nation's waters." Section 404 authorizes the Corps to issue permits for and regulate the discharge of dredged or fill materials into wetlands or other "waters of the United States." Under the CWA and its implementing regulations, "waters of the United States" are broadly defined to consist of rivers, creeks, streams, and lakes extending to their headwaters, including adjacent wetlands.

Responsibility for the implementation of Section 404 of the CWA is shared by the U.S. Environmental Protection Agency (EPA) and the Corps. The Corps is responsible for the day-to-day administration of the Section 404 permit program.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) was enacted by Congress in 1969 to ensure that federal agencies consider the environmental impacts of their actions and decisions. NEPA requires that the federal government use all practicable means and measures to protect environmental values and make environmental protection part of the mandate of every federal agency and department. NEPA requires an analysis and a detailed statement of the environmental impact of any proposed federal action that significantly affects the quality of the human environment. The USFWS will ensure that the RCS is evaluated consistent with NEPA

requirements and will provide the public with an opportunity to participate in the scope of the NEPA analysis and to review and comment on the NEPA documentation.

Purpose of the RCS in Relation to Federal Law

The purpose for establishing a Regional Conservation Strategy would be to provide a comprehensive approach to compliance with the requirements of the ESA by ensuring that covered activities will not jeopardize the continued existence of the covered species or result in the destruction or adverse modification of critical habitat. Implementation of the RCS would help to ensure the long-term survival and contribute to the recovery of the species. The Plan would not be intended to supplant or provide a mechanism for compliance with the CWA, including the requirement to obtain a Section 404 permit.

State Requirements

California Endangered Species Act

The California Endangered Species Act provides for the protection or preservation of all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, that are threatened with extinction or experiencing a significant decline. Like the federal ESA, CESA allows for take of protected species incidental to otherwise lawful development projects. Under Section 2081(b), the Department may issue an incidental take permit for a state-listed threatened or endangered species if the following criteria are met:

- The authorized take is incidental to an otherwise lawful activity;
- The impacts of the authorized take are minimized and fully mitigated;
- The measures required to minimize and fully mitigate the impacts of the authorized take are 1) are roughly proportional in extent to the impact of the taking on species; 2) maintain the applicant's objectives to the greatest extent possible: and 3) are capable of successful implementation;
- Adequate funding is provided to implement the required minimization and mitigation measures and to monitor compliance with and the effectiveness of the measures;
- Issuance of the permit will not jeopardize the continued existence of a state-listed species

CDFG may also authorize take of state listed species by making "consistency determination" that take authorizations issued by the Service are consistent with state requirements.

California Fish & Game Code

California also has adopted regulations to address impacts to many of the resources subject to Section 404 of the CWA. Although not entirely overlapping, these programs intersect frequently. Project proponents are required to obtain separate authorizations from the US Army Corps of Engineers and CDFG.

Section 1602 of the California Fish and Game Code requires any person, state or local governmental agency to provide advance written notification to CDFG prior to initiating any activity that would: (1) divert or obstruct the natural flow of, or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; (2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The State definition of "lake, rivers, and streams" includes all rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation. In some cases, CDFG's jurisdiction under Section 1600 et seq. is more inclusive than that of the Corps' under Section 404.

State Implementation of CWA Section 401

Finally, pursuant to Section 401 of the federal Clean Water Act, states can certify or deny federal permits or licenses that may result in a discharge to State waters, including wetlands. Section 404 permit applicants must obtain a "water quality certification" from the state water quality agency indicating that the proposed activity complies with all applicable state water quality standards, limitations, and restrictions. In California, the Regional Water Quality Control Boards (RWQCB) issue water quality certifications within their jurisdictions.

Purpose of the RCS in Relation to State Law

The RCS would seek to ensure compliance with the requirements of CESA by ensuring that the impacts of covered activities will be fully mitigated. The RCS is not intended to provide a mechanism for compliance with Section 1602 of the Fish & Game Code or Section 401 of the federal CWA.

APPENDIX D - LAND USE ACREAGE WITHIN THE CTS RANGE

COUNTY JURISDICTION				**177,356**
Rural			**172,551**	
vacant/grazing		**128,693**		
agriculture	126,351			
open lands	1,784			
industrial	434			
residential	77			
other	47			
other		**43,858**		
Urban			**4,805**	
vacant/grazing		**2,638**		
residential	2,381			
recreation	112			
agricultural	20			
other	125			
other		**2,167**		
FEDERALLY OWNED				**5,237**
CITY OF SANTA MARIA JURISDICTION				**4,217**
vacant/grazing		**692**		
agricultural		**359**		
other		**3,166**		
STATE OWNED				**37**
			TOTAL CTS RANGE:	**186,847**

TOTALS:

	Vacant/Grazing:	**132,023**
agriculture	126,351	
residential	2,458	
open/recreational	1,896	
industrial	434	

Data used to construct this table was complied by Planning & Development Mapping on September 29, 2005, using September 2004 air photo for interpretation.