



OPEN SPACE, CONSERVATION & RECREATION

Introduction

The purpose of the Open Space, Conservation, and Recreation Element is to protect and enhance the natural and cultural resources that make Lake County unique. This element contains goals, policies, and programs designed to address agricultural resources, mineral and energy resources, water resources, biological resources, cultural resources, scenic resources, open space, and recreation.

The following topics are covered in this section:

- Biological Resources (Section 9.1),
- Scenic Resources (Section 9.2),
- Agricultural Resources (Section 9.3),
- Mineral Resources (Section 9.4),
- Energy Resources (Section 9.5),
- Recreation and Open Space Resources (Section 9.6),
- Clear Lake (Section 9.7),

- Cultural Resources (Section 9.8), and
- Implementation Measures (Section 9.9).



See also the goals and policies in the Water Resources Element (Section 11)

Key Terms

Active Recreation. This term is used to refer to sites that have been modified with structures or facilities designed for recreational use, such as a playground or recreation center.

Agricultural. Agricultural activities are defined to include the production of food, feed, forage, fiber, and oilseed crops and are lands available for use as cropland, pastureland, rangeland, and commercial timber.

Cultural Resources. “Cultural resources” is a term used to group the study of prehistoric and historic human cultures.

Geothermal Energy. Geothermal energy is created by capturing steam emitted when water in the ground comes in contact with hot rocks underground and using this steam to run a turbine to generate electricity or other uses.

Groundwater. That portion of the water beneath the surface of the earth that can be collected with wells, or that flows naturally to the earth's surface via seeps or springs.

Groundwater Basin. A hydrologic unit of groundwater storage defined as an area more or less separate from neighboring groundwater storage areas.

Hilltop. The area at the crest or top of a hill.

Mineral Resources. Mineral resources are defined as naturally occurring materials in the earth that can be utilized for commercial purposes.

Passive Recreation. Areas used in their natural state with few structures or facilities other than parking and trails.

Recharge. The water added to an aquifer. Recharge can be naturally, artificially, or incidentally added to an aquifer.

Recreation Area. Any public or private space set aside or primarily oriented to recreational use.

Ridgeline. The highest level of elevation along the top of a long, narrow chain of hills or mountains.

Sensitive Habitat. A sensitive habitat is especially diverse, regionally uncommon, or of special concern to local, state, and federal agencies. Elimination or substantial degradation of such a community would constitute a significant impact under CEQA. The California Department of Fish and Game (DFG) monitors the condition of some sensitive natural communities in its Natural Diversity Database (NDDDB).

Special-Status Species. Special-status species are those plants and animals that, because of their recognized rarity or vulnerability to habitat loss or population decline, are recognized by federal, state, or other agencies. Some of these species receive specific protection that is defined by federal or state endangered species legislation. Others have been designated as "sensitive" on the basis of adopted policies and expertise of state resource agencies or organizations with acknowledged expertise, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. These species are referred to collectively as "special status species" in this report, following a convention that has developed in practice but has no official sanction. For the purposes of this assessment, the term "special-status" includes those species that are:

- Federally listed or proposed under the Federal Endangered Species Act (50 CFR 17.11-17.12);
- Candidates for listing under the Federal Endangered Species Act (61 FR 7596-7613);
- State listed or proposed under the California Endangered Species Act (14 CCR 670.5);
- Species listed by the U.S. Fish and Wildlife Service (USFWS) or the California Department of Fish and Game (CDFG) as a species of concern (USFWS), rare (CDFG), or of special concern (CDFG);
- Fully protected animals, as defined by the State of California (California Fish and Game Code Section 3511, 4700, and 5050);
- Species that meet the definition of threatened, endangered, or rare under California Environmental Quality Act (CEQA Guidelines Section 15380);
- Plants listed as rare or endangered under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.); and
- Plants listed by the California Native Plant Society (CNPS) as rare, threatened, or endangered (List 1A and List 2 status plants in Skinner and Pavlik 1994).

Viewshed. A viewshed is the area that can be seen from a given vantage point and viewing direction. A viewshed is composed of foreground items (items close to the viewer) that are seen in detail, and background items (items at some distance from the viewer) that frame the view. If a person is moving, as when traveling along a roadway (a view corridor), the viewshed changes as the person moves, with the foreground items changing rapidly

and the background items remaining fairly consistent for a long period of time.

Wetlands. The federal government defines wetlands in Section 404 of the Clean Water Act as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support (and do support, under normal circumstances) a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b] and 40 CFR 230.3). The definition of wetlands requires three wetland identification parameters are present: wetland hydrology, hydric soils, and hydrophytic vegetation. The U.S. Army Corps of Engineers (ACOE) is the responsible agency for regulating wetlands under Section 404 of the Clean Water Act, while the Environmental Protection Agency (EPA) has overall responsibility for the Act (ACOE, 2002).

Williamson Act. The Williamson Act, also known as the California Land Conservation Act, is a voluntary program that allows property owners to have their property assessed on the basis of agricultural production rather than current market value. The purpose of the Act is to encourage property owners to continue to use their property in agricultural activities to prevent their premature conversion to urban uses.

Williamson Act Contract. A contract between a landowner and a City or County to restrict land to agricultural or open space uses in return for lower than normal property tax assessments. The minimum term for a Williamson Act contract is 10 years. Since the term automatically renews on each anniversary date of the contract, the actual term can be indefinite.

9.1 Biological Resources

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| Goal OSC-1 | To preserve and protect environmentally sensitive significant habitats, enhance biodiversity, and promote healthy ecosystems throughout the County. |
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Significant natural areas in the County are illustrated on Figure 9-1.

Policy OSC-1.1 *Protection of Rare and Endangered Species*

The County should ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government.

Figure 9-1. Natural Areas

Figure 9-1, BACK

Policy OSC-1.2 Development in Environmentally Sensitive Areas

The County shall limit the encroachment of development within areas that contain a moderate to high potential for sensitive habitat, and direct development into less significant habitat areas.

Policy OSC-1.3 Encourage Cluster Development

When reviewing development proposals, the County should encourage cluster development in areas with moderate to high potential for sensitive habitat.

Policy OSC-1.4 Protect Riparian Corridors

The County shall require that buildings and other forms of development be set back from riparian corridors to avoid damage to habitat.

Policy OSC-1.5 Creek Management Plans and Mineral Reclamation Plans

Creek Management Plans and Mineral Reclamation Plans shall include measures to protect and maintain riparian resources and habitats.

Policy OSC-1.6 Management of Wetlands

The County shall support the management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats.

Policy OSC-1.7 Encourage Planting of Native Vegetation

The County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation, and ensure that a maximum number and variety of well-adapted plants are maintained.

Policy OSC-1.8 Native Vegetation for Landscaping

The County shall develop a list of native vegetation to be used as a landscaping palette for use by citizens and developers.

Policy OSC-1.9 Open Space Buffers

The County shall require buffer areas between development projects and significant watercourses, riparian vegetation, and wetlands.

Policy OSC-1.10 Coordination on Management of Adjacent Lands

Work with other government land management agencies to preserve and protect biological resources while maintaining the ability to utilize and enjoy the natural resources in the County.

Policy OSC-1.11 Appropriate Access for Recreation

The County shall encourage appropriate access to resource-managed lands.

Policy OSC-1.12 Hunting and Fishing

The County shall provide opportunities for hunting and fishing activities within the County pursuant to appropriate regulations of the California Fish and Game Code.

Policy OSC-1.13 Management of Oak Woodland Communities

The County shall support the conservation and management of oak woodland communities and their habitats.

Policy OSC-1.14 Requirement for Biological Studies

Prior to approving a specific plan or project, the County shall require a biological study to be prepared by a qualified biologist for proposed development within areas containing a moderate to high potential for sensitive habitat, sensitive wildlife species, and/or sensitive plant species. As appropriate, the study shall include the following activities: (1) inventory species listed in the CNPS Manual of California Vegetation; (2) inventory species identified by USFWS, DFG, and NMFS; (3) inventory special-status species listed in the CNDDDB; and (4) conduct field surveys of the project site by a qualified biologist.

Policy OSC-1.15 Protect Natural Resources

The County shall strive to protect natural resource areas, fish and wildlife habitat areas, scenic areas, open space areas, and parks from encroachment or destruction by incompatible development and invasive species.

Policy OSC-1.16 Development Proposals Review

The County shall review development proposals against the most updated CNDDDB to assist in identifying potential conflicts with sensitive habitats or special-status species.

Policy OSC-1.17 Project Mitigation Measures

The County shall consider using appropriate mitigation measures for future projects (i.e., community area plans or individual projects) based on mitigation standards or protocols adopted by the applicable statute or agency (e.g., CDFG, USFWS, NMFS, etc.) with jurisdiction over any affected sensitive habitats or special-status species.

Policy OSC-1.18 Minimize Lighting Impacts

The County shall ensure that lighting in residential areas and along roadways shall be designed to prevent artificial lighting from reflecting into adjacent natural or open space areas.

Policy OSC-1.19 Protection of Sensitive Habitat in Recreational Areas

The County should incorporate the protection of sensitive habitat as nature areas where recreational facilities are proposed in these habitats.

9.2 Scenic Resources

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| Goal OSC-2 | To preserve and protect existing viewsheds and visual quality found in the County. |
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Policy OSC-2.1 *Design Guidelines for Structures in Rural Areas*

In the rural areas of the County (located outside of Community Growth Boundaries) structures built within the immediate foreground view of a scenic roadway should reflect the following guidelines.

- Structures should be sited back, to the extent feasible, from the roadway edge a sufficient distance to minimize intrusion upon the natural features and backdrops as viewed from the roadway or adjacent residences.
- Structures should be sited to minimize obstruction of views of significant natural features, such as Clear Lake and Mt. Konocti. Increased height should only be allowed when building orientation provides for increased side-setbacks that provide view corridors.

Policy OSC-2.2 *Design Guidelines for Structures in Urbanized Areas*

In the urbanized areas of the County (within Community Growth Boundaries) structures within the immediate foreground of a scenic roadway should be constructed at a height and/or sited at a sufficient distance to maintain roadway and adjacent structures' views of distant, but visually significant natural features.

Policy OSC-2.3 *Signage Program*

The County should establish a coordinated Countywide roadway signage program which would provide the following: identification of routes and major destinations; traffic information on speed, signalization, etc.; and identification and directional information for both public and commercial facilities serving the community and recreation visitors.

Policy OSC-2.4 *Roadway Improvement Guidelines*

Within the designated scenic corridors, roadway improvements should be constructed in a manner which minimizes roadway width and thus, reduces domination of the view by road surface; and conforms to the natural contours of the land and minimizes extensive grading and removal of roadside vegetation.

Policy OSC-2.5 *Limit On-street Parking*

Where possible, on-street parking should be prohibited to minimize obstruction of and intrusion upon views from the roadway except at strategically located turn-outs.

Policy OSC-2.6 *Commercial Parking Areas*

Commercial parking areas within scenic corridors should be designed to provide attractive open areas, which complement and expand scenic views. Special consideration should be given to these parking areas as to their

physical location, layout, and landscaping in an effort to make them an asset in the preservation of scenic corridor values.

Policy OSC-2.7 Landscaping Techniques

Landscaping should be utilized to help frame and direct attention to major views, away from unattractive developments, and these developments should be screened from public views to the extent practical. Additionally, selective cutting and pruning should be permitted to enable establishment or improvement of roadway views.

Policy OSC-2.8 Scenic Viewpoints Along Roadways, Bikeways, and Pedestrian Trails

Scenic viewpoints along roadways and multi-use trails should be provided where there are major views of specific features, such as Clear Lake, Mt. Konocti, or panoramic views of the countryside. Interpretative information should be provided at these points to help inform visitors and residents of the natural and cultural history of the County.

Policy OSC-2.9 Siting of Transmission Lines

The siting of transmission lines shall avoid interfering with scenic views to the greatest extent possible, taking into account the design and size of the transmission towers, the nature of the landscape, and the placement of the transmission towers in the landscape. New high voltage transmission facilities (115 K.V. lines and above) shall not be sited along foreground views (up to 1/4-1/2 mile) of potential state and county scenic highways (as designated in the state and county scenic highways or designated in the county general plan, or community areas), or major resorts or wineries unless no feasible alternatives exist. In situations where no feasible alternatives exist, undergrounding or other visual mitigation measures shall be imposed.

Policy OSC-2.10 Scenic Viewpoints of Clear Lake

The County should develop pathways that provide access to scenic viewpoints of wetland areas and other scenic areas of interest around Clear Lake.

Policy OSC-2.11 Grading Impacts

Man-made slopes should be revegetated to reflect natural hillside conditions in the surrounding area, to the extent feasible and in accordance with the County's Grading Ordinance.

Policy OSC-2.12 Equipment and Trash Storage Screening

Mechanical equipment for buildings and trash storage facilities shall be screened from public view within new developments.

Policy OSC-2.13 Control of Light and Glare

The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level). Where public safety would not be compromised, the County shall encourage the use of low energy lighting for all outdoor light fixtures.

Policy OSC-2.14 Street Lighting

Street lighting should only be utilized where needed to protect public safety.

Policy OSC-2.15 Ridgeline Protections / Hilltop Protections

The County shall develop an ordinance that provides guidelines for development on or near ridgelines and hilltops.

Policy OSC-2.16 Low Glare Building Materials

The County shall require the use of low glare building materials for new buildings constructed within the county.

9.3 Agricultural Resources

The Agricultural Resources goals and policies are located within Chapter 12 of the Goals and Policies Report, Agricultural Resources Element. Due to the importance of agriculture in Lake County, this new, optional general plan element was created. The Element includes policies for protection and enhancement of agricultural and timber resources, supports development of agricultural-related tourism, education and research, and also includes implementation measures for these policies.

9.4 Mineral Resources

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| Goal OSC-4 | Protect the current and future extraction of mineral resources that are important to the County’s economy while minimizing impacts of this use on the public and the environment. |
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Policy OSC-4.1 Environmental Contamination

All mining operations shall be required to take precautions that prevent contamination from wastes or incidents related to the storage and disposal of hazardous materials, or general operating activity at the site.

Policy OSC-4.2 Compliance with Aggregate Resource Management Plan

The County shall ensure that all mining operations are performed in compliance with the policies and implementation measures found in the Lake County Aggregate Resource Management Plan (1993).



A copy of the element is included in the Appendix.

Policy OSC-4.3 Minimize Land Conflicts

The County shall require that new development adjacent to existing mining operations be designed to provide a buffer between the proposed use and the mining operations. Similarly, new mining operations shall be designed to provide a buffer between existing or likely adjacent uses to minimize incompatibility with nearby uses and adequately mitigate their environmental and aesthetic impacts. The buffer distance will be based upon

an evaluation of noise, aesthetics, drainage, operating conditions, topography, lighting, traffic, operating hours, and air quality.

Policy OSC-4.4 Maintain Air Quality

The County shall promote the use of Best Available Control Technology to minimize dust, smoke, fumes and odors associated with mining and processing operations.

9.5 Energy Resources

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| Goal OSC-5 | To encourage energy conservation in new and existing developments throughout the County. |
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Policy OSC-5.1 Energy Conservation Measures

The County shall require the use of energy conservation features and clean alternative energy use in new construction and renovation of existing structures in accordance with state law.

Policy OSC-5.2 Streetscape Improvements for Energy Conservation

The County should encourage the planting of shade trees along streets within new residential subdivisions to reduce radiation heating. Use of native species shall be encouraged.

Policy OSC-5.3 Shading of Large Parking Lots

The County shall encourage the planting of fast growing trees and the use of alternative surfacing materials to reduce the heat generated by large asphalt parking lots.

Policy OSC-5.4 Local and State Programs

The County shall participate to the extent feasible in local and state programs that strive to reduce the consumption of natural or man-made energy sources.

Policy OSC-5.5 Promote Energy Conservation Awareness

The County should coordinate with local utility providers and educational institutions to provide public education energy conservation programs.

Policy OSC-5.6 Reduce Energy Consumption for County Operations and Projects

The County shall continue to explore alternative energy sources such as, but not limited to solar, in conjunction with all County projects for new construction or remodel. Where feasible, existing buildings should be retrofitted with solar equipment, and new County vehicles should be selected with fuel efficiency as one of the main selection criteria.

9.6 Recreation and Open Space Resources

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| <p style="margin: 0;">Goal OSC-6</p> | <p>To provide a parks, recreation, and open space system that serves the recreational needs of County residents and visitors, including a regional non-motorized recreational trail system.</p> |
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Policy OSC-6.1 Parks as Community Focal Points

The County should strengthen the role of County parks as community focal points by providing meeting halls and recreational buildings to existing parks where feasible.

Policy OSC-6.2 Park Amenities

The County shall provide a broad range of active and passive recreational needs within community parks. When possible, this should include large trees for shade, active sports fields and facilities, community center/recreation buildings, multi-use areas and trails, sitting areas, and other specialized uses as appropriate (refer to Figure 9-2).

Policy OSC-6.3 Location and Size Criteria for Parks

The following guidelines should be observed in locating County parks:

- Centrally located to serve as much of a population base as possible, within a 3-mile radius;
- Located at the intersection of major and/or minor collectors to facilitate access;
- Located along designated bicycle routes to facilitate access by bicyclists;
- In close proximity to shopping areas, cultural facilities such as libraries or museums, schools, and employment centers.
- Community parks should vary between 5-20 acres. Where feasible night lighting should be provided to reduce vandalism and to extend the use of the facility.
- A level of service standard of 5 acres per 1,000 residents should be maintained for community parks.
- Located to ensure equitable distribution of facilities within the County.
- Located on sites not containing Naturally Occurring Asbestos, unless adequate clean cover material and other effective controls to minimize public exposure to asbestos dust can be incorporated.

Policy OSC-6.4 Clear Lake Access

In the lake front area, and in coordination with the County’s Shoreline Ordinance, during the review process or when using cluster development policy, special consideration should be given to matching recreational needs of the community with lake access.

Policy OSC-6.5 Encourage Development of Private Recreation Facilities

The County should encourage private interests to establish new commercial recreation opportunities and to rehabilitate and restore existing older resorts. Such facilities include, but are not limited to destination resorts, lakefront resorts, dance halls, health and athletic clubs, equestrian facilities, and recreational camps.

Policy OSC-6.6 Recreational Facilities for Special Use Groups

The County should encourage the provision of recreation facilities and activities for special use groups such as people living with physical or mental disabilities, and senior citizens.

Policy OSC-6.7 Existing and Future Recreational Opportunities

The County shall support the continued maintenance and improvement of existing recreational facilities and expansion of new recreational opportunities on county, state, and federal lands.

Policy OSC-6.8 Partnerships with Government Agencies & Non-Profit Groups

The County should work with federal and state and local agencies that manage land within the County to ensure that appropriate access to open space and recreational areas is provided. The County should also seek support for a regional multi-use trail system and partner with non-profit organizations that specialize in trail development and trail policy implementation.

Policy OSC-6.9 Meet Changing Recreational Needs

The County should cooperate with local, state, and federal agencies to ensure flexibility in the development of recreational areas and services to respond to changing trends in recreational activities.

Policy OSC-6.10 Funding for Recreational Areas and Facilities

The County shall strive to obtain adequate funding to improve and maintain existing parks as well as construct new facilities, including a regional trail system with linkages, and should consider adopting a park mitigation fee ordinance.

Policy OSC-6.11 Park Design

The County shall make efforts to involve community members in the design and development of all park facilities.

Policy OSC-6.12 Open Space Preservation

The County shall preserve natural open space resources through the concentration of development in existing communities, use of cluster development techniques, maintaining large lot sizes in agricultural areas, avoiding conversion of lands currently used for agricultural production, and limiting development in areas constrained by natural hazards.

Figure 9-2. Parks and Recreational Facilities

Figure 9-2, BACK

Policy OSC-6.13 Multi-use Trail System

An integrated multi-purpose trail system should be developed that provides access to recreational facilities, as well as offering a recreational experience apart from that available at the neighborhood and community parks.

Policy OSC-6.14 Scenic and Educational Trails

Scenic viewpoints along roadways and multi-use trails should be provided where there are major views of specific features, such as Clear Lake, Mt. Konocti or panoramic views of the countryside. Interpretative information should be provided at these points to help inform visitors and residents of the natural and cultural history of the County.

Policy OSC-6.15 Ridgeline Trails

Locate trails, where feasible, along the ridgelines to enhance scenic viewpoints of Clear Lake, Mt. Konocti, low-lying valleys and the distant wilderness areas.

Policy OSC-6.16 Trail Interconnectivity

Create trail linkages and loops with other public facilities (such as parks, open spaces, trail systems of other jurisdictions), communities, points of interest, visitor attractions and/or with educational or historical significance.

Policy OSC-6.17 Establish Water Trails

Investigate water trails as an enhancement to the trail system, where appropriate.

Policy OSC-6.18 Provide a Diverse Trail System

Create trails of different lengths and terrains to provide a variety of recreational experiences. Allow for different styles of trails (nature, hiking, equestrian, etc.) to stem off of the main system.

Policy OSC-6.19 Increase Public Awareness

Increase public awareness and support for a regional riding and hiking trail system through promotions, interpretive programs, exhibits, publication, maps and county website.

Policy OSC-6.20 Safe Trail Design

Provide lighting, Rest Areas, and Signage to maintain safe trails. Determine the safest areas for trail locations. Encourage local law enforcement agencies to use the trail system as part of their physical training.

9.7 Clear Lake

Clear Lake is the County's single most valuable natural resource, important for its habitat, aesthetic and economic values. Its use and development greatly influence the development of the entire County. Thoughtful management and protection of the lake and shoreline is needed to ensure that its value will be sustained and its full economic potential reached for the current and future generations of the County.

Ironically, the lakeshore, by its appeal, continues to generate many of the forces which threaten its value. Fragile ecological systems exist in the lake and around its shore which cannot tolerate intensive human use. Specifically, development near and around the shoreline of the lake has had a significant impact on the water quality in the past, and has destroyed valuable wetland areas.

Development along the shoreline has historically been the result of a complex set of public and private decisions made in an uncoordinated and piecemeal manner. In the past, public uses and uses which provide a significant public benefit have lost out to private development, the impacts of which were passed onto the public, including environmental degradation and pollution.

The value of Clear Lake to Lake County is best determined by the functions it serves. The lake provides outstanding recreational opportunities, supporting the County's recreation/visitor industry. The lake is also an important source of water for both domestic and irrigation uses, for Lake County and neighboring Yolo County. The lake and its shoreline support important fish and wildlife habitat necessary for the spawning, feeding, and life cycles of fish and other wildlife. Since fishing constitutes one of the major recreational uses of the lake, these habitat areas are also significant to the recreational function of the lake. Clear Lake's natural scenic beauty also brings pleasure and enjoyment to all within its view.

Enjoyment of Clear Lake is greatly influenced by the lake's environmental quality and public access. Currently, the two most significant water quality problems are nuisance algae growth and high sedimentation yield. These two problems are largely due to natural conditions of the lake. The algae are primarily a result of the lake's high nutrient load and the sedimentation is a result of the naturally high erosion processes that exist in the Clear Lake Basin. Development of land, as well as use of water within the watershed has exacerbated the siltation, nutrient intake, circulation, and turbidity levels of the lake. Given the naturally high nutrient and erosion levels, all man-made factors contributing to water quality problems need to be kept at a minimum.

Unauthorized withdrawal of water from the lake for residential or business purposes has a negative impact on water quantity and quality, as does disposal of solvents, sewage and other materials that are harmful to the lake's unique ecosystem. Examples include unauthorized grading and other

land disturbance that causes increased soils erosion within the lake’s watershed, as well as older developments with inadequate stormwater drainage systems.

The quantity and quality of the lake's natural habitat areas also affects the environmental quality of Clear Lake. The habitat areas, including wetlands and riparian lands, support a diverse and abundant variety of fish and wildlife. These areas have been greatly altered from their pristine state by commercial, residential, and agricultural development. In some areas, these habitats experience illegal dumping into waterways that drain into Clear Lake.

Significant loss of wetlands occurred around Clear Lake prior to the enactment of the California Environmental Quality Act in 1970. Cumulative effects of development resulted in a net loss of 72 percent of the wetlands area by 1970. Without these habitat areas, both the quantity and diversity of the lake's fish and wildlife will suffer. Preservation of all remaining wetlands areas is imperative. In particular, three areas are of special significance, largely due to their size and quality of habitat. These areas include the Anderson Marsh State Historic Park, Rodman Slough, and the area south of Lakeport and west of Clear Lake State Park.

Adequate public access to Clear Lake and its shoreline is also a necessary ingredient to the lake's enjoyment. Access is currently provided by a number of public recreational facilities with boat ramps, picnic areas, swimming areas, etc; public lands that are currently undeveloped; private resort areas and clubhouses which provide access to their guests/customers; and private property which has, over the years allowed public access. Figure 9-2 shows public recreation areas with lake access. In Lake County access is sometimes provided in those areas where streets dead-end into the lake.

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| Goal OSC-7a | To manage and preserve fish and wildlife habitat areas and areas of natural scenic beauty, while enhancing the water quality of Clear Lake. |
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Policy OSC-7a.1 Preserve Aquatic Habitats

The County should ensure the preservation and enhancement of the diverse fish and wildlife, and aquatic habitats of Clear Lake and should coordinate and support efforts for the public acquisition of environmentally significant lands.

Policy OSC-7a.2 Restoration of Wetlands

Opportunities to return portions of the reclamation area south of Upper Lake to wetlands should be promoted to provide habitat for waterfowl and other wildlife, and to reduce nutrient load into Clear Lake.

Policy OSC-7a.3 Minimize Development Impacts

The County should ensure that development around Clear Lake and along major tributaries occurs in a manner which minimizes the potential impact of

land disturbance and erosion on the water quality of the lake, and minimizes the potential for pollution discharge from sewage disposal systems and other potential polluting sources. Whenever possible, the County should require that older developments without adequate sewage and stormwater disposal systems upgrade these systems to conform to current standards.

Policy OSC-7a.4 Coordination by Public Agencies

Public agencies having management responsibilities for Clear Lake should continue to promote and pursue methods to enhance fish and wildlife habitats, water quality in areas within their jurisdiction, and control environmental problems including the spread of alien species that are harmful to the Clear Lake ecosystem. These include hydrilla, cinquefoil, zebra mussels, etc. Public agencies should cooperate with other agencies and private property owners to these ends.

Policy OSC-7a.5 Preservation of Lake Views

Development regulations and review procedures should prevent further blockage of lake views from shoreline roadways and where feasible, restore visual contact with the lake from these roadways.

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| Goal OSC-7b | To maximize the opportunity for human enjoyment of Clear Lake, ensure frequent and easy public access to the lake, and enhance the recreation-based economy of the County. |
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Policy OSC-7b.1 Development of Lake Access on Public Land

Vacant County-owned lakefront properties not presently developed for recreation purposes should be retained in public ownership and improved as needed to expand opportunities for the general public to have access and use of Clear Lake. Consideration should be given to land swaps with private property owners that would enable consolidation of County properties into more useable parcels. Additionally, public streets which dead-end at the lake should be used for public access and open space.

Policy OSC-7b.2 Expansion of Public Access to Clear Lake

Vacant lands owned by other public agencies should be retained in public ownership and steps taken to improve these sites for public lake access. Any public lands declared surplus by other public agencies should be acquired by the County and retained for public lake access. Whenever feasible, new public access should be developed near existing lakefront recreational development so that an integrated recreation network may result.

Policy OSC-7b.3 Promote Development of Recreational Facilities

The County should promote water related uses and facilities on vacant or redeveloped lakefront lands where environmental and land use impacts will not result. Water related uses and facilities are defined as those whose primary purpose is to provide for public access and use of the lake such as fishing, boating, swimming, water skiing, viewing, and commercial uses that derive major economic benefits from their immediate proximity to the lake.

The County should strongly discourage conversion of privately owned, public-access lakefront lots to uses that would preclude future public use.

Policy OSC-7b.4 Financing of Improvements for Lake Access

The County budgeting process should prioritize programs for improvement and maintenance of public lakefront lands and seek new sources of financing to help maximize the recreation, aesthetic, and economic benefits derived from public view, access, and use of the lakefront.

9.8 Cultural Resources

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| Goal OSC-8 | To manage and protect sites of cultural and archaeological importance for the benefit of present and future generations. |
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Policy OSC-8.1 Evaluation of Cultural and Archaeological Resources

The County should participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

Policy OSC-8.2 Protection of Resources with Potential State or Federal Designations

The County should encourage the protection of cultural and archaeological sites with potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation’s California Points of Interest and California Inventory of Historic Resources. Such sites may be of statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values.

Policy OSC-8.3 Alteration of Sites with Identified Cultural Resources

When planning any development or alteration of a site with identified cultural or archaeological resources, ways of protecting the resources shall be developed and implemented. Development will be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.

Policy OSC-8.4 Cultural Resources Education Programs

The County should support local, state, and national education programs on cultural and archaeological resources.

Policy OSC-8.5 Historic Structures and Sites

The County shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites and districts. Where applicable, preservation efforts shall conform to the current Secretary of the Interior’s Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

Policy OSC-8.6 Cooperation of Property Owners

The County should encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources.

Policy OSC-8.7 Solicit Views from Local Native Americans

The County shall continue to solicit views from the local Native American communities regarding cultural resources to identify locations of importance to Native Americans, including archaeological sites and traditional cultural properties. Coordination with the Native American Heritage Commission should begin at the onset of a particular project. Any changes, modifications, or additions to the Lake County General Plan will require consultation with local Native American representatives prior to adoption, as specified in California Senate Bill (SB) 18.

Policy OSC-8.8 Confidentiality of Archaeological Sites

The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

Policy OSC-8.9 Grading Cultural Resources Sites

The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, Section 2501 et seq.

Policy OSC-8.10 Historical Resources Inventory

The County shall prepare a historical resources inventory and use State and Federal Standards in evaluating historical resources for their significance.

Policy OSC-8.11 Mitigation Monitoring for Historical Resources.

The County shall develop standards for monitoring of mitigation measures established for the protection of historical resources prior to development.

Policy OSC-8.12 State Historic Building Code.

The County shall establish construction standards for the protection of historic resources during development and use the State Historic Building Code for designated properties.

Policy OSC-8.13 Discovery of Archaeological/Paleontological Resources

In the event that archaeological/paleontological resources are discovered during ground disturbing activities, the County shall require that grading and construction work within 100 feet of the find shall be suspended until the significance of the features can be determined by a qualified professional archaeologist/paleontologist as appropriate. The County will require that a qualified professional archaeologist/paleontologist make recommendations for measures necessary to protect the find; or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontological materials as appropriate.

Policy OSC-8.14 Discovery of Human Remains

Pursuant to CEQA Guidelines (Section 15064.5), if human remains are discovered during project construction, it is necessary to comply with state laws relating to prohibitions on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (California Health and Safety Code Section 7050.5). If human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any area reasonably suspected to overlie adjacent human remains until:

- A. The Lake County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
 1. If the coroner determines that the remains are of Native American origin,
 - a. The coroner shall contact the Native American Heritage Commission within 24 hours.
 - b. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American.
 - c. The MLD shall have an opportunity to make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
- B. Pursuant to Section 5097 of the Public resources Code, if the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendents and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:
 1. Record the site with the commission or the appropriate Information Center.

2. Utilize an open-space or conservation zoning designation or easement.
3. Record a document with the county in which the property is located.

9.9 Implementation Measures

Table 9-1, Open Space and Conservation Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this element. The table lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 9-1. Open Space, Conservation, and Recreation Implementation Measures

| Implementation Measure | Policy | Who is Responsible | Timeframe | | | | |
|---|--|----------------------------------|-----------|-----------|-----------|-----------|----------|
| | | | 2008-2012 | 2013-2017 | 2018-2022 | 2023-2028 | On-going |
| 1.0 The County shall review development proposals against the California NDDDB, other available studies provided by the California Department of Fish and Game and consult, as appropriate, with the California Department of Fish and Game to assist in identifying potential conflicts with sensitive natural communities or special status species. | OSC-1.1 OSC-1.2 | Community Development Department | | | | | ■ |
| 2.0 On project sites that have the potential to contain species of local or regional concern, sensitive natural communities or special-status species, the County shall require the project applicant to have the site surveyed and mapped by a qualified biologist. A report on the finding of this survey shall be submitted to the County as part of the application and environmental review process. | OSC-1.1 OSC-1.2 OSC-1.3 OSC-1.4 | Community Development Department | | | | | ■ |
| 3.0 On project sites with the potential to contain wetland resources, a wetland delineation study shall be prepared using the protocol defined by the Corps of Engineers. A report on the findings of this survey shall be submitted to the County as part of the application process. | OSC-1.1 OSC-1.2 OSC-1.3 OSC-1.4 | Community Development Department | | | | | ■ |
| 4.0 The County shall review development proposals in accordance with applicable federal, state, and local statutes protecting special-status species and jurisdictional wetlands. Appropriate mitigation measures will be incorporated into each project, as necessary. | OSC-1.1 OSC-1.2 OSC-1.3 OSC-1.4 | Community Development Department | | | | | ■ |

| | Implementation Measure | Policy | Who is Responsible | Timeframe | | | | |
|-----|---|--|--|-----------|-----------|-----------|-----------|----------|
| | | | | 2008-2012 | 2013-2017 | 2018-2022 | 2023-2028 | On-going |
| 5.0 | The County shall develop and implement design guidelines for each Community Area through the area plan process. design guidelines shall address architectural standards, lighting, street trees and landscaping, pedestrian improvements, outdoor lighting and building heights. | OSC-2.2 OSC-2.3 OSC-2.6 OSC-2.7 OSC-2.12 OSC-2.13 OSC-2.15 | Community Development Department, Department of Public Works, Board of Supervisors | | | | | ■ |
| 6.0 | The County shall develop an ordinance that limits development impacts to scenic viewsheds caused by ridgeline and hilltop development, including substantial grading and construction of residences. The ordinance should consider incentives for placing construction below ridgelines and should encourage the preservation of scenic corridors and viewsheds and require that structures and other visual obstructions in these sensitive locations be subject to design review, with appropriate case by case mitigations to minimize their adverse visual impact as determined by the appropriate review authority. The County shall establish a policy restricting development on the remaining undeveloped slopes of Mt. Konocti. | OSC-2.11 OSC-2.15 | Community Development Department | ■ | | | | |
| 7.0 | Premature conversion of agricultural lands adjacent to Community Growth Boundaries shall be avoided. Agricultural land will only be converted to urban uses when substantial infill development has occurred within the growth boundaries, or when significant constraints to development within the boundaries can be demonstrated. As a general rule of thumb, Community Growth Boundaries should not be expanded until a minimum of 85% of the vacant and underutilized parcels within the boundary are developed at densities consistent with the adopted land use map. New development proposals adjacent to agricultural land shall provide buffers of adequate size to protect agricultural uses, with preference given to use of the planned development process to establish open space between the development and the agricultural land. | OSC-3.2 OSC-3.4 OSC-3.5 | Community Development Department, Agricultural Commission. Farm Bureau | | | | | ■ |

| Implementation Measure | Policy | Who is Responsible | Timeframe | | | | |
|--|--|--|-----------|-----------|-----------|-----------|----------|
| | | | 2008-2012 | 2013-2017 | 2018-2022 | 2023-2028 | On-going |
| 8.0 Further reduction in size of substandard-sized agriculturally viable parcels through the lot line adjustment process shall be avoided. Lot line adjustments involving land designated Agriculture on the adopted land use map shall only be approved if it can be demonstrated that the overall agricultural viability of the land involved is not reduced. This can be accomplished by transferring land from the smaller parcels to the largest parcel involved in the application. An example of a proposal that would not be supported would be an adjustment between a small 1-acre parcel and a larger 30-acre parcel to create two parcels of approximately the same size, thereby substantially reducing the viability of the 30-acre parcel. | OSC-3.5 | Community Development Department | | | | | ■ |
| 9.0 The County shall adopt policies and procedures for the use of agricultural and conservation easements to preserve agricultural land. Inclusion of agricultural land into the Williamson Act and Farmland Security Act shall continue to be supported when the parcels are found to be agriculturally viable and productive. | OSC-3.9 OSC-3.10 | Community Development Department | ■ | | | | ■ |
| 10.0 New use permits for mining operations shall include conditions requiring review and approval for storage of hazardous materials associated with mining operations, by the Environmental Health Division and Air Quality Management District. Projects shall be designed consistent with the provisions in the Aggregate Resource Management Plan, and adequate buffers shall be maintained form residential uses. | OSC-4.1 OSC-4.2 OSC-4.3 OSC-4.4 | Environmental Health Department, Air Quality Management District, Community Development Department | | | | | ■ |
| 11.0 The County shall retrofit its facilities whenever feasible to implement energy conservation measures and promote use of solar equipment. Informational brochures shall be developed and made available to the public, and handed out with building permit application materials, which promote use of solar and other technologies that will reduce reliance on fossil fuels. The County shall continue to consider fuel economy in its decision-making process when replacement County vehicles are purchased. | OSC-5.1 OSC-5.4 OSC-5.5 | Board of Supervisors, Planning Commission, Community Development Department | | | | | ■ |

| | Implementation Measure | Policy | Who is Responsible | Timeframe | | | | |
|------|---|--|---|-----------|-----------|-----------|-----------|----------|
| | | | | 2008-2012 | 2013-2017 | 2018-2022 | 2023-2028 | On-going |
| 12.0 | The County shall continue to enforce the Quimby Ordinance for subdivisions. The County shall also consider adopting an ordinance requiring park mitigation fees to be paid at the time of building permit issuance for new dwellings, for use to maintain existing parks and development of a regional trail system. | OSC-6.2 OSC-6.7 OSC-6.10 | Public Services Department, Planning Commission, Board of Supervisors, Community Development Department | | | | | ■ |
| 13.0 | The County shall amend the Zoning Ordinance to diversify the types of resort uses allowed, and conditionally permit resort/recreational uses in Commercial land use categories. Additionally, the County shall provide proper zoning in areas which would be compatible with commercial recreation opportunities. | OSC-6.4 OSC-6.5 | Community Development Department, Planning Commission, Board of Supervisors | ■ | | | | |
| 14.0 | The County shall attempt to obtain funding and/or implement land transfers to acquire additional parkland within the County in areas lacking. | OSC-6.8 OSC-6.10 OSC-6.12 | Public Services Department | | | | | ■ |
| 15.0 | The County shall develop a parks master plan, with input from citizens, other government agencies and non-profit organizations, which provides guidelines for park design and development of an integrated regional trails system. | OSC-6.11 OSC-6.13 OSC-6.14 OSC-6.15 OSC-6.16 OSC-6.17 OSC-6.18 OSC-6.20 | Public Services Department, Community Development Department, Department of Public Works | ■ | | | | |
| 16.0 | The County shall continue to support efforts to restore portions of the Reclamation Area in Upper Lake to wetlands. Funding sources shall continue to be sought for the purchase of private property within the reclamation area, and the County will continue to collaborate with the California Department of fish and Game and the US Army Corps of Engineers. | OSC-7a.1 OSC-7a.2 | Lake County Water Resources Division, Board of Supervisors | | | | | ■ |
| 17.0 | The County shall continue to take efforts to reduce the spread of hydrilla and other invasive species in Clear Lake. Efforts to maintain and improve fish spawning beds in Clear Lake shall be pursued. | OSC-7a.4 | Lake County Department of Public Works | | | | | ■ |
| 18.0 | The County shall consider amending the zoning ordinance provisions for height and setbacks within the Scenic combining district around Clear Lake. Consideration shall be given to amendments that would allow increased building heights in exchange for maintaining open view corridors between structures, along side property lines. | OSC-7a.5 | Community Development Department, Board of Supervisors. | ■ | | | | |

| | Implementation Measure | Policy | Who is Responsible | Timeframe | | | | |
|------|---|--|--|-----------|-----------|-----------|-----------|----------|
| | | | | 2008-2012 | 2013-2017 | 2018-2022 | 2023-2028 | On-going |
| 19.0 | The County shall continue to support efforts to improve and increase public access to Clear Lake. Preference should be given to sites within Communities and near existing resort development. New commercial development along the shoreline of Clear Lake should be required to provide public lake access. Rezoning of lakefront property from commercial to residential shall be strongly discouraged, and the County will explore the creation of innovative programs that provide for public lake access in areas of residential use. | OSC-7b.1 OSC-7b.2 OSC-7b.3 OSC-7b.4 | Board of Supervisors, Public Services Department, Community Development Department | | | | | ■ |
| 20.0 | If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records. | OSC-8.2 OSC-5.3 OSC-5.5 | Community Development Department | | | | | ■ |
| 21.0 | In the event archaeological resources are discovered during site excavation, grading, or construction, work on the site will be suspended until the significance of the features can be determined by a qualified archaeologist. If significant resources are determined to exist, the archaeologist shall make recommendations for protection or recovery of the resource. | OSC-8.2 | Community Development Department | | | | | ■ |
| 22.0 | The County shall establish a cultural heritage zone within the Zoning Ordinance. | OSC-8.2 | Community Development Department, Planning Commission, Board of Supervisors | | | | ■ | |
| 23.0 | The County shall contract with a qualified cultural resource coordinator for the development of review procedures and ordinances for the protection of cultural heritage resources, including mechanisms for the protection of identified cultural sites from vandalism. | OSC-8.3 | Community Development Department, Planning Commission, Board of Supervisors | | | ■ | | |
| 24.0 | The County shall develop an informational pamphlet pertaining to cultural resources for distribution to the public. | OSC-8.4 | Community Development Department | | | ■ | | |