

Board of County Commissioners

**Proposed Revisions to Environmental
Administrative Regulations
Discussion Agenda**

March 10, 2020



Agenda

- **Green PLACE Program Overview**
- **Proposed Changes to Administrative Regulation, No.: 11.07.01, “Environmentally Sensitive Lands Acquisition”**
- **TM/Econ Phase IV Mitigation Bank Overview**
- **Proposed New Administrative Regulation, No.: 11.07.02, “Policy Regarding Use of TM/Econ Mitigation Bank Phase IV Credits”**
- **Action Requested**



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Green PLACE Program Overview

- The vision of the Green PLACE Program is to preserve environmentally sensitive lands that foster a community that is ecologically, economically and socially resilient.





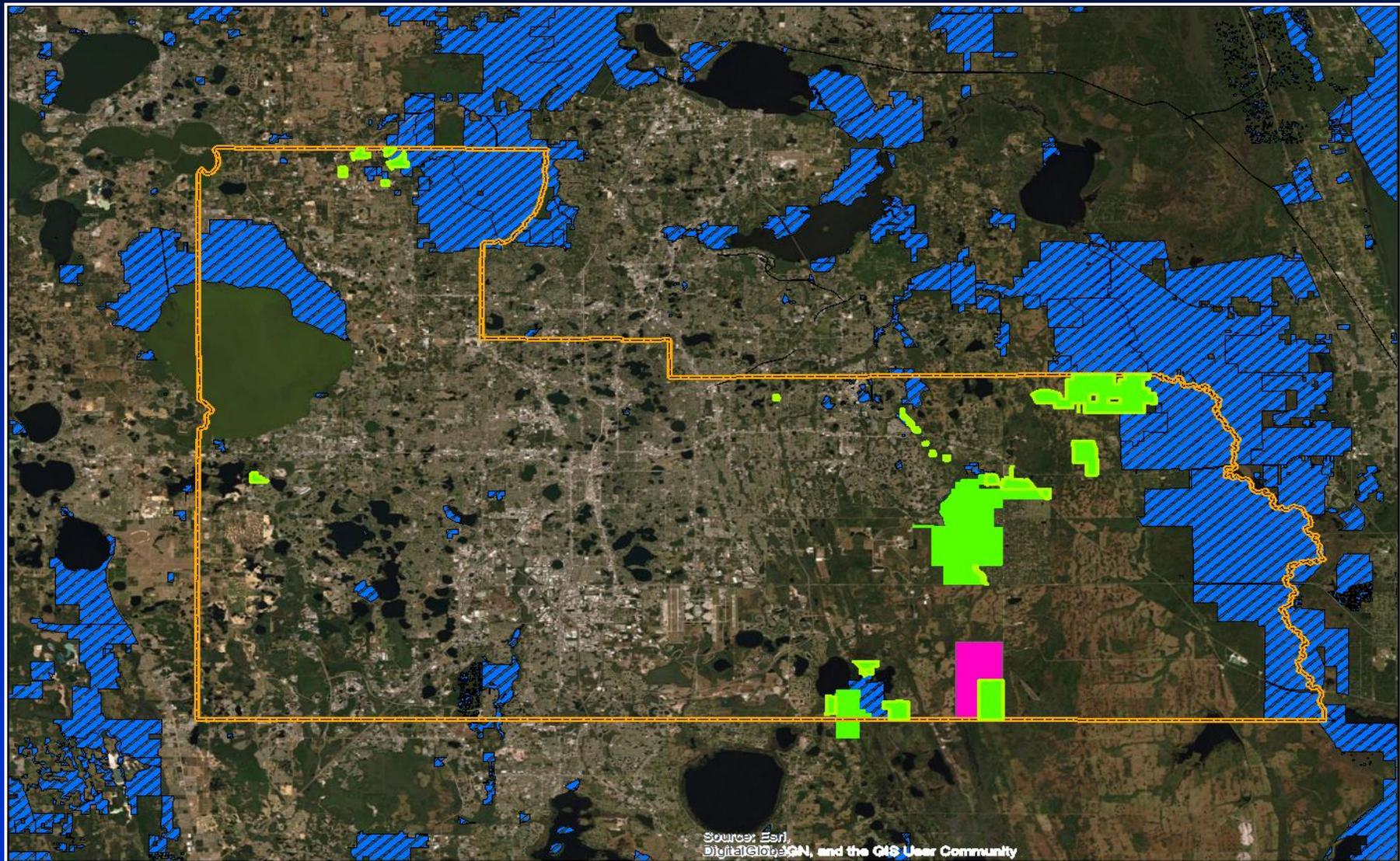
Green PLACE Program Overview

- **Initiated in 1990s**
- **23,000 acres acquired**
- **Purchases funded by:**
 - Public Service Tax
 - Conservation Trust Fund
 - Property and Sales Taxes
 - Grants
 - Partnerships
 - Donations
- **Last Land Purchase in 2009**





Green PLACE Program Overview





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Proposed Changes to Admin Reg 11.07.01, “Environmentally Sensitive Land Acquisition”

- **History of Admin Reg 11.07.01**
 - Created: 11/10/1992
 - Last Revision: 6/27/2006
- **Key Changes Proposed in Latest Revision**
 - Making it clear that the regulation applies to environmentally sensitive lands (ESL) purchased with funds other than the Public Service Tax
 - Deletion of the application process for new properties
 - Clarifying manner in which lands offered to the County for donation will be considered
 - Updating the evaluation and selection criteria for ESL acquisition



Proposed Changes to Admin Reg 11.07.01, “Environmentally Sensitive Land Acquisition”

Current Criteria

- **Rarity in Orange County**
- **Diversity of native ecosystems**
- **Presence of endangered, threatened, rare or special concern species**
- **Contiguity with other publicly owned lands or property interests**
- **Manageability of the site**
- **Availability of funding from partners**
- **Likelihood of events which might degrade or destroy the site**
- **Amount of protection afforded by existing regulations and laws**

Proposed Additional Criteria

- **Provides water resource protection, aquifer recharge, or floodplain storage**
- **Closes gaps between other publicly-owned lands (or lands with conservation easements) or establishes or enhances an existing wildlife corridor**
- **Provides opportunities for quality nature-based recreation**
- **Opportunities to enhance eco-tourism**



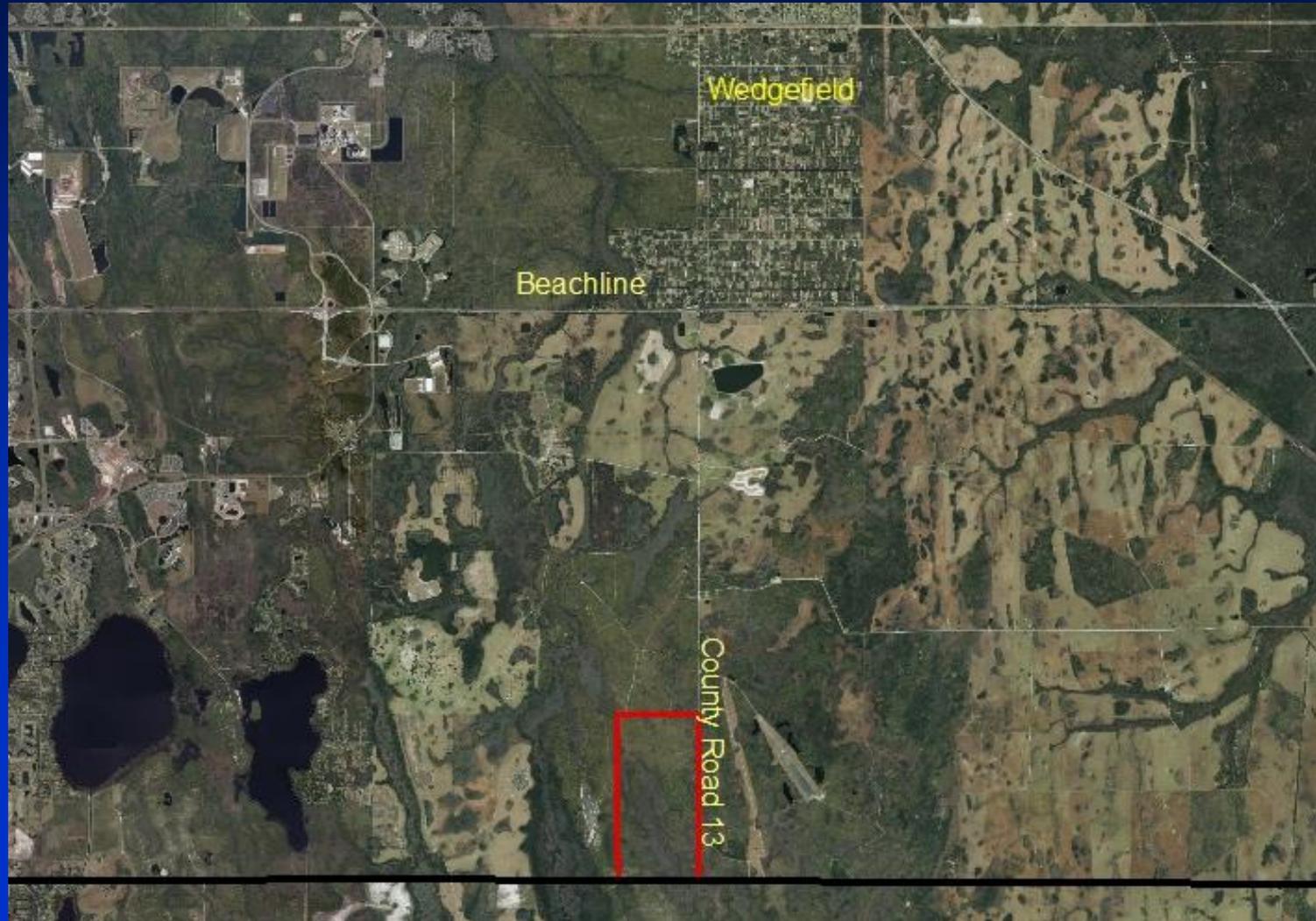
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TM/Econ Mitigation Bank Phase IV Overview

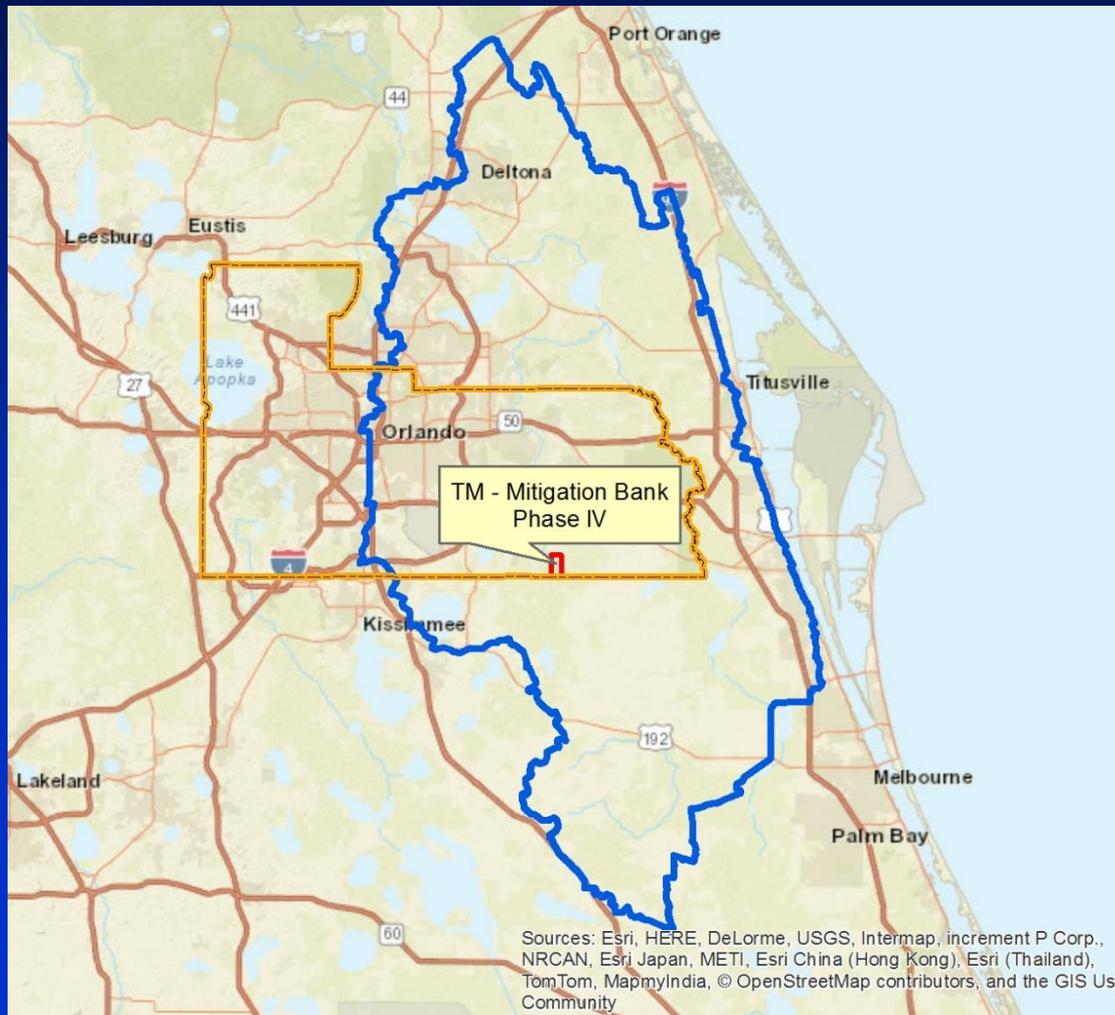
Location





TM/Econ Mitigation Bank Phase IV Overview

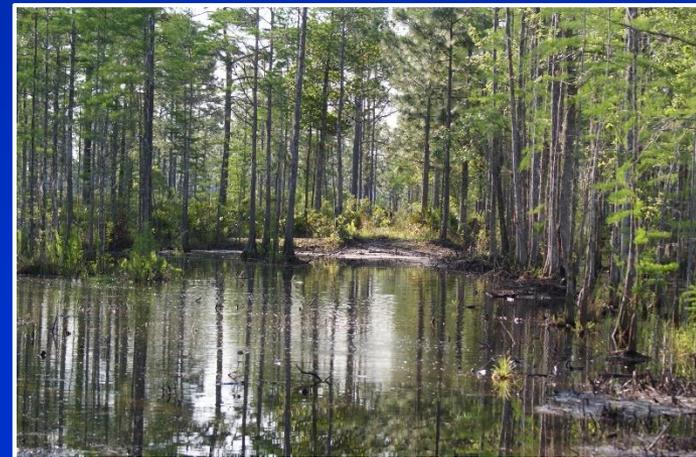
Service Area





TM/Econ Mitigation Bank Phase IV Overview

- **Purpose of TM/Econ**
 - Preservation and enhancement of ESL
 - Revenue source for the purchase and management of ESL under the Green PLACE Program
- **Acreage: 1,326 acres**
- **Mitigation Credits available for county, state, and federal permits**
 - Average annual revenue generation: **\$300K**
 - Future revenues: ~ **\$30M**





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Proposed New Admin Reg 11.07.02, “TM/Econ Mitigation Bank Phase IV Credits”

■ Summary

- Requires projects conducted by the County to purchase mitigation credits from TM/Econ Mitigation Bank Phase IV (if in the service area)**
- Grants EPD Division Manager or their designee the authority to negotiate a discounted sales price per credit from the price established by the Board in order to achieve market competitiveness**



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Action Requested

- Approval of proposed revisions to Administrative Regulation No.: 11.07.01, titled “Environmentally Sensitive Lands Acquisition” and New Administrative Regulation, No.: 11.07.02, titled “Policy Regarding Use of TM/Econ Mitigation Bank Phase IV Credits.” All Districts