



County of Monterey

Board of Supervisors
Chambers
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Legislation Details (With Board Report)

File #:	21-961	Name:	Santa Cruz County Master Permit for Environmental Enhancement Projects
Type:	General Agenda Item	Status:	Passed
File created:	11/1/2021	In control:	Board of Supervisors
On agenda:	11/16/2021	Final action:	11/16/2021
Title:	a. Receive a presentation on Santa Cruz County Master Permit for Environmental Enhancement Projects; b. Discuss and provide direction regarding the development of a coordinated environmental enhancement project permit streamlining program for Monterey County.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Board Report, 2. Attachment A - Conservation Practices Eligible Under the Santa Cruz Countywide Partners in Restoration Permit C, 3. Attachment B - Initial Scope for Monterey "Partners in Restoration" Master Permit, 4. PowerPoint Presentation Item No. 9, 5. Completed Board Order Item No. 9		

Date	Ver.	Action By	Action	Result
11/16/2021	1	Board of Supervisors	approved	

- a. Receive a presentation on Santa Cruz County Master Permit for Environmental Enhancement Projects;
b. Discuss and provide direction regarding the development of a coordinated environmental enhancement project permit streamlining program for Monterey County.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Receive a presentation regarding the Santa Cruz County Master Permit for Environmental Enhancement Projects;
b. Discuss and provide direction regarding the development of an environmental enhancement project permit streamlining program for Monterey County.

SUMMARY:

The Resource Conservation District of Monterey County (RCDMC) received a Clean Water Act (CWA) 319h grant from the State Water Resources Control Board in Spring of 2019 to establish three farm runoff water quality treatment projects and to conduct a permit streamlining effort with the County of Monterey to reduce permitting delays and costs for those and future natural resource improvement projects. The grant is expected to be extended through spring 2023.

The County Housing and Community Development Department (HCD), RCDMC and partner agencies (USDA Natural Resources Conservation Service, Salinas Service Center, Central Coast Wetlands Group, California Marine Sanctuary Foundation, Elkhorn Slough Foundation and Big Sur Land Trust) have been meeting periodically to discuss protocols and methods for streamlining land conservation and restoration projects through the County's existing land use regulations. A draft proposal was received by County staff outlining how such projects could be streamlined. County staff partially accepted some of the processing suggestions. For example, County staff agreed to assign a senior level planner to work on conservation projects, conduct semiannual informal review of conservation projects by the Development Review Committee, and process formal application submission with high priority.

During this work, it came to light that the County of Santa Cruz has established a “Master Permit for Environmental Projects” (Master Permit) that provides a beneficial model for streamlining land conservation and restoration projects. RCDMC has also indicated that the 319h grant may be used to support such a program for Monterey County. As such, Monterey County staff thought that it would be appropriate to inform the Board Supervisors of the Santa Cruz Master Permit program and obtain the Board’s input regarding the appropriateness of such a program in Monterey County.

COUNTY OF SANTA CRUZ MASTER PERMIT PROGRAM EXAMPLE:

The Santa Cruz Master Permit is part of the Countywide Partners in Restoration Permit Coordination (PIR) Program that partners local, state, and federal agencies to help private landowners address erosion problems and improve degraded habitat that would otherwise be cost prohibitive to undertake. The PIR Program grew out of a realization on the part of the RCDMC that an increasing number of landowners in Santa Cruz County are interested in restoring or enhancing the natural resource conditions of their property, but are discouraged from doing so because of the time, cost, and complexity of complying with the regulatory review requirements.

Under normal circumstances, landowners wanting to undertake an environmental enhancement project on their property would be required to individually apply for, and obtain separate County approvals, as applicable, for Coastal Development Permits, Riparian Exceptions, Grading Approvals, Biotic Approvals, Encroachment Permits, etc., in addition to other permits required by the responsible State and Federal agencies that are also participating in this program (e.g., U.S. Fish & Wildlife Service, NOAA Fisheries, Army Corps of Engineers, Regional Water Quality Control Board and Coastal Commission). The PIR Program provides an incentive to such landowners by consolidating administrative procedures and allowing the landowner to deal solely with the RCD, who is responsible for ensuring that all County, State, and Federal requirements are being met through following guidelines and conditions set forth in the Master Permit. The Master Permit allows for a variety of authorized types of environmental enhancement projects to be implemented by the RCD under the PIR Program using practices detailed in the National Resource Conservation Service’s (NRCS) National Handbook of Conservation Practices. The authorized project types include practices intended to create, restore, and/or enhance habitat for wildlife species; and/or protect and enhance water quality through various means of reducing or eliminating erosion. The authorized project types are explained in detail in the attached Master Permit (**Attachment A**).

County staff understands that the CEQA work for the Santa Cruz Master Permit was funded by outside organizations while the annual permitting is funded by Santa Cruz County.

DISCUSSION:

Currently, the County Housing and Community Development Department reviews and considers resource conservation and environmental enhancement projects on an individual and ongoing basis. The necessary environmental review is conducted for each project upon submittal of the application for the applicable land use entitlement (e.g., use permit) or construction permit. To streamline the permit process, RCDMC and its partners have suggested the establishment of a master permit program like the Santa Cruz Master Permit. As such, staff is seeking the Board’s input on the idea of the development of an environmental enhancement project permit streamlining program for Monterey County.

If the Board believes that such a program could be beneficial, HCD will draft the program and prepare the supporting programmatic environmental evaluation pursuant to the California Environmental Quality Act (CEQA) for the Board of Supervisors’ consideration at a later date.

In concept, the program would involve the County issuance of a single master permit to RCDMC for environmental enhancement projects. There are 15 project types with specified limits/scopes that have been suggested for incorporation into the master permit, which RCDMC has indicated using along with some proposed variations and the addition of a new practice or two as briefly outlined in **Attachment B**. Those projects listed are conceptual and are not final. The Board may wish to discuss the listed projects or suggest

others.

RCDMC and its partners anticipate submitting an average of five projects per year over five years for permitting under an environmental enhancement project permit streamlining program. RCDMC and others may have additional projects that fall outside of the scope of the desired master permit and would pursue permits for those separately.

County staff agrees with RCDMC that such a program could be beneficial and would suggest that the Board give the appropriate direction to proceed to develop the program for the Board's future consideration. Furthermore, County staff believes that the upfront costs for the CEQA work should be borne by RCDMC and its partners, but staff believes the annual permit may be incorporated into the Department's budget, which may be approximately \$5,000 annually to manage the program and provide annual oversight during the permit review period. The Board should discuss and provide direction on funding and other alternatives that it may find appropriate.

GENERAL PLAN CONSISTENCY:

A master permit program is consistent with the 2010 General Plan, 1982 General Plan and Local Coastal Program since the program would enhance and protect the natural resources. The permit process would provide greater opportunity for collaboration with the resource agencies and their stakeholders on water quality, marine resources and environmentally sensitive habitats and other environmental concerns.

ENVIRONMENTAL REVIEW:

Pursuant to section 15378 of the CEQA Guidelines, organizational or administrative activities of government that will not result in direct or indirect physical changes in the environment are not defined as a project. The administrative activity to discuss and provide direction to staff regarding developing a master permit program is therefore not subject to CEQA. Staff is not requesting a commitment to the program at this time. However, should the Board direct staff to develop a master permit program for environmental enhancement projects, HCD would prepare a programmatic environmental evaluation pursuant to the California Environmental Quality Act (CEQA) and return to the Board at a later time with the proposed program together with the environmental review for the Board to consider.

NEXT STEPS:

Should the Board of Supervisors desire staff to develop an environmental enhancement project permit streamlining program for Monterey County, County staff will work with RCDMC to draft the program and prepare the appropriate environmental review pursuant to the California Environment Quality Act. Once the program is developed and the CEQA review is undertaken, the matter would be brought back to the Board of Supervisors for consideration.

FINANCING:

Staff costs for time associated with development of the program is included in the FY21-22 Adopted Budget for Community Development Unit 8543, Appropriation Unit HCD002. Current resources for environmental/conservation project permit review include a senior level planner and other support staff including secretaries, and management. Approval of a Master Permit would reduce department workload and reduce backlog in the planning permits. Application fees received from RCDMC or partner agencies to prepare the environmental review documentation will further offset costs for staff time, unless waived by the Board.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

A permit streamlining program would result in efficient and effective government operations. Furthermore, the program would promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Mark a check to the related Board of Supervisors Strategic Initiatives:

- ☐ Economic Development
- ☒ Administration
- ☐ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

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The following attachments are on file with the Clerk of the Board:

Attachment A - Conservation Practices Eligible Under the Santa Cruz Countywide Partners in Restoration Permit Coordination Program (i.e., Master Permit), with Allowed Dimensions and Project-Specific Conditions, and Summary of Tier System

Attachment B - Initial Scope for Monterey “Partners in Restoration” Master Permit