

Agenda Item VII.

Title: Consideration to approve the Draft Outdoor Recreation Plan draft policy recommendations or to consider additional modifications.

Background:

There were two requests received following the public meetings held between March and May for changes to draft policy language in the Draft Plan. In addition the Permit Resource and Management Department has made a suggestions to further modify draft policy language.

1. Policy amendment to Policy 2.1b, to cover land acquisition for trails in areas where agricultural spraying occurs.

Discussion:

Since the preparation of information in 1997, there has been increased public awareness and sensitivity to the issues surrounding spraying on agricultural properties. The Sonoma County Farm Bureau, requested that we expand upon the information contained in the Draft ORP (See Appendix 6 Table 1). The Farm Bureau's concern was that proposed trail corridors would be exposed to spraying in active agricultural areas. One suggestion is that these corridors be of a sufficient to create a buffer between the agricultural properties being sprayed and trail users.

In order to determine to what extent this conflict might exist Nancy Dakin, our consultant, reviewed available literature, types and amounts of chemicals used in Sonoma County, California Department of Pesticide Regulation regulations and talked with other jurisdictions concerning buffer requirements. Her memorandum titled "Buffers required or recommended between Agricultural Land and Adjacent Uses, including Recreation Areas and Trails", summarizes her research and is attached (VII-1). The main points of her research are:

- ~ In 1999, 3,734,767 lbs. of chemical pesticides were applied in Sonoma County. The largest single chemical applied in Sonoma County is sulfur applied to grapes and apples. This accounted for 3,089,779 lbs. Sulfur is applied during periods of low wind velocity to reduce the possibility of wind drift. The second most common chemical is Methyl Bromide that is sometimes used as a fumigant in the preparation of land for vineyard development. Methyl Bromide is being phased out of use by 2005.
- ~ Attachment 8 of the Memorandum is a map depicting the proposed ORP trail corridors and the locations of properties where there is a permit for applications of chemicals on file with

the Sonoma County Agricultural Commissioner's Office. The map indicates that most of the proposed trail corridors are not located within the areas where spraying is currently permitted.

- ~ The Agriculture Commissioners Office has reported a dramatic increase in complaints from joggers or people driving by agricultural areas where spraying occurs. However, on the County's West County and Rodota Trails, which pass through areas where there are properties with spray permits, there have not been any complaints from either trail users or agricultural operators.
- ~ In researching other jurisdictions, there is no single defined length of set back required for other land uses or public roads that can be applied to all situations. The City of Davis is the only jurisdiction that addresses trails within agricultural transition zones.

Recommendation:

Staff recommends that to address the potential of conflicts between pesticide applications and trail users, the following language be added to Draft Policy 2.1b.

“In the event that a trail corridor is planned in an area where there is active agricultural spraying, the trail corridor alignment should consider the types of chemical being used, the frequency of application and recommendations from Department of Pesticide Regulation for the chemicals that are applied. If it is determined that there is significant health risk to future trail users, the width of the trail corridor shall include sufficient land to provide an adequate buffer between the agricultural activity and the trail”.

Options:

1. Committee could agree to consider changing draft Policy 2.1b.
2. Committee could agree not to consider changing draft Policy 2.1b.

2. Deletion of language in Policy 2.2.

The Sonoma Valley Trails Committee. (Attachment 1 of Public Comments and Responses) has requested the deletion of the language “*where it is reasonably feasible that the land could be put into agriculture*”.

Discussion:

At its meeting on June 17, 1998, the Committee considered two alternative drafts of policy language addressing the issue of condemnation of agricultural lands for parks and trails. One draft had been proposed by the Farm Bureau, which included the language that the Sonoma

Valley Trails Committee has requested to be deleted from the Draft ORP. The Committee directed staff to include in the Draft Plan the language proposed by the Farm Bureau.

Recommendation:

The Committee has previously discussed the inclusion of this language and had voted to approve it. It has been in both the 1999 Draft ORP and the 2000 Draft ORP. Staff has followed the Committee's prior direction.

Options:

1. Committee could agree to consider changing draft Policy 2.2.
2. Committee could agree not to consider changing draft Policy 2.2.

3. Policy Change Recommendations from PRMD.

The attached Memorandum from the Permit and Resource Management Department (PRMD) dated July 6, 2001 (VII-2) points out some changes that they are suggesting to the Draft ORP. Some of these changes relate to the draft policies. Other suggestions would require the inclusion of some additional information in the final Draft ORP to reflect how to prioritize projects.

Discussion:

In June 2000, PRMD provided Regional Parks some comments on the Draft ORP. These comments were too late for full inclusion in the June 16 draft of the ORP.

In their memorandum dated July 6, 2001 PRMD have requested changes to Draft Policies 1.2b, 1.2e and 1.4(iv). Regional Parks has sent a response dated August 24, 2001 (VII-3) addressing these issues.

a. Change to Draft Policy 1.2b

Recommendation:

Change to Draft Policy 1.2b. This change would incorporate new information from the County Development Code update. Regional Parks recommends inclusion of the new language in the final Draft ORP.

Options:

1. Committee could agree to consider changing draft Policy 1.2b.
2. Committee could agree not to consider changing draft Policy 1.2b.

b. Change to Draft Policy 1.2e

Recommendation:

This recommendation from PRMD may be changed independently of the ORP. The Open Space District and Permit County Counsel and Resource Management Department have been meeting to discuss the streamlining and better coordination of the General Plan Consistency process. This is likely to result in a separate recommendation being made to the Board independently of the ORP.

Regional Parks recommends no change to the existing draft Policy 1.2e at this time as this is likely to be superceded by future Board direction.

Options:

1. Committee could agree to consider changing draft Policy 1.2e.
2. Committee could agree not to consider changing draft Policy 1.2e.

c. Change to Draft Policy 1.4(iv).

Recommendation:

This recommendation from PRMD deals with clarification of existing County policies when parkland dedication may be considered in exchange for density bonuses or other design and improvement standards. Regional Parks in their response to PRMD agrees that the existing County policies are somewhat vague. However, it is Regional Parks recommendation that PRMD submit this matter to the Board for some policy direction when the General Plan Update occurs.

Regional Parks recommends no change to the existing draft Policy 1.4 (iv) at this time as this is likely to be superceded by future Board direction.

Options:

1. Committee could agree to consider changing draft Policy 1.4 (iv).
2. Committee could agree not to consider changing draft Policy 1.4 (iv).