

Regional Conservation Authority

Policy Regarding Uses and Activities on RCA-Owned Reserves

Staff Contact:

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Background:

The “additional reserve lands” we are obligated to assemble are approaching 30,000 acres, with about 7,000 owned in fee title by the RCA. The latter figure will increase over the next few years as land held by the County and other entities is conveyed to the Authority for management. We believe it is time consider the types of uses that will be permitted on that portion of the Reserve under our stewardship. Attached is a draft policy that sets the groundwork, recognizing that as we accrue land the policy will need to be refined and supplemented.

The Plan articulates “allowable” activities in the Reserve, and sets parameters. However, it is open for some interpretation. The draft policy addresses some intuitively compatible uses such as horseback riding and hiking, but even these uses are limited by the Plan. Certain activities, such as hunting and grazing, may be conditionally compatible with the reserve; however, until we own more land and work out the details with the Wildlife Agencies, staff recommends that these types of uses be placed on hold for future consideration. In any event, under the proposed policy, a biological assessment will precede the final approval of any use.

One area that is important to address is roads. As we have said many times, the MSHCP was prepared to facilitate the placement of infrastructure, especially transportation facilities. The draft policy makes it clear that existing roadways are permitted and planned roadways will be accommodated in the reserve. In addition, it would obligate the RCA to dedicate right-of-way to a Permittee for the construction of a road. However, the roads would be subject to the provisions contained in Section 7 of the Plan, addressing covered activities.

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Lastly, the draft policy sets the stage for the RCA to adopt rules governing activities and uses. As proposed, the Board may restrict an activity to certain lands and limit its scope.

Staff Recommendation:

Staff recommends that the Committee approve the policy, recognizing that it will be refined and supplemented as the reserve grows, and authorize staff to agendize this matter for possible adoption at the May 1, 2006 meeting of the RCA Board of Directors.

FINANCIAL INFORMATION	
Fiscal Year _____ Budget: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Cost: \$ N/A Annual Cost: \$ N/A
Source of Funds: N/A	Budget Adjustment: N/A From To
Approved by:	Date:

Attachment:

Draft Policy: Uses and Activities on Reserve Lands

Article I. Uses and Activities on Reserve Lands

Section 1.01 Notwithstanding activities required to manage lands, and maintain facilities, the following uses and activities may be permitted on a Reserve, consistent with Section 7 of the Plan, and in conformance with Federal, State and local codes and regulations, and any rules established by the RCA Board:

- (a) Trails, subject to the provisions of the Plan.
 - i) Horseback riding on designated trails.
 - ii) Hiking on designated trails.
 - iii) Mountain biking (non-motorized) on designated trails.
- (b) Fishing in designated areas and in compliance with Federal, State, and local codes, and RCA any rules governing such activities.
- (c) Interpretive programs and tours lead by authorized persons and/or organizations.
- (d) Other uses that conform to the Plan and are authorized by the RCA Board.
- (e) Structures and Buildings:
 - 1) Single family homes (including mobile homes) for the use of the management staff or caretaker.
 - 2) Interpretive and assembly buildings for nature programs offered by the RCA or by an authorized organization, subject to the provisions of the Plan.
 - 3) Appurtenant structures such as barns, sheds and workshops, sited on a case by case basis and subject to the provisions of the Plan.
 - 4) Communication facilities sited on a case by case basis and subject to the provisions of the Plan.

Section 1.02 Roads and highways.

- (a) Existing and planned roads delineated and/or described within Section 7 of the Plan and within a Permittee's General Plan Circulation Element are Covered Activities, and are permitted uses within the Reserve.
- (b) Whenever a Permittee General Plan Circulation Element road that is consistent with the MSHCP is shown to traverse or abut reserve land, the

RCA shall make provisions to allow for the future alignment and construction of the road within the reserve.

- (c) When requested to do so by the Permittee, the RCA will dedicate the necessary rights of way (including slopes, drainage, and other easements) to the Permittee, provided the road is otherwise consistent with the MSHCP.
- (d) The road shall be sited, designed and constructed subject to the provisions of the Plan and the Implementing Agreement.
- (e) The RCA will make every effort to avoid the placement of site improvements within a future road alignment, but it is the responsibility of the Permittee to delineate the alignment and notify the RCA at the earliest possible date to avoid conflicts.

Section 1.03 Whenever the Board proposes to allow an activity or use listed above in the Reserve, a biological assessment shall be conducted to insure that the use is compatible with the reserve management program and will not interfere with conservation of an endangered or threatened species.

Section 1.04 Rules applying to uses and activities: The RCA Board may from time to time adopt permanent, seasonal or temporary rules governing uses and activities on reserves, to ensure the protection of covered species and habitat. Examples may include the issuance of permits, reservations for recreational activities, user fees, user registration, exclusion of specific uses and activities, and the restriction of uses and activities to selected areas of a reserve.