



7.0 Covered Activities/Allowable Uses

7.3.3 Agricultural Lands Within the Criteria Area

Existing agricultural uses and conversion of natural lands to agricultural use, as defined and outlined in *Section 6.2* of this document, will be allowed as a Covered Activity within the Criteria Area. New conversions to agricultural use within the Criteria Area are covered up to an established threshold of 10,000 acres over the life of the Plan. Agricultural Operations, as defined in *Section 6.2*, include the production of all plants (horticulture), fish farms, animals and related production activities, including the planting, cultivation and tillage of the soil, dairying, and apiculture; and the production, plowing, seeding, cultivation, growing, harvesting, pasturing and fallowing for the purpose of crop rotation of any agricultural commodity, including viticulture, apiculture, horticulture, and the breeding, feeding and raising of livestock, horses, fur-bearing animals, fish, or poultry and all uses conducted as a normal part of such operations; provided such actions are in compliance with all applicable laws and regulations.

The guidelines for coverage of Agricultural Operations and mechanisms for implementing the New Agricultural Lands Cap are discussed in detail in *Section 6.2*. The purpose of this discussion is to establish a process for monitoring New Agricultural Lands and for ensuring that Reserve Assembly activities are adjusted to account for New Agricultural Lands in the Criteria Area.

In order to verify the location of the Existing Agricultural Operations, the County will establish a database identifying Existing Agricultural Operations (“Existing Agricultural Operations Database”) on or before the Effective Date of the Implementing Agreement or the issuance of the Section 10(a) Permit and the NCCP Authorization. The New Agricultural Lands Cap of 10,000 acres within the Criteria Area will be applied to Agricultural Operations that are in addition to the activities recorded in the Existing Agricultural Operations Database. The 10,000 acre New Agricultural Lands Cap represents approximately 3 percent of the total acreage contained within the Criteria Area.

If New Agricultural Lands conversions result in the need to acquire Additional Reserve Lands that were not contemplated in the Criteria, it will be demonstrated that the Additional Reserve Lands meet not only the total acreage requirements of the Plan, but also the conservation functions and values (including reserve design and configuration considerations) specified in the Plan. It is anticipated that there will be adequate and appropriate land available for Conservation within the Criteria Area that could compensate for areas potentially considered for Conservation that will be made unavailable through the agricultural conversion allowance. Annual review of MSHCP implementation and Reserve Assembly will provide a mechanism for addressing potential issues associated with Reserve Assembly that may be brought about



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by agricultural conversions within the Criteria Area. Corrective action will then be taken to direct Reserve Assembly activities in a manner that adjusts for agricultural activities and avoids the adverse foreclosure of Reserve Assembly options.

Because there are agricultural activities that do not require discretionary actions by the County, such activities may be difficult to monitor through review of permitting. Aerial photographs of the Criteria Area will be reviewed every three years to determine the level of activity occurring within that period. Through the annual reporting process, the trend of agricultural activity will be examined to determine if Reserve Assembly options are being precluded.

To estimate the potential effects of New Agricultural Lands in relation to the MSHCP, it is assumed that approximately 50% of the agricultural conversions that take place within the Criteria Area will be consistent with the Criteria. Therefore, it is assumed that approximately 5,000 acres of New Agricultural Lands will occur within areas considered desirable for Conservation under the Criteria. This represents approximately 1.5% of the total Additional Reserve Lands proposed to be acquired within the Criteria Area. Tracking of MSHCP implementation, and adjustments to Reserve Assembly strategies as outlined in this section, will provide a mechanism to ensure that adequate acreage of Additional Reserve Lands is being acquired, and that appropriate reserve design and configuration are being achieved.

7.3.4 Existing Roads Within the Criteria Area

Maintenance of existing roads within the Criteria Area is considered a Covered Activity for Permittees, Participating Special Entities, and Third Parties Granted Take Authorization. Existing roads within the Criteria Area are not anticipated to be included in the total acreage of Additional Reserve Lands and will not be included in the MSHCP Conservation Area. However, maintenance and minor modifications to existing roads may result in impacts to listed species. Specified road maintenance activities as outlined in this section, are Covered Activities under the Plan. Existing roadways within the Criteria Area include interstates, freeways, State highways, City and County maintained roadways, as well as local roads, which are not City, or County maintained that provide property access. This latter category of other maintained roadways are generally maintained by the adjacent property owners, either individually or collectively. *Table 7-3* provides an estimate summarizing the extent of these various types of existing roadways which are permitted to remain within the Criteria Area.