

7

CONSERVATION, OPEN SPACE, AND WORKING LANDS ELEMENT

NOTES FOR ALL ELEMENTS

The General Plan will call out policies and actions that address specific topics of concern raised by the community. For the reader's ease, policies and actions related to these topics of concern are identified throughout the General Plan using the following icons. The policies and actions related to each topic will be compiled in an appendix to the General Plan.



Community Health



Environmental Justice



Economic Development



Sustainability

In addition, the draft policy guidance uses the term “Impacted Community” to identify what are called “disadvantaged communities” under Senate Bill (SB) 1000. SB 1000 defines these communities as low-income areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

Goals, Policies, and Actions

A. OPEN SPACE FRAMEWORK

Goal COS-1

Preserved open space for environmental protection, resource management and production, recreation, and climate resilience and adaptation. (9-A, 9-C, 9-32)

Policies

COS-P1.1



Support efforts by public agencies and non-profit organizations to acquire and permanently protect open space areas with ecologically significant or scenic resources and areas that would connect other protected lands to form a cohesive system of open space, provided such acquisitions do not interfere with planned infrastructure improvements. (8-9, 9-4)



COS-P1.2



Pursue opportunities for permanent open space dedication for habitat, scenic, or passive recreation benefits as part of future development approvals and major capital improvement projects, including those undertaken by the County, other public agencies, and utilities. (9-6)

COS-P1.3



Discourage conversion of land designated Resource Conservation or Parks and Recreation to urban uses. If such conversion occurs, require mitigation through permanent protection of other open space or park lands for habitat, scenic, or recreation benefits at a ratio to be determined based on the biological, scenic, or recreational value of the land, but not less than 3:1. (9-8)

COS-P1.4



Require new projects adjacent to protected open space areas to establish effective buffers on their properties to minimize conflicts and protect the open space use.

COS-P1.5



Where conflicts arise between open space uses and new urban uses, prioritize maintaining the viability of the open space uses.

Actions

COS-A1.1



Convene an annual meeting with appropriate public agencies (e.g., East Contra Costa County Habitat Conservancy, East Bay Regional Park District), land trusts, and conservation groups to review current and planned efforts to protect and maintain open space and prioritize acquisitions. (9-q)

See the Land Use Element for additional policies and actions related to the Urban Limit Line.

B. AGRICULTURAL RESOURCES AND WORKING LANDS

B1. Agricultural Resource Areas

Goal COS-2

A thriving agricultural sector based on sustainable agricultural resources and practices. (7-G, 8-G) (Ag Policy Recommendations Vision language)

Policies

COS-P2.1



Protect and preserve agricultural land, especially land designated as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland on the Important Farmland Map prepared by the California Department of Conservation; land containing Class 1 or Class 2 soils; and land designated Agricultural Core. (8-H, 8-2)

COS-P2.2



Maintain a 40-acre-minimum parcel size for prime productive agricultural land (i.e., Class 1 and Class 2 soils). (3-14, 8-40, 8-48)

COS-P2.3



Require new projects adjacent to agriculture to establish effective buffers on their properties to minimize conflicts and protect agriculture from nuisance complaints. (3-11, 3-12, 8-1, 8-33, 8-34, 8-36, 8-ai)

COS-P2.4



Where unmitigable conflicts arise between agricultural uses and non-agricultural uses, prioritize maintaining the viability of the agricultural uses. (8-aj)

COS-P2.5



Require deed disclosures for new residential development in or adjacent to areas designated or zoned for agricultural use. The disclosures must explain the potential disturbances associated with agricultural operations (e.g., dust, noise, odors, and use of pesticides) and reference the Right-to-Farm Ordinance, which protects agricultural operations from nuisance complaints and unreasonable restrictions. (8-35, 8-am, 8-ao)

COS-P2.6



Encourage owners of qualifying agricultural land to participate in the Williamson Act (Agricultural Preserve) Program. (8-38, 8-az, 8-ba)

COS-P2.7



Support public infrastructure projects and programs that will increase, enhance, and protect agricultural land and its production capabilities. (8-ag)

COS-P2.8



Coordinate with local irrigation districts to facilitate water conservation, efficient use of agricultural irrigation water, and implementation of emerging water reuse technologies and practices. (8-bf, 8-be)



COS-P2.9



Support soil conservation and restoration programs and carbon sequestration projects and encourage agricultural landowners to work with agencies such as the US Department of Agriculture Natural Resources Conservation Service and Contra Costa Resource Conservation District (RCD) to reduce erosion and soil loss. (8-66, 8-ce)

COS-P2.10



Partner with the agricultural community and University of California Cooperative Extension to support regenerative agriculture practices that maintain agricultural viability.

COS-P2.11



Encourage Integrated Pest Management practices that reduce the use of agricultural pesticides and minimize pesticide drift, and discourage farming practices that may expose residents, water resources, and the environment to fine particulates and harmful chemicals. (8-22, 8-26, 7-al)

Actions

COS-A2.1



Review each update of the California Department of Conservation Farmland Mapping and Monitoring Program data and report to the Board of Supervisors on the quantity of land in the county converted to and from agricultural use. (8-cb)

COS-A2.2



Review the Williamson Act Program to assess viability and identify areas for improvement, such as expanding the range of allowable uses to include wildlife habitat areas, providing mitigation options for impacts resulting from public infrastructure projects (prioritizing mitigation within Contra Costa County), and increasing enforcement of non-compliant properties. (8-q, 8-bb, 8-bc)

COS-A2.3



Work with the agricultural community, Contra Costa Local Agency Formation Commission (LAFCO), and cities to establish programs and mechanisms to protect agricultural resources, such as preservation agreements, conservation easements, an agricultural soils trust fund, and agricultural mitigation fees. (3-13, 3-s, 3-u, 8-J, 8-40, 8-48, 8-bn)

COS-A2.4



Conduct a detailed study of potential Transfer or Purchase of Development Rights (TDR/PDR) programs to mitigate development pressures and preserve agricultural land. The study should determine:

- (a) Overall feasibility and usefulness in implementing the County's agricultural preservation goals.
- (b) Specific mechanisms that could be used.
- (c) Geographic areas where these mechanisms could be used.
- (d) Organizational and administrative requirements.

- (e) Cost to the County and potential revenue sources.
(8-bd)

COS-A2.5

Adopt development standards and/or design guidelines for urban land uses that interface with agricultural uses addressing, at minimum:

- (a) Setbacks on non-agricultural properties that provide a buffer to agricultural uses.
- (b) Location and arrangement of buildings, structures, and uses on non-agricultural properties.
- (c) Lighting, fencing, screening, and vegetation.
(8-ah, 8-al)

See also the Land Use Element for additional policies and actions related to agricultural areas and the Health and Safety Element for additional policies related to soil health in support of carbon sequestration.

B2. Agricultural Economy

Goal COS-3

A thriving, sustainable, and competitive agricultural economy. (3-M, 8-G)

Policies

COS-P3.1

Preserve large, contiguous areas of the county for agricultural production. Deny projects that would lead to fragmentation of agricultural areas. (8-29)

COS-P3.2

Support development of public and private infrastructure and services needed to support agriculture in proximity to agricultural areas. (8-39, 8-43, 8-ay)

COS-P3.3

Support efforts to promote and market locally grown and value-added agricultural products. (8-41, 8-44, 8-ar)

COS-P3.4

Assist the agricultural community through the County's economic development programs. (8-42)

COS-P3.5

Support the Contra Costa RCD in carrying out its mission to assist farmers and ranchers through programs that support sustainable agricultural practices. (8-bm)



COS-P3.6



In consultation with the Contra Costa LAFCO, support property owners who apply to detach land outside the Urban Limit Line (ULL) that is in agricultural production from any special taxing districts that provide urban services. (8-ac)

COS-P3.7



Allow farmworker and farm family housing in agricultural areas to meet the needs of locally employed seasonal and permanent farmworkers. (8-48, 8-aa)

COS-P3.8



Enable farmers and ranchers to provide short-term guest accommodations at a scale and in a manner that is consistent with and enhances the rural setting. (Ag Policy Recommendations)

COS-P3.9



Enable farmers to showcase farm products grown on-site or within the county and offer on-site farm experiences, such as culinary classes, farm-to-table meals, tastings, and special events, while maintaining the integrity of the agricultural landscape. (Ag Policy Recommendations)

Actions

COS-A3.1



Establish a mitigation program to offset conversion of working lands (irrigated and intensively cultivated agricultural lands and rangeland) to nonagricultural uses. The program will define conversions requiring mitigation, mitigation ratios, allowable conservation instruments, and use of in-lieu fees. (Ag Policy Recommendations)

COS-A3.2



Designate a staff position in the Department of Conservation and Development (DCD) to serve as a point of contact for the agricultural community, guiding them in understanding the processes at DCD, helping DCD staff understand the particular needs of the agricultural community, and coordinating with other agencies, such as the Contra Costa RCD, US Department of Agriculture's Natural Resources Conservation Services (NRCS), University of California Cooperative Extension (UCCE) – Contra Costa County, the County Department of Agriculture, and the County Environmental Health Division. (Ag Policy Recommendations)

COS-A3.3



Work with the agricultural community and UC Cooperative Extension to promote education, training, information-sharing programs, and networking opportunities for farmers, ranchers, and agricultural agencies to increase agriculture's resilience to climate change hazards.

COS-A3.4



Coordinate with the Contra Costa RCD, NRCS, UCCE, Contra Costa Mosquito and Vector Control District, County Department of Agriculture, and County Environmental Health Division to support sustainable and resilient agricultural operations through vegetation and pest management programs, best management practices, technical assistance related to soil health, funding opportunities for efficient irrigation infrastructure, and information about alternative crop types that are drought-, heat-, and severe weather-resistant.

COS-A3.5



Work with the agricultural community to obtain funding for design, installation, and ongoing maintenance of proper signage promoting agriculture in the county, including wayfinding signage for agricultural tourism (U-pick, lodging, food service, winery, etc.) uses.
(Ag Policy Recommendations)

See the Land Use Element for additional policies and actions on the Urban Limit Line and agricultural lands.

C. ECOLOGICAL RESOURCES AND NATURAL SYSTEMS

C1. Ecological Resource Areas

Goal COS-4

Preserved and enhanced ecological resources and wildlife habitat. (8-A, 8-D, 8-E, 8-3, 8-6)

Policies

COS-P4.1



Maintain ecologically significant resource areas in their natural state to the greatest extent possible. Limit development in and near these areas to compatible low-intensity uses with adequate provisions to protect sensitive resources, including setbacks around resource areas.
(8-7, 8-8, 8-9, 8-10, 8-15)

COS-P4.2



Require a biological resources assessment prepared according to current State and federal protocols for projects with the potential to impact rare, threatened, endangered, or special-status species or their habitat, and implement appropriate mitigation for identified impacts. (8-9, 8-e)



COS-P4.3



Require well-timed, comprehensive floristic and vegetation surveys prepared according to State and federal protocols when development is proposed on land with potentially suitable habitat for special-status plant species, including areas mapped by the California Native Plant Society as Botanical Priority Protection Areas.

COS-P4.4



Require avoidance and protection of sensitive on-site ecological resources not approved for disturbance or removal.

COS-P4.5



Require majority use of native plant species in new development landscaping and require that construction practices avoid spread of invasive plant species by minimizing surface disturbance, seeding and mulching disturbed areas with certified weed-free native mixes, disinfecting/decontaminating equipment, and using native, noninvasive, drought-resistant species in erosion-control plantings.

COS-P4.6



Protect habitat and wildlife migration corridors, and support projects that enhance these areas.
(8-7, 8-15) (Delta Water Platform)

COS-P4.7



Support preservation of native and sport fisheries and reestablishment of fisheries in streams wherever possible.
(8-16, 8-85)

Actions

COS-A4.1



For the portion of the county not covered by the East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP), prepare and maintain a similarly detailed inventory of ecologically significant resource areas, including unique natural areas, wetlands, floodplains, riparian resources, and the habitat of rare, threatened, endangered, and other uncommon and protected species. (8-a, 8-b, 8-d, 8-co)

COS-A4.2



Adopt design guidelines or standards for urban land uses that interface with ecologically significant resource areas and other protected conservation lands addressing, at minimum:

- (a) Clustering development to maximize ecological and conservation benefits.
- (b) Setbacks on properties with urban land uses that provide a buffer to resource areas.
- (c) Fencing and lighting that support wildlife migration and other conservation purposes.

See the scenic resources section of this element for policies and actions related to conservation of hillsides and steep slopes.

C2. Creeks, Wetlands, and Riparian Areas

Goal COS-5

Protected and restored natural watercourses, riparian corridors, and wetland areas that improve habitat, water quality, wildlife diversity, stormwater flows, and scenic values. (7-P, 8-D, 8-E, 8-V, 8-W, 8-3, 8-6, 8-17, 8-82, 8-83, 8-90, 8-98)

Policies

COS-P5.1



Require new development to preserve natural watercourses, floodplains, and riparian habitat. (8-91, 8-92, 8-cy)

COS-P5.2



Support protection, restoration, and improvement of wetlands, marshes, and tidelands, and emphasize the role of these features in climate change resilience, air and water quality, and wildlife health. (8-F, 8-17)

COS-P5.3



Require new buildings and structures on private property be set back at least 100 feet from the edge of any wetland area, unless a site-specific evaluation indicates that a different setback is appropriate to protect the wetland and adjacent upland habitat areas. Allow encroachment into a required wetland setback area only when a parcel would otherwise be rendered unbuildable, and impacts have been adequately mitigated. (8-V, 8-j)

COS-P5.4



Prohibit direct runoff of pollutants and siltation into marsh and wetland areas from outfalls serving nearby urban development. (8-23)

COS-P5.5



Require avoidance, minimization, and/or compensatory mitigation for development that would impact a wetland, wetland species, or adjacent upland habitat areas. Where feasible, compensation shall be in-kind (i.e., the same type of habitat), provided on-site, and based on a ratio that provides a margin of safety reflecting the expected degree of success and accounting for the relative functions and values of the lost/created wetlands. (8-24, 8-l)



COS-P5.6



Allow encroachments into required setback areas along natural watercourses and wetlands for the purpose of constructing public improvements or public-serving amenities, such as bridges, trails, and nature viewing areas. (8-V)

COS-P5.7



Require increased setbacks for animal-handling uses whenever necessary to protect natural watercourses, riparian habitat, and erosion-prone soils. Setback increases can be applied to all aspects of the use, such as manure storage areas, and are not limited to buildings and structures. (8-t, 8-da)

Actions

COS-A5.1



Amend the County Ordinance Code to include the wetland setback requirement described in Policy COS-P5.3. (8-j, 8-cp)

COS-A5.2



Amend the County Ordinance Code to apply the creek setback requirements in the Subdivision Code to all projects, including those that are not part of a subdivision. (8-V, 8-95, 8-cx)

COS-A5.3



Acquire deeded development rights to setback areas surrounding wetlands, floodplains, and natural watercourses to ensure preservation of the resource and protect adjacent improvements. (8-V, 8-96)

See also the Health and Safety Element for policies and actions about flooding and sea-level rise.

C3. Uplands

Goal COS-6

Preserved and enhanced native upland habitat, including woodlands, grasslands, and rangelands. (7-l, 8-D, 8-3, 8-6, 8-13)

Policies

COS-P6.1



Encourage revegetation of native species in areas that were previously modified for agriculture but are no longer in production. (8-r)

COS-P6.2



Preserve natural woodlands and significant trees, particularly mature native species. (8-6, 8-12, 8-28)

COS-P6.3



Encourage planting and propagation of native trees throughout the county to enhance the natural landscape, provide shade, sustain wildlife, reduce energy use, absorb stormwater, and sequester carbon. (8-21)

COS-P6.4



Support protection of native oaks in foothill woodlands and agricultural areas by encouraging voluntary installation of fencing around individuals or clusters of trees to prevent grazing, and promoting replanting of native oak species. (8-u)

COS-P6.5



Encourage removal of invasive, non-native tree species, particularly those known to pose a threat to public safety.

Actions

COS-A6.1



Update County Ordinance Code Chapter 816-6, Tree Protection and Preservation, to enhance protection of specified native trees and strengthen mitigation requirements for tree removal. (8-h, 8-i)

COS-A6.2



Develop an Oak Woodland Conservation Program that establishes special mitigation ratios for oak trees, along with specific tree replacement and planting standards to ensure long-term growth and survival. Coordinate with public agencies and land trusts that permanently own and conserve land for tree mitigation when appropriate. Amend the County Ordinance Code as needed to implement the program and mitigate oak tree removal.

D. WATER RESOURCES

D1. Surface and Groundwater Resources

Goal COS-7

Sustainable surface and groundwater resource management that protects water quality.
(7-I, 8-U, 10-P, 8-77)

Policies

COS-P7.1



Protect water supplies by prohibiting projects that would introduce significant new pollution sources in groundwater basins and watersheds feeding major reservoirs, and support



efforts to acquire and permanently protect reservoir watersheds. (10-Q, 7-25, 8-76, 10-87)

COS-P7.2



Work with appropriate agencies to control point and non-point sources of water pollution and maintain water quality standards. (7-23, 10-84, 10-85, 10-86)

COS-P7.3



Support development and implementation of a long-term, area-wide integrated vegetation management program to control invasive weeds.

COS-P7.4



Require groundwater monitoring programs for all large-scale commercial and industrial facilities that use wells and prohibit discharge of hazardous materials through injection wells. (8-dd, 10-88, 10-ap)

COS-P7.5



Support ongoing remediation of the Mount Diablo Mercury Mine.

COS-P7.6



Require new development to retain natural vegetation and topography as feasible and require projects involving erosion-prone activities to use best management practices to minimize erosion. (8-65, 8-70, 8-cd, 8-ch, 8-cf, 8-cg)

COS-P7.7



Support programs and activities conducted by community watershed groups and volunteers that increase public awareness and encourage stewardship of water resources.

Actions

COS-A7.1



For areas that do not have an adopted Groundwater Sustainability Plan, amend the County Ordinance Code to include sustainability indicators, defined by SGMA, as a guide for development to maintain and protect the quality and quantity of groundwater supplies within the county. (10-R, 8-79) (*Delta Water Platform*)

See also the Public Facilities Element for policies and actions on water supply, water conservation, drainage, and stormwater management. See the Health and Safety Element for policies and actions on flood control.

D2. Delta and Shoreline Resources

Goal COS-8

Protected, preserved, and enhanced scenic quality, recreational value, and natural resources of the San Francisco Bay/Sacramento-San Joaquin Delta estuary system and shoreline. (8-D, 9-F, 9-25)

Policies

COS-P8.1



Advocate for increased freshwater flow into, through, and from the Delta into San Francisco Bay, and support other efforts to protect and improve Delta water quality. *(Delta Water Platform)*

COS-P8.2



Support continued maintenance and improvement of Delta levees to protect water quality, ecosystems, agricultural land, and at-risk communities. *(8-46) (Delta Water Platform)*

COS-P8.3



Oppose all efforts to construct an isolated conveyance (e.g., peripheral canal, tunnel) or any other water diversion system that reduces Delta water flows unless and until it can be conclusively demonstrated that such a system would protect, preserve, and enhance water quality and fisheries of the San Francisco Bay/Delta estuary system. *(8-19) (Delta Water Platform)*

COS-P8.4



Expand and enhance public access to the shoreline and Delta in a manner consistent and compatible with the County's conservation, safety, economic development, and climate adaptation goals. *(3-46, 9-35, 9-36)*

COS-P8.5

Prohibit development on tule islands, sand dunes, and levee remnants. *(9-26)*

COS-P8.6

Evaluate the cumulative impacts on boating safety when reviewing applications for new or expanded marinas and docks. *(10-83)*

COS-P8.7

Require design excellence for new development along scenic waterways to maintain the visual quality of these areas.

Actions

COS-A8.1



Amend Title 8 of the County Ordinance Code to require new or expanded docks and marinas to meet the following criteria:

- (a) Adequate channel width and depth, as defined by the State Harbors and Navigation Code.
- (b) Served by a public fire protection district.
- (c) Adequate public vehicular access.
- (d) Adequate supply of potable water.
- (e) Adequate on-site facilities for sewage and solid waste disposal.



- (f) Compatibility with nearby agricultural uses.
- (g) Compatibility with nearby conservation/habitat lands.
- (h) Designed to avoid inundation from projected sea-level rise, as shown on Figure HS-X (Sea-Level Rise Projection Map). (3-48, 9-s)

Standards, including additions and alterations to buildings that do not diminish historic integrity.

COS-P9.3

Encourage owners of historic properties to make use of the State of California Historic Building Code to protect and rehabilitate historic resources. (9-m)

COS-P9.4

Encourage owners of eligible historic properties to apply for State and federal designation of historic properties and participate in tax incentive programs, such as allowed under the Mills Act, for historic preservation. (9-n)

COS-P9.5

When a project involves a resource that is listed on the County's Historic Resources Inventory, or as otherwise warranted through the California Environmental Quality Act process, require applicants to engage a qualified consultant to prepare an evaluation of potential and previously identified archaeological, cultural, and historic resources that may be present on the project site. (9-31)

COS-P9.6

Emphasize native people, immigrant populations, and the environmental and cultural heritage of the region as significant themes related to historic preservation, including natural, agricultural, ranching, mining, commercial, industrial, residential, political, transportation, recreation, education, and military themes.

E. HISTORIC AND CULTURAL RESOURCES

Goal COS-9

Archaeological, cultural, and historic resources that are identified and preserved. (9-A, 9-G)

Policies

COS-P9.1

Prioritize preservation and adaptive reuse of buildings, sites, and areas having identifiable archaeological, cultural, or historic significance. Require new construction and renovation projects in historic areas to incorporate compatible and high-quality design that protects the overall historic integrity of the area and adjacent historic resources. (9-28, 9-29, 9-30)

COS-P9.2

Encourage sensitive restoration and adaptive reuse of historic resources following the *Secretary of the Interior's*



COS-P9.7

Coordinate with cities and special districts to identify and preserve archaeological, cultural, and historic resources countywide.

Actions

COS-A9.1

Every five years beginning in 2024, review and update the County's Historic Resources Inventory and Archaeological Sensitivity Map in consultation with culturally affiliated tribes to ensure these remain useful tools for evaluating potential cultural resources impacts and guiding preservation efforts. As part of the next update to the Historic Resources Inventory in 2024, map the listed historic resources, and update the map upon each update to the Historic Resources Inventory. Ensure new evaluations consider potential social and cultural significance in addition to architectural significance. Ensure identified tribal cultural resources remain confidential.

COS-A9.2

Adopt a historic resource ordinance, historic resources overlay district, and/or design guidelines to protect historic resources and culturally important areas. (9-1)

COS-A9.3

Partner with government agencies, culturally affiliated tribes, private entities, and non-profit organizations to establish programs and funding mechanisms to preserve, restore, and enhance cultural, historic, and archaeologic sites. (9-o, 9-p)

COS-A9.4

Prepare a historic context statement that provides necessary background information about historic, archaeological, and cultural resources and a framework for identifying and evaluating historic resources. The context statement should include the overarching significance themes described in Policy COS-P9.6.

COS-A9.5

Partner with the Delta Protection Commission to support preparation and implementation of the management plan for the Delta National Heritage Area, which will guide preservation, enhancement, and education about Delta and Carquinez Strait heritage.

Goal COS-10

Robust tribal collaboration to preserve, restore, and enhance tribal cultural resources. (AB 52, SB 18)

Policies

COS-P10.1

Respect and protect tribal cultural resources, including historic, cultural, and sacred sites; cultural landscapes; views of or access to resources; and objects with cultural value to California Native American tribes. (AB 52, SB 18)



COS-P10.2

Consult with culturally affiliated tribes on General Plan and Specific Plan amendments that have potential to impact tribal cultural resources. If an amendment redesignates a tribal cultural resource site for open space purposes, consider developing a treatment and management plan for tribal cultural resources. (AB 52, SB 18)

COS-P10.3

Consult with culturally affiliated tribes to identify and appropriately address tribal cultural resources through the discretionary development review process. (AB 52)

COS-P10.4

Consult with culturally affiliated tribes to assess the sensitivity of sites and protect recorded and unrecorded tribal cultural resources.

COS-P10.5

Inform developers and County staff about living Native American culture in the region as well as the history of Native Americans in what is now Contra Costa County.

COS-P10.6

Encourage voluntary landowner efforts to protect tribal cultural resources.

COS-P10.7

Support tribal acquisition of conservation easements on terms mutually satisfactory to the tribe and landowner for purposes of protecting tribal cultural resources.

COS-P10.8

Encourage special districts, such as East Bay Regional Park District, to consult with culturally affiliated tribes when pursuing land acquisitions for recreation or other public purposes to ensure tribal access to tribal cultural resources.

COS-P10.9

Avoid impacts of development on Native American archaeological resources and tribal cultural resources whenever possible. When impacts cannot be avoided, mitigate to the maximum feasible extent. (AB 52)

COS-P10.10

Consult with culturally affiliated tribes when developing mitigation measures to avoid or minimize impacts on tribal cultural resources. Mitigation could include a cultural resources treatment agreement between the developer and the appropriate tribe(s) that addresses the treatment and disposition of cultural resources and human remains and tribal monitoring during earth-disturbing activities. (AB 52)

COS-P10.11

In the event of the discovery of a burial, human remains, or suspected human remains, require excavation or grading activities to halt immediately, protection of the area surrounding the find, notification of the County Coroner, and compliance with the provisions of California Health and Safety Code Section 7050.5, including California Public Resources Code Section 5097.98, if applicable. If human remains are determined to be Native American, require the applicant to consult with the Most Likely Descendants list to determine appropriate treatment, as prescribed in Public Resources Code Section 5097 et seq.

COS-P10.12

Encourage landowners to relinquish ownership of Native American cultural artifacts found on project sites to the culturally affiliated tribe for proper treatment and disposition.

Actions

COS-A10.1

Establish and maintain collaborative relationships with local Native American tribal representatives to facilitate tribal consultation and preservation of tribal cultural resources. (AB 52, SB 18)

COS-A10.2

In consultation with local Native American tribes, prepare informational materials about living Native American culture in the region, the history of Native Americans in what is now Contra Costa County, and how the County's relationship with local Native American tribes has evolved.

COS-A10.3

Work with local Native American tribes to establish programs and secure funding to implement actions aimed at preserving tribal cultural resources.

F. SCENIC RESOURCES

Goal COS-11

Protected natural features with high scenic value, such as visual landmarks, major ridges, prominent hillsides, and stands of mature trees. (9-12, 9-20, 9-D, 9-E)

Policies

COS-P11.1



Prohibit destruction of unique and irreplaceable natural features.

COS-P11.2



Require restoration of natural contours and vegetation after grading and other land disturbances. (9-12)

COS-P11.3

Prohibit development within 100 vertical feet of the top of designated scenic ridges and within 50 vertical feet of other visually prominent ridgelines. Exceptions may be considered on existing legal lots where no other feasible building sites exist, and for infrastructure that requires high-elevation siting, such as wind turbines, communications towers, and water tanks. When it is necessary to locate infrastructure on or near ridges, require appropriate measures, such as screening,



undergrounding, or camouflaging to mitigate visual impacts.
(9-16, 9-18, 9-d)

COS-P11.4



Prohibit extreme topographic modification, such as filling in canyons or removing prominent hilltops. Exemptions may be considered under exceptional circumstances for landfills, mining operations, and public or semi-public projects that necessitate such modifications. (9-14)

COS-P11.5



Preserve the scenic qualities of hillsides by encouraging designs that are sensitive to a site's topography and prohibiting unnecessary grading and vegetation removal. (9-19, 9-21, 9-22)

COS-P11.6

Discourage project components that negatively impact viewsheds and the visual quality of the area. (9-24)

COS-P11.7



Preserve and enhance features along designated scenic routes, including views, gateways, and adjacent natural landscapes and scenic corridors. (5-Q, 5-47, 5-49, 5-50, 5-55, 9-27)

COS-P11.8

Require a visual impact analysis for projects with potential to negatively affect significant views within scenic corridors. (9-f, 9-g)

COS-P11.9

Enable flexibility in the design of projects in scenic corridors and support innovative solutions to protect views and visual quality. (5-53, 5-54, 5-56)

Actions

COS-A11.1



Amend County Ordinance Code Division 814, Slope and Hillside Development, to convert the requirements from a combining district to design and development standards related to building envelopes, building massing, colors, materials, grading, draining, and erosion control. (10-o)

COS-A11.2

Prepare guidelines to preserve views, vistas, and defining natural features in gateway areas. (5-55, 5-bh, 9-h)

G. Mineral Resources

Goal COS-12

Continued economic viability of mineral extraction operations while avoiding land use conflicts and environmental impacts. (8-N)



Policies

COS-P12.1



Protect valuable mineral resources by prohibiting incompatible projects and land uses (i.e., those that would directly or indirectly interfere with extraction, processing, or transportation of mineral resources) within the mineral resource areas identified in Figure COS-X. (8-O, 8-56, 8-57, 8-58)

COS-P12.2



Require applications for new or expanded quarrying operations adjacent to Mount Diablo State Park to include an analysis of potential impacts to the park's natural features, including viewsheds, and operations. (8-63)

COS-P12.3



Ensure that quarry reclamation plans, including bonding requirements, are maintained in compliance with the Surface Mining and Reclamation Act. (8-62, 8-bx)

COS-P12.4

Encourage compact design and layout for mineral resource processing areas, preserving as much land as possible for buffering between these areas and adjacent land uses. (8-59)

COS-P12.5



Require deed disclosures for residential subdivisions within two miles of mineral resource areas that indicate the presence of the mineral resource and explain potential disturbances (e.g., noise, dust, heavy truck traffic) associated with mineral extraction activities. (8-bv)

Actions

COS-A12.1

Update County Ordinance Code Chapter 88-11, Surface Mining and Reclamation, as necessary to maintain consistency with the Surface Mining and Reclamation Act.

H. ENERGY RESOURCES

H1. Energy Use and Generation

Goal COS-13

Increased generation of and reliance on renewable energy and reduced energy use. (8-M)



Policies

COS-P13.1



Implement Climate Action Plan strategies to improve energy efficiency and conservation, promote carbon-free energy sources, and reduce energy-related greenhouse gas emissions. (8-54)

COS-P13.2



Require new County facilities to be zero net energy to the extent feasible.

COS-P13.3



Encourage new and existing buildings to include battery storage systems, especially at buildings with solar energy installations and buildings that provide essential community services.

COS-P13.4



Support development of energy recovery projects (e.g., methane recovery from landfills and wastewater treatment plants). (8-53)

COS-P13.5



Minimize conflicts between residential uses and wind farms by prohibiting new residential subdivisions within the wind resource areas depicted in Figure COS-X. (8-50)

COS-P13.6



Support distributed electricity generation, including development of microgrids, renewable energy sources, storage capacity, and associated technologies. Encourage these throughout urban areas, and in nonurban areas when significant environmental impacts can be avoided or successfully mitigated.

COS-P13.7

Maintain requirements for reclamation of wind farm sites. (8-bp, 8-bq)

COS-P13.8



Work with electricity service providers and the Bay Area Regional Energy Network to encourage property owners to participate in weatherization, education, rate incentive, and other programs and measures to improve energy efficiency in existing buildings. (8-54)

COS-P13.9



Partner with regional and State agencies (e.g., California Public Utilities Commission, California Energy Commission, Association of Bay Area Governments) to support energy efficiency and renewable energy planning efforts.

Actions

COS-A13.1



Adopt reach codes that exceed State building code standards to achieve the highest feasible level of energy conservation and efficiency. (8-L)

COS-A13.2



Amend County Ordinance Code Division 88 to consolidate Chapters 88-3 and 88-30 governing wind energy conversion systems and solar energy facilities, respectively, into a new renewable energy chapter, with added provisions related to microgrids and battery energy storage systems.

COS-A13.3



Amend County Ordinance Code Division 88 regulations related to wind energy conversion systems to require that decommissioned wind farms be returned to a condition consistent with the natural environment in the area at the time of decommissioning, rather than a return to their pre-project condition. The following issues must be specifically addressed:

- (a) Unnecessary and poorly constructed roads that are sources of erosion.
- (b) Remaining turbine foundations/footings and underground conduit.
- (c) Abandoned equipment yards.
- (d) Leftover turbine components and other debris.

COS-A13.4



Support legislative efforts to establish a green bank capable of equitably financing sustainability projects, including renewable energy, energy efficiency, and green infrastructure, for residential and commercial customers.

See also the Transportation Element for policies and actions to reduce energy consumption in the transportation sector, and see the Health and Safety Element for policies and actions related to climate change.

H2. Oil and Natural Gas Resources

Goal COS-14

Oil and natural gas resources managed to minimize impacts on surrounding land uses and the environment. (8-7)

Policies

COS-P14.1



Require new or expanded oil or gas wells to mitigate impacts, particularly those related to public health and safety, surface and groundwater quality, subsidence, noise, aesthetics, air quality, habitat, and greenhouse gas emissions. (8-72)



COS-P14.2



Prohibit new and expanded oil and gas wells in the following:

- (a) Sensitive ecological areas.
- (b) Areas subject to 100-year flood hazards or sea-level rise, as shown in Figures HS-X and HS-X.
- (c) Within 3,200 feet of sensitive receptors or urban land use designations unless project-specific exceptions are granted by the California Department of Conservation, Geologic Energy Management Division. (8-74, 8-cn, 10-80)

COS-P14.3

Require natural gas storage in underground basins instead of aboveground facilities whenever feasible. (8-75)

Actions

COS-A14.1



Amend County Ordinance Code Chapter 88-14, Oil and Gas Drilling and Production, to require a land use permit for all new or expanded oil and gas wells and include:

- (a) Performance standards related to water quality, air quality, odors, noise, and aesthetics.
- (b) Requirements for site reclamation, including bonding. (8-cj, 8-cm)