

Mitigation Program

Sutter Buttes Regional Land Trust

Mitigation Policy

Background

When a development project has significant impacts to natural resources and/or agriculture, the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) require the consideration of the potential impacts. If impacts to land and natural resources become significant and unavoidable, there is a need for compensatory mitigation to account for these impacts.

Mitigation is defined in Section 15370 of the California Code of Regulations (CEQA Guidelines) as:

- a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- e) Compensating for the impact by replacing or providing substitute resources or environments.

Policy

The Sutter Buttes Regional Land Trust (SBRLT) is committed to working with local governments, agencies, land owners and developers to address the need for compensatory mitigation by providing a range of mitigation services to offset impacts. These services may include the following:

- a) Planning and design (coordination, management plans, watershed plans, and site selection)
- b) Fee title holder
- c) Easement holder
- d) Habitat creation, enhancement or restoration
- e) Long-term stewardship fund holder (If SBRLT is responsible for holding part or all of the long-term endowment, the land trust must also be involved in project management, maintenance and/or monitoring).
- f) Long-term management

Guidelines

There are four types of mitigation projects the land trust may consider accepting:

- a) **Protection** – fee title and conservation easements conveyed to SBRLT

- b) **Enhancement** – restoration, enhancement or habitat creation projects. SBRLT will consider projects that involve enhancement but will require significant evaluation before accepting these types of projects.
- c) **Combination Projects** – projects that involve both protection and enhancement
- d) **Mitigation Bank Management** – acceptance of sold-out mitigation banks for management in perpetuity.

For all of the above types of mitigation projects the land trust may accept, if mitigation measures are completed by other parties or agencies, the land trust will only accept responsibility of the project after all involved agencies and parties have approved the work. This may include acceptance of performance standards by agencies overseeing the project. The land trust will also need to assess the work before committing to ownership or stewardship responsibilities.