RESOURCE CONSERVATION ELEMENT

I. INTRODUCTION

The *Resource Conservation Element* identifies natural resources throughout the County and establishes guiding policies for the conservation, development and utilization of these resources. This element addresses Water, Agriculture, Soils, Plant & Animal Habitat, Threatened & Endangered Species, Freshwater Fishing, Energy, Mineral, Archaeological-Cultural-Historical, and Solid Waste resources. As a predominantly rural agricultural based County, these natural resources embody much of the environment that is recognized as part of Kings County. They are also considered to provide many fundamental benefits related to the quality of life experienced by County residents.

A. Purpose

Resource Conservation Element policies promote sustained economic health through long-term resource protection and cooperation between local agencies in attaining environmental objectives. In order to prepare a comprehensive policy document concerning the County's natural resources, two additional focused studies were performed to more thoroughly analyze agricultural resources and biological resources throughout the County. These studies included the preparation of an "Agricultural Land Conversion Study", and "Biological Resources Survey" (BRS) attached as Appendix B and Appendix C of the *2035 Kings County General Plan*.

The Agricultural Land Conversion Study was prepared by Michael Brandman & Associates to analyze agricultural land at greater risk of potential conversion to non-agricultural uses. The study evaluates conservation approaches to establish a framework for preserving agricultural land within the County while balancing the need for urban growth and development.

The BRS is intended to expand upon and enhance the Resource Conservation Element by providing up-to-date biological information and a practical planning protocol that will help conserve biological resources, assist the County in meeting related legal requirements, and minimize public controversy and time delays in project permitting. This 2008 survey completed was conducted by Halstead & Associates, and replaces the Hansen Biological Resources Survey prepared for the *1993 Kings County General Plan*.

B. Consistency with Other Elements

The *Resource Conservation Element* is consistent with other elements of the general plan, and has the most overlap with *Land Use* and *Open Space Elements*. These two elements also seek to conserve and maintain the long term productivity of natural resources. Policies of the Resource Conservation Element are cross referenced with other elements of the 2035 Kings County General Plan where appropriate.

C. Scope and Organization

The Resource Conservation Element addresses the conservation of water, agricultural land, soils, habitats, species, fishing, minerals, archaeological-cultural-historic resources; and solid waste management. Section II identifies natural resources that exist throughout the County and associated

issues. Section III contains Resource Conservation Element policies, and is followed by Section IV that covers Implementation.

This element is organized into the following sections:

II. Resource Conservation Inventory – Water Resources, Agricultural Resources, Soil, Natural Plant and Animal Habitats, Threatened and Endangered Species, Freshwater Recreational Fishing, Energy, Mineral Resources, Archaeological-Cultural-Historic Resources, Solid Waste Management, Source Reduction, and Recycling.

III. Resource Conservation Policies – Water, Agriculture, Soils, Natural Plant and Animal Habitats, Threatened and Endangered Species, Freshwater Recreational Fishing, Energy, Minerals, and Archaeological-Cultural-Historic Resources.

IV. Implementation – Implementation Programs

II. RESOURCE CONSERVATION INVENTORY

The County contains a finite source of natural resources for the use and benefit of County residents. This chapter provides a brief overview of the County's primary natural resources including water, agriculture, soil, plants and animals, recreational fishing, energy, mineral resources, archaeological-cultural-historic resources, and recyclable or renewable solid waste resources.

A. Water Resources

The first European contact with Kings County occurred in 1805 when Lt. Gabriel Moraga led a company of Spanish soldiers and Franciscan clergymen through the eastern edge of the San Joaquin Valley while in search of possible mission sites. On January 6, 1805, they encountered a thriving Yokut Indian culture along the banks of a large river draining into the Laguna de Tache, (Tulare Lake). Because this was the day of Epiphany, the river was named El Rio de los Santos Reyes, the "River of the Holy Kings". Today, the name has been shortened to "Kings River." The expedition briefly explored the Kings River from Kings Canyon in the upper foothills of the Sierras to the point where the river dissolves into Tulare lake. The riparian corridor was described by Father Pedro Munoz, of the expedition as "...All the meadows are well covered with oak, alder, cottonwood, and willow. The river abounds with beaver and fish." (Department of Fish and Game, San Joaquin and Southern Sierra Region, "The Kings River – River of Holy Kings")

The river was explored fifty-seven years later in 1862 by Lt. George H. Derby of the Army Topographical Engineers. Upon Derby's arrival, the Kings River was in perhaps one of the greatest flood events of all time. The river was observed to be 300 feet wide, very deep, clear, and flowing very rapidly. When Derby reached the Tulare Lake region he found the San Joaquin River flowing in a reverse direction and emptying water through multiple channels into the Tulare Lake. In order for this to occur, the water stage of the San Joaquin River would have to exceed 28 vertical feet, which has not occurred since.

Figure RC -1 Pine Flat Dam

The upper Kings River as we know it today has changed very little since the early 1800's. The lower river, however, has seen considerable change. Beginning in the 1880's and extending into the late 1900's, an extensive canal and levee system has been constructed. Through the channeling of the Kings River, floodwaters became increasingly controlled. More recent manmade additions to help control the Kings River hydrologic system include two large hydroelectric reservoirs and several power plants constructed by Pacific Gas and Electric Company on the North Fork of the Kings River, and construction of the one million acre foot Pine Flat Reservoir, by the U.S. Army Corps of Engineers. The Pine Flat Reservoir serves to capture a substantial amount of snow melt run off and allows for controlled water release throughout summer months. This enables year round irrigation and flood control protection to more than one million acres of valley agricultural land, communities, and municipalities.

Reliable Long Term Water Supply

The availability, beneficial use, and conservation of water are the most important factors in assuring the continued vitality and economic wellbeing of Kings County as a rural agricultural region. Surface water is provided in Kings County by a network of rivers, creeks, canals, reservoirs, and the aqueduct. Principal among these features are the Kings River, Cross Creek, and the California Aqueduct.

The natural water source is from snow and watershed runoff in the Sierra Nevada Mountain Range to the east. The construction of Pine Flat, Success, Terminus, and Isabella Dams in the Sierra Nevada's have helped to control flooding within the Central Valley. The dams also help in timing the release of surface water to valley water users. The rivers supply much of the surface water used for irrigation and serve to assist in ground water recharge efforts that support ground water pumping for domestic and industrial uses. Some water is conveyed to the western part of Kings County through the California Aqueduct that delivers water from northern California to the San Joaquin Valley and further south to the Los Angeles metropolitan area. Within the valley, water is diverted from the aqueduct to various water and irrigation districts.

A major portion of Kings County has been identified by the California Department of Water Resources as having a critical groundwater overdraft condition. Approximately thirty-two percent of the 1.4 million acre feet of water used annually in Kings County for all purposes is obtained from groundwater. Groundwater is replenished from the natural precipitation, stream and creek flows, imported water, and underground flows which vary annually depending on hydrologic conditions. However, a significant portion of the County is underlain by the Corcoran Clay layer which limits and prevents the efficient recharge of groundwater in most of the County. As a result, the County must rely on outlying areas to the north and east of the County for recharge of the lower aquifers. However, other Counties to the east with larger metropolitan areas are located closer to the Upper Kings watershed and compete for water resources.

Kings, Tulare, Fresno, and Madera Counties have all re-established their water commissions in order to align themselves with larger regional water efforts, such as the California Partnership for the San Joaquin Valley, California Water Institute, and Upper Kings Basin Water Forum. The reformulated Kings County Water Commission now includes city and community district representatives in addition to agricultural interests. Ultimately, these alliances will serve to better position Kings County and surrounding counties in accessing State and Federal funding sources such as bonds and grants. These funds can potentially be used for identifying and purchasing water, improving water conveyance systems, infrastructure improvements, and various groundwater projects. Support for Integrated Regional Water Management Plans and other joint management efforts of surface water and groundwater supplies should continue to increase the reliability of surface and groundwater supplies for water users within Kings County.

Water Supply for Sustainable Agriculture

Figure RC – 2 Irrigation Water

Adequate water supply is an essential component to crop production, and directly impacts long term sustainability of agriculture within this region. Natural water channels, water districts and irrigation districts serve a crucial role in sustaining agriculture by providing surface water deliveries throughout the County to agricultural users. Supplemental ground water pumping also provides water when surface water is either not available or insufficient to sustain crops. In 2009, the County and most of the State had already endured three

years of drought conditions resulting from record low levels of water storage and snow melt. Increasing competition from environmental and municipal interests coupled with limited storage capacity have compounded the decline in water deliveries. Therefore increasing the sustainability of water supplies will be critical to the long term sustainability of agriculture.

Figure RC -3 Kings County Waterways

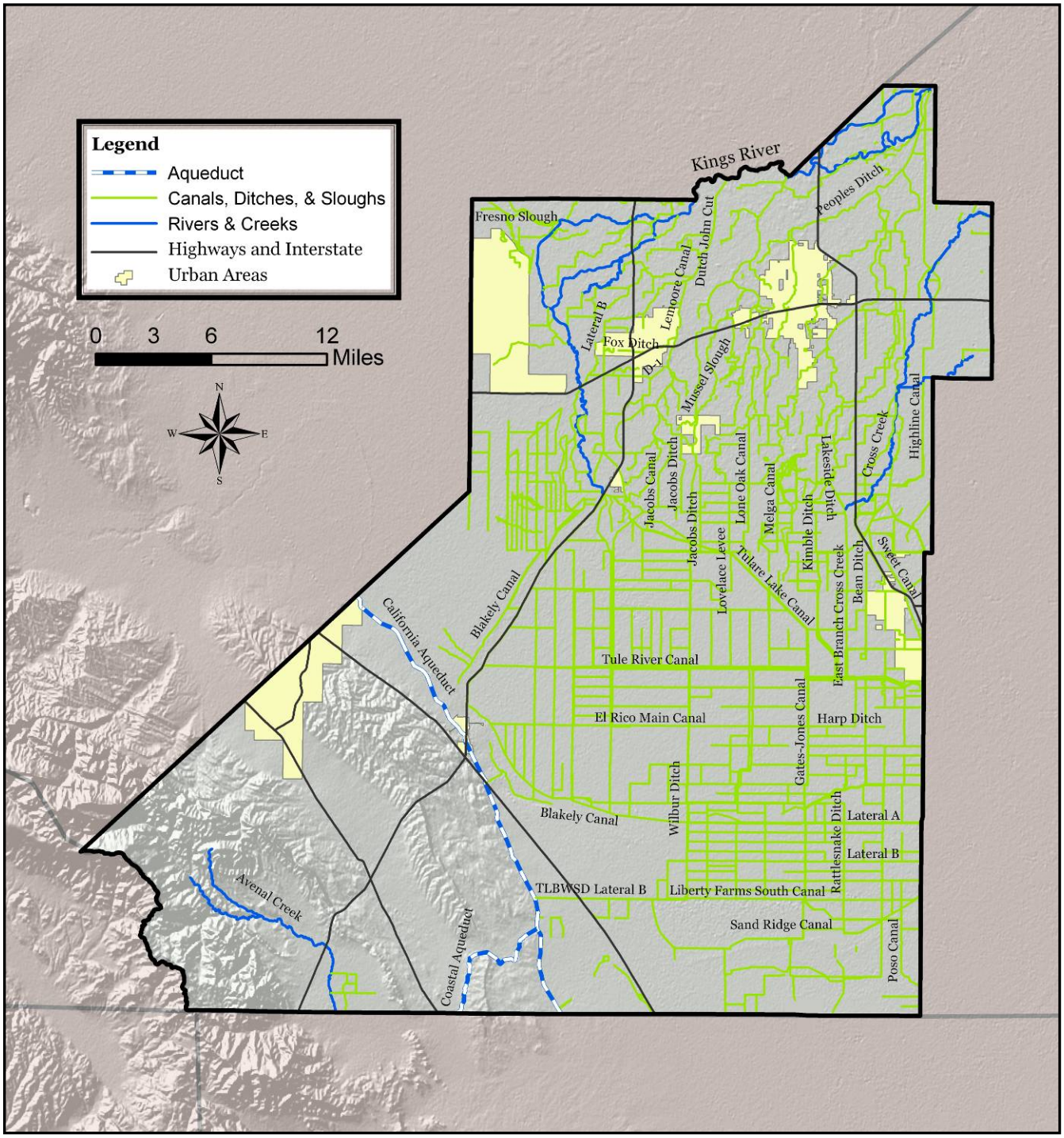


Figure RC- 4 Water Districts

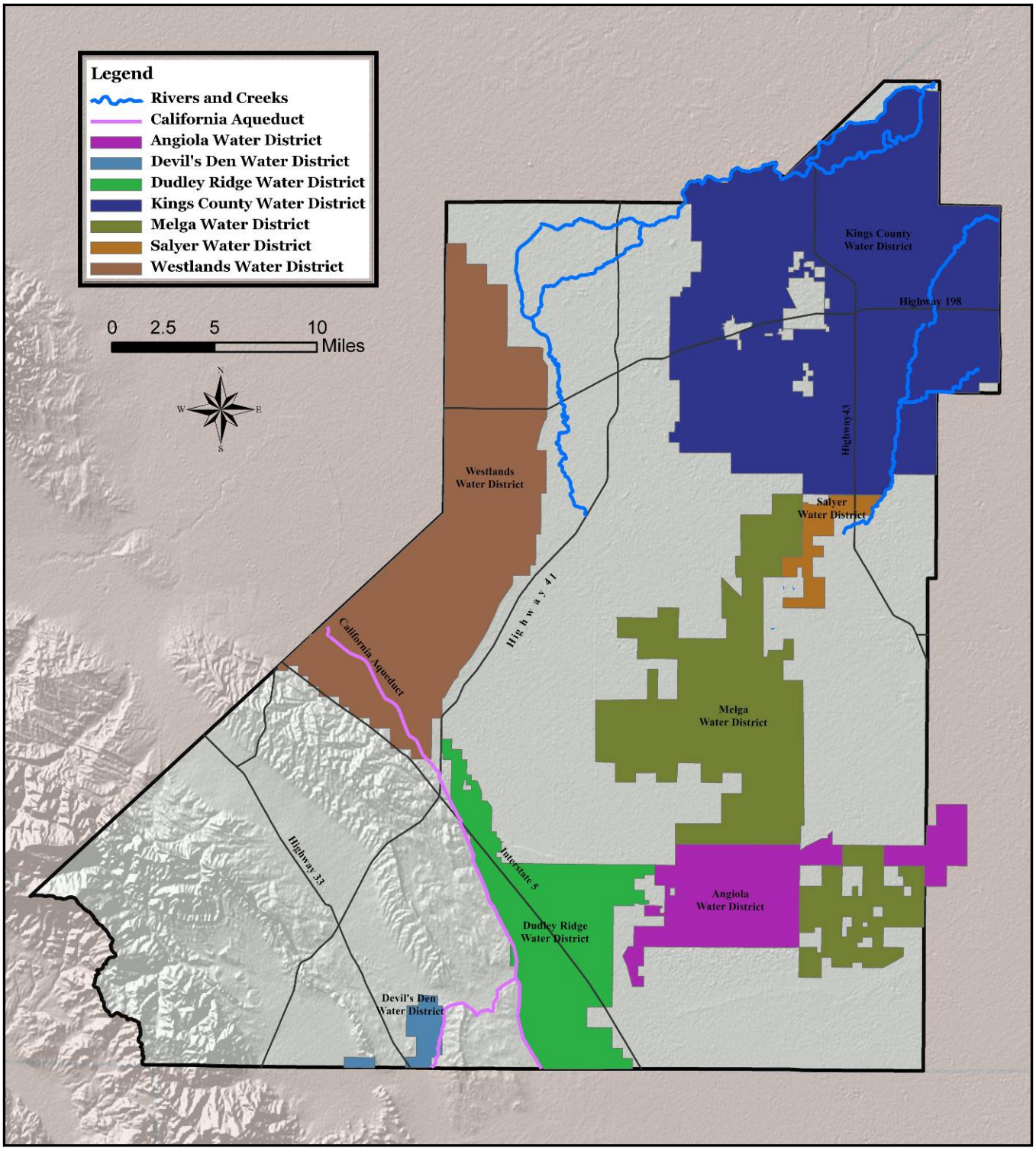
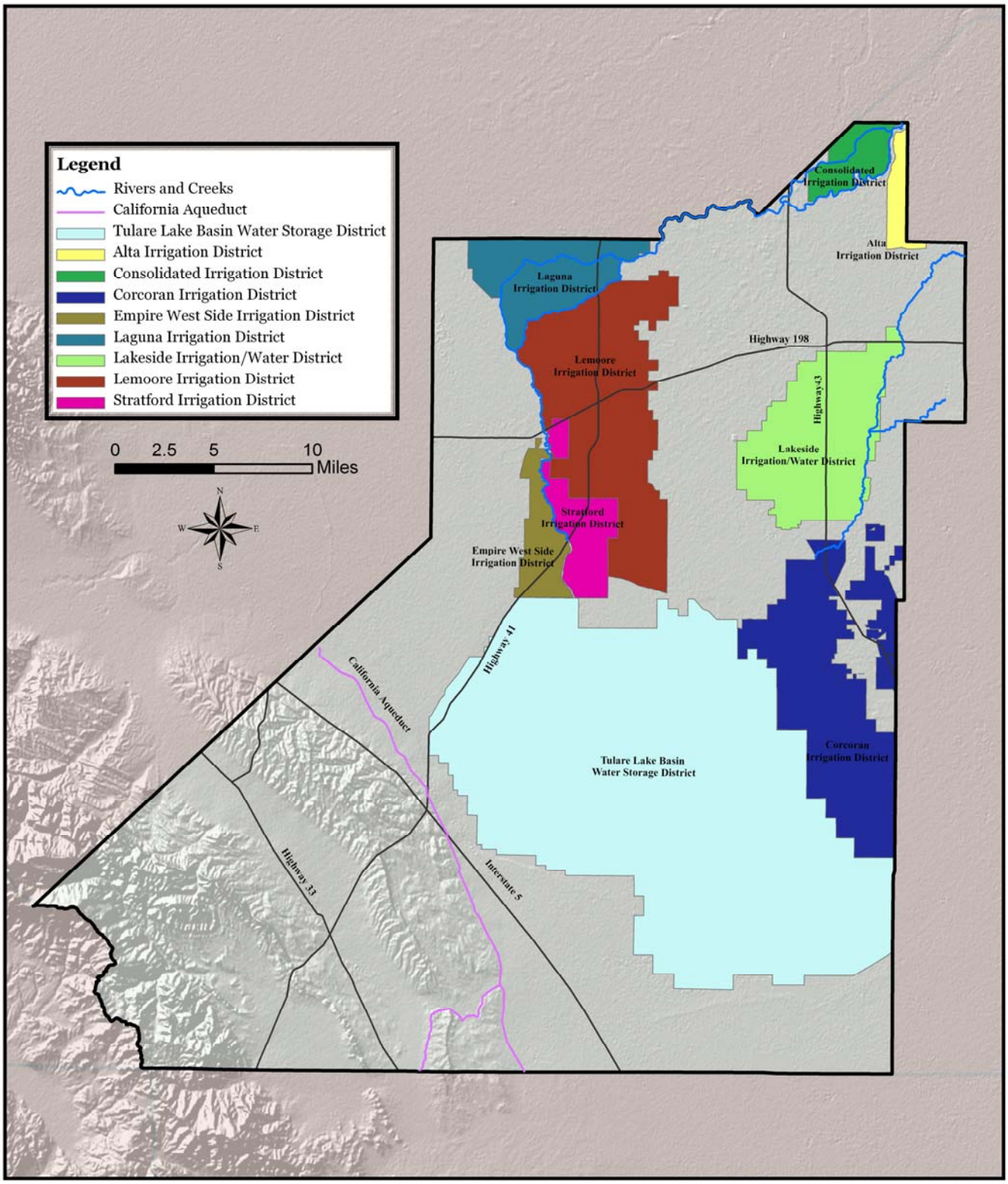


Figure RC- 5 Irrigation Districts

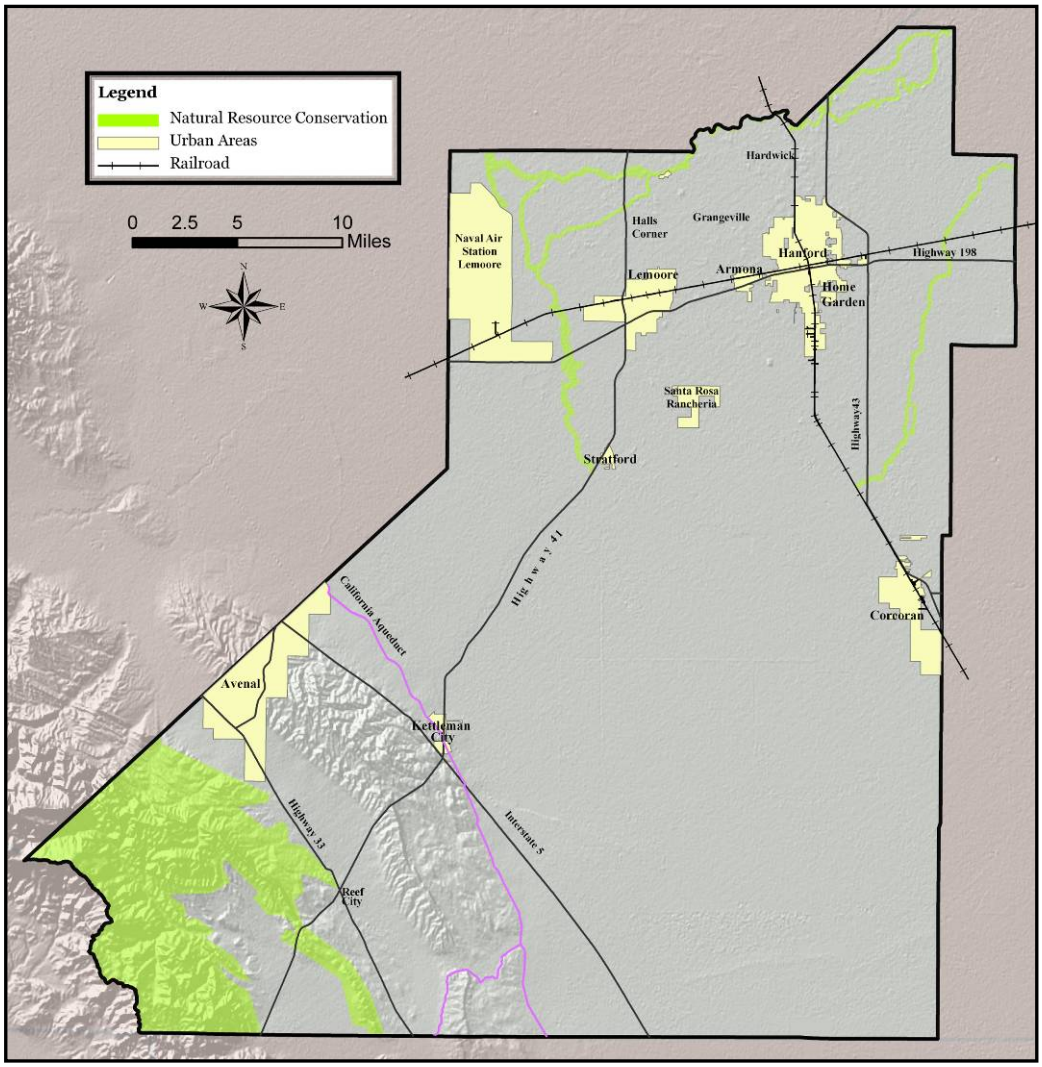


Watershed Protection

Natural watershed and water conveyance systems within Kings County primarily consist of the higher slope areas of the Coast Ranges and water flow channels of the Kings River and Cross Creek. These systems serve to convey surface water through the County and also provide some beneficial recharge to ground water. The extent of natural watersheds within the County are limited since the vast majority of surface water the County receives is derived from the Sierra Nevada Mountains to the east in adjoining Counties. However, maintaining the integrity of the County's watershed and water conveyance systems is of high priority since they serve as critical lifelines for water supply, delivery, and recharge throughout the County. Proper water resource management practices should emphasize higher protection for these systems to reduce the potential for pollution and encroachment of uses that increase the chances of degrading water quality or contaminating water resources.

The "Natural Resource Conservation" (NRC) land use designation is used for the Coast Ranges watershed, and Kings River and Cross Creek channels. This separate land use distinction affords higher protection for these natural lands to protect water quality and hinder encroachment of urban growth.

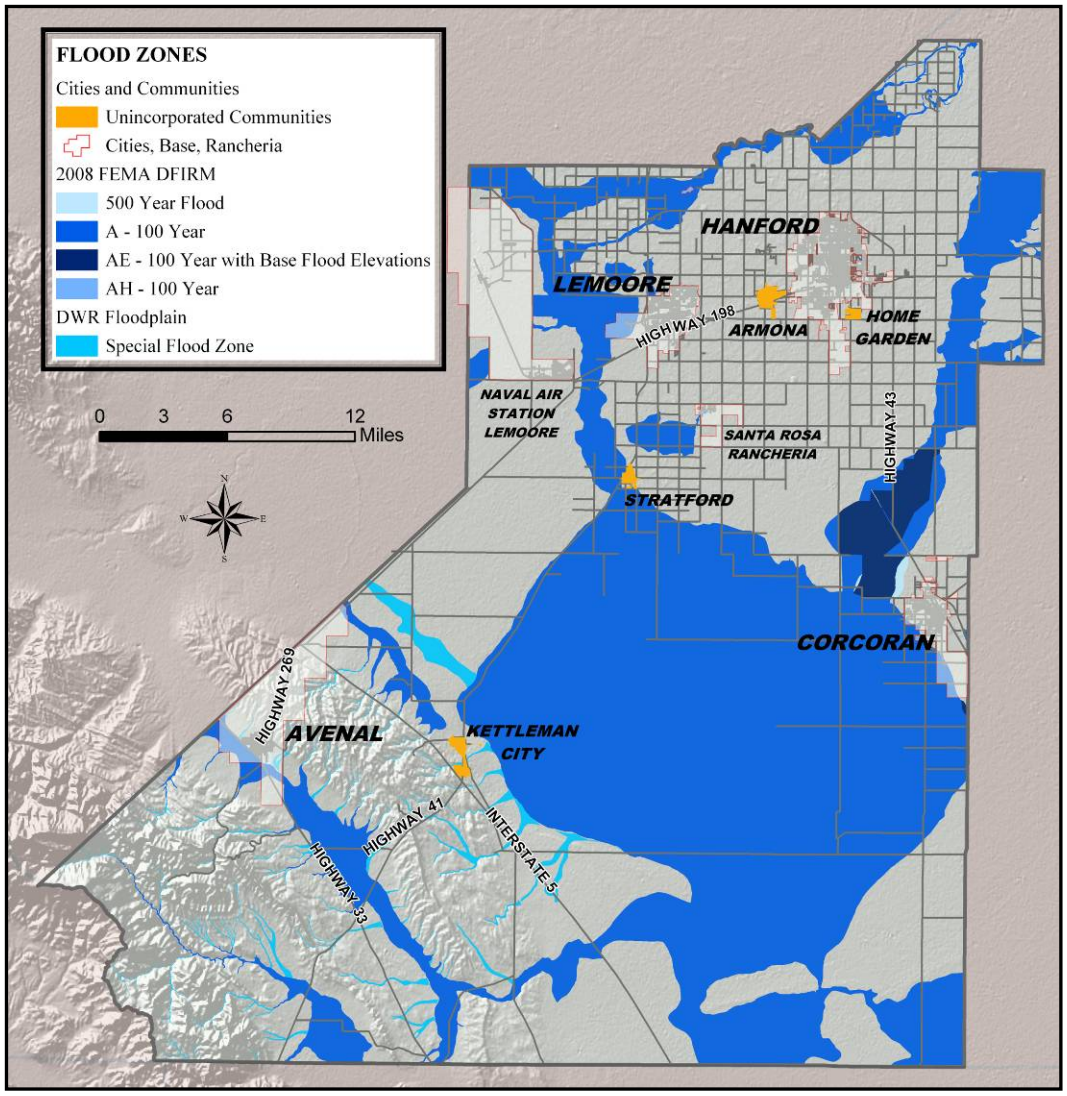
Figure RC- 6 Natural Resource Conservation Designated Areas



Floodway Protection

The Tulare Lake Basin once served as the natural drainage basin of the Upper Kings River watershed. Other water channels also flowed into the lake basin and include Cross Creek, the Tule River, and the Kern River. Man made channels began forming in the late 1800's, and forever changed the diversion of water throughout the County. The Kings River and other waterways still serve a vital role in conveying floodwaters during high flood years. Additional water storage facilities along these channels can serve to increase capture for excess floodwater and increase beneficial recharge to the area. As the County's primary floodwater conveyance system, these channels are maintained by special districts to ensure flood channels remain unobstructed. The County's Building Official is also charged with serving as the Floodplain Administrator that reviews all new construction within the FEMA designated Flood Zones. Special districts with channel maintenance responsibilities and the County with land use regulatory authority are tasked with preventing non-permitted construction within the floodways and other encroachments. Encroachment permits are required from the Central Valley Flood Protection Board for any construction along designated floodways of the Kings River or Cross Creek. No urban type land uses are planned within designated flood zones.

Figure RC- 7 Flood Zones



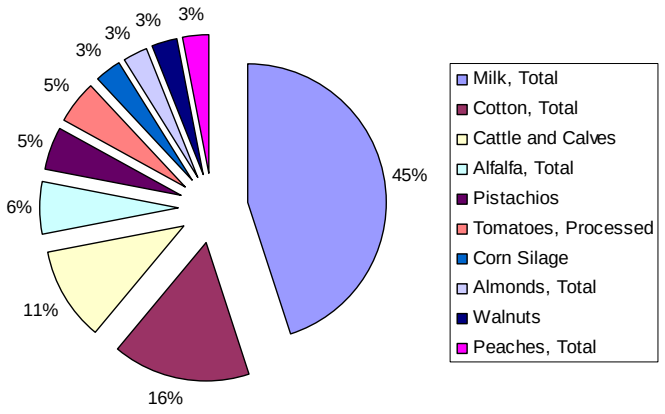
B. Agricultural Resources

Figure RC – 8 Kings County Farmland

Kings County, nestled in the southern half of the fertile San Joaquin Valley, is a predominantly agricultural based County that ranked 11th in the State in 2006 for agricultural product value. Of the County's 1,391 square miles, approximately 91 percent of all land is devoted to agricultural uses. In 2007, the gross value of agricultural crops and products was $1,761,852,000 and represents a major component of Kings County's economy. Kings County also produced 39 crops or products each grossing over one million dollars per year including milk and cattle (California Department of Food and Agriculture 2007). Table RC – 1 below shows the 2007 top ten leading commodities in Kings County based on dollar value. Kings County consistently ranks among the top counties in the state and the nation in the production of cotton, barley, and alfalfa seed (California Department of Food and Agriculture 2008).

Table RC – 1 Kings County Top 10 Leading Commodities 2007

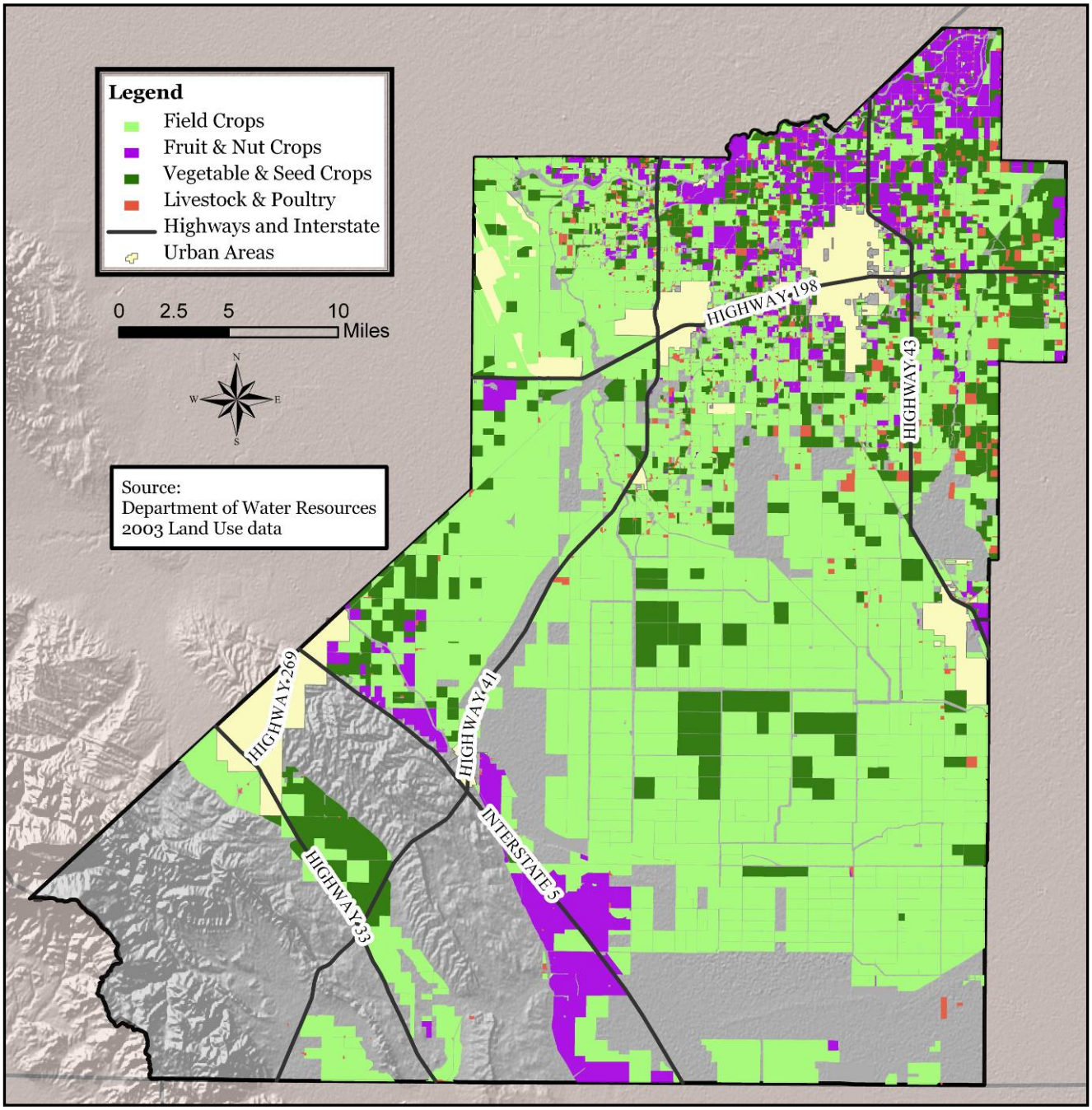
Crop	Dollar Value	Percentage of Crop Value
Milk, Total	$692,185,000	
Cotton, Total	$234,836,000	
Cattle and Calves	$161,296,000	
Alfalfa, Total	$85,593,000	
Pistachios	$78,810,000	
Tomatoes, Processed	$70,498,000	
Corn Silage	$49,273,000	
Almonds, Total	$48,220,000	
Walnuts	$46,033,000	
Peaches, Total	$41,199,000	
Total	**$1,507,943,000**	



Source: Kings County 2007 Agricultural Crop Report

These various crops and agricultural products are grown throughout the County. An evaluation of types of crops grown was needed to better identify certain growing areas. California Department of Water Resources 2003 Land Use data was used as the most current and comprehensive Countywide data for types of crops grown. In order to provide an easier reference, crops were generalized into four categories, "Field Crops", "Fruit and Nut Crops", "Vegetable and Seed Crops", and "Livestock and Poultry". Field Crops are the most predominant landscape across most of the County, with smaller concentrations of Vegetable and Seed Crops spread throughout. Livestock and Poultry are mostly scattered throughout the northern parts of the County around the Hanford and Lemoore areas. Fruit and Nut Crops are primarily concentrated in the northern edges of the County along the Kings River corridor, and another area is located along the California Aqueduct and Interstate 5 corridor. The findings of this evaluation are displayed on Figure RC – 9 Generalized Agricultural Crop Production.

Figure RC- 9 Generalized Agricultural Crop Production



In 2006, Kings County ranked within the top five among counties statewide for thirteen commodities (see Table RC – 2). Of these commodities, Kings County was the leading producer of cottonseed and the second leading producer of cotton. The County also ranked third for the production of nectarines, garlic, and wheat. From 2002 to 2006, the County has seen the production of livestock and poultry products as well as fruits and nuts rise significantly in terms of overall value. The average crop value per ton for some of the major crops grown in the County are shown on Table RC – 3.

Table RC – 2 Kings County Statewide Ranking by Gross Value of Agricultural Production 2005

Crop/Item	Rank	% Value
Cottonseed	1	32.2
Cotton	2	28.6
Nectarines	3	6.7
Garlic	3	2.9
Wheat	3	2.9
Milk and Cream	4	8.5
Pistachios	4	11.8
Silage, All	4	11.9
Peaches	4	7.6
Plums	4	4.1
Turkeys	4	13.7
Sugar beet	5	2.3
Apricots	5	6.8
Source: 2006 Crop/Economy Information California Department of Food and Agriculture–Resource Directory		

Table RC – 3 Kings County Crop Values

Crop Item	Harvested Acres	Production/ Acre	Unit Measured	Value / Unit	Revenue/ Acre
Peaches Freestone	3,533	10.3	Ton	$940	$9,682
Nectarines	2,720	8.93	Ton	$910	$8,126
Grapes, Table	1,187	6.63	Ton	$1,150	$7,624
Plums	2,466	7.87	Ton	$900	$7,083
Pistachios	14,015	1.98	Ton	$2,840	$5,623
Walnuts	10,998	1.92	Ton	$2,180	$4,186
Almonds	13,017	1.01	Ton	$3,600	$3,636
Apricots, Fresh	486	2.19	Ton	$1,360	$2,978
Tomatoes, Processed	26,041	45.12	Ton	$60	$2,707
Grapes, Wine	3,372	8.16	Ton	$230	$1,876
Garlic, Processed	1,893	7.87	Ton	$220	$1,731
Cotton, Pima-Lint c/	110,245	2.91	495 lbs.	$503	$1,464
Alfalfa, Hay	61,255	7.45	Ton	$179	$1,334
Cotton, Acala-Lint c/	21,150	3.47	495 lbs.	$355	$1,232
Corn Silage	55,383	26.96	Ton	$33	$890
Sorghum Silage	2,682	19.24	Ton	$29	$558
Hay, Oat	2,143	3.17	Ton	$130	$412
Wheat, Grain	63,140	2.00	Ton	$161	$322
2007 Agricultural Crop Report, Kings County					

Milk production has grown to become a major agricultural industry in Kings County. According to the "2007 Agricultural Crop Report, Kings County," dairy production was the largest agricultural production in the County, representing about 31.8 percent of the gross value of agricultural products produced in 2007. Kings County was also ranked as one of the top fifteen milk producing counties in the nation.

Prime Agricultural Land

Four separate but interrelated definitions of "Prime Agricultural Land" exist that are relevant to Kings County. In general, these four definitions are based on either Science, Science with Ground Feature Interpretation, Agricultural Product Value, or a lesser known Hybrid Blend of them all.

1. United State Department of Agriculture - Natural Resource Conservation Service (NRCS) determines "Prime Soil" areas based upon soil classifications and characteristics that are suitable for growing crops.

2. California Department of Conseration (DOC) Important Farmland Mapping and Monitoring Program identifies five types of farmland classifications including "Prime Farmland". These map references are based upon NRCS soil classifications and modifications defined by State Farmland Mapping Program staff. DOC Farmland classifications are also used as qualifying criteria for determing farmland eligibility for establishing a Farmland Security Zone Contract.

3. Kings County Assessor's Office defines "Prime Farmland" primarily according to assessed crop value, which serves as the basis for the County's annual Open Space Suvention Act report to the State. This report is the County's subvention funding request to the State related to the County's implementation of Williamson Act and Farmland Security Zone Contracts.

4. Local Agency Formation Commission (LAFCo) definition for "Prime Agricultural Land", as prescribed in Government Code Section 56064, is more broadly defined and combines features of other definitions above. The LAFCo definition is intended for the purposes of determining impacts related to annexation and intended conversion of land to non-agricultural uses.

The four definitions of "Prime" farmland overlap with one another, when mapped, with DOC's definition covering the smallest area and NRCS definition expanding into slightly more coverage. The Assessor definition covers much of the agricultural crop growing region of the County. The LAFCo definition covers all of these and therefore defines all four cities and community districts as surrounded by "Prime Agricultural Land". Figure RC – 10 illustrates the overlap of "Prime" definition coverage.

Important Farmland

The California Department of Conservation, Division of Land Resource Protection implemented the Farmland Mapping and Monitoring Program that maps out various classifications of farmland within the State. Maps are produced every two years and available from 1984 onward for Kings County. Kings County Important Farmland Maps provide an excellent information resource that classifies farmland according to five categories: "Prime Farmland", "Farmland of Statewide Importance", "Unique Farmland", "Farmland of Local Importance", and "Grazing Land". These maps, however, provide less accurate representations of "Urban and Built Up" and "Other Land" classifications that falsely portray Kings County as having urban pockets and sprawl in areas that have been verified by the County as agricultural areas. Numerous agricultural ponding basins throughout the south portions of the County represent the largest example of agricultural land that continues to be identified as "Urban and Build Up". Despite objections from the County and numerous requests for modification, these misleading features continue to detract from the predominant agricultural resources that the County values and supports. Therefore, Figure RC-12 identifies the 2006 Important Farmland Map for Kings County except for "Urban and Built Up" and "Other Land" categories which have been grayed out since they do not fairly represent actual land devoted to urban land uses.

Figure RC – 10 Prime Farmland

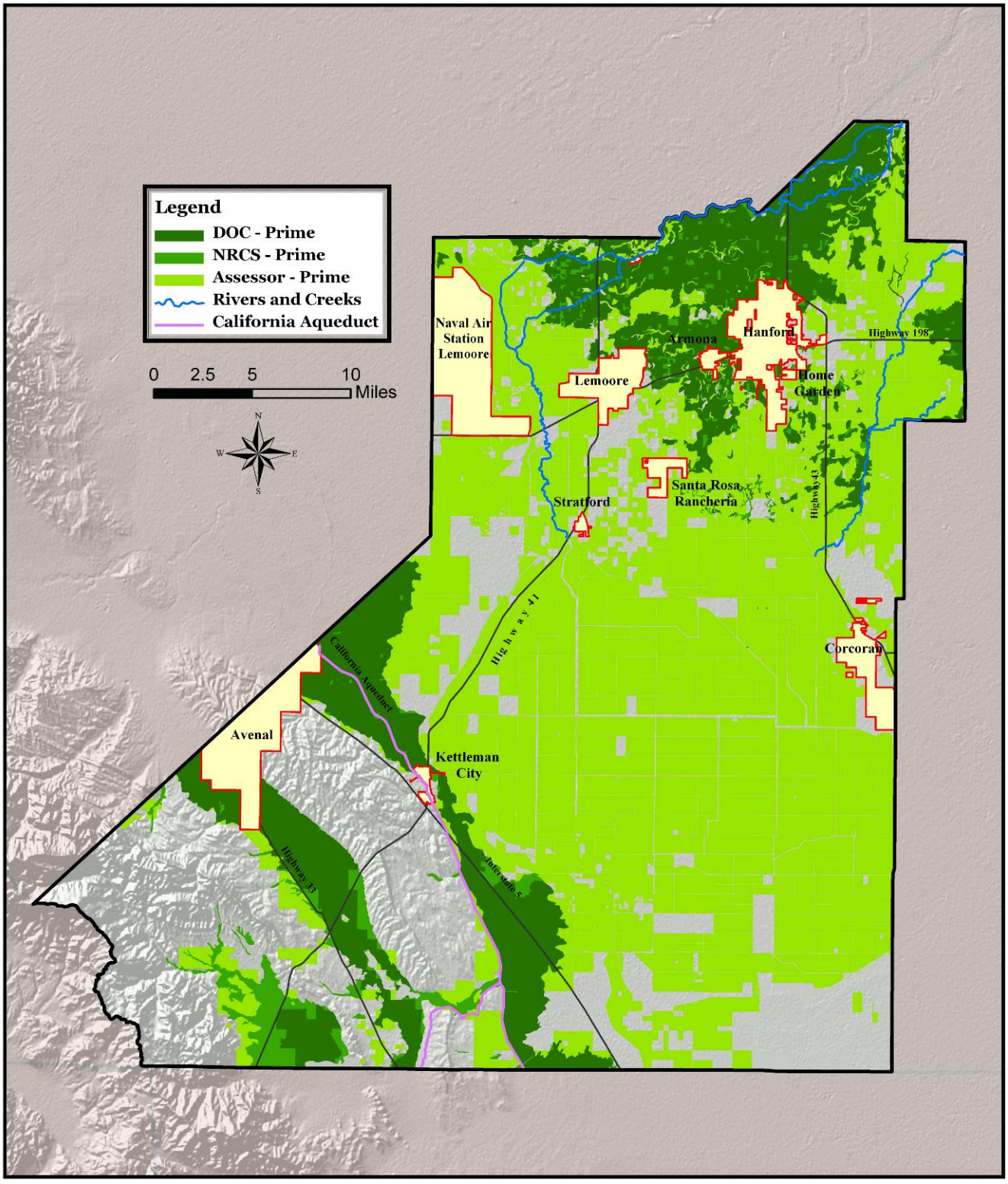
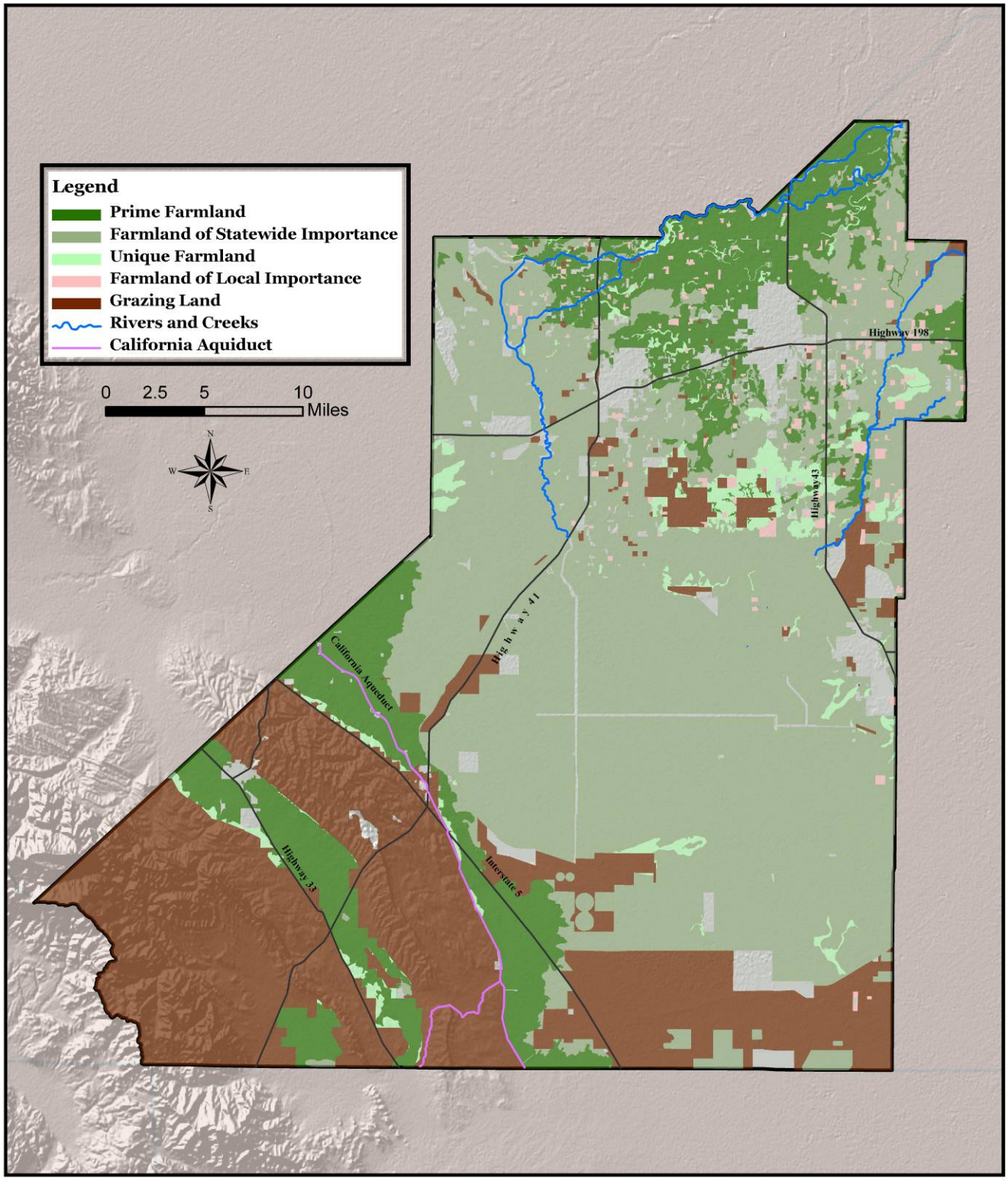


Figure RC – 11 2006 Important Farmland



Sustaining Agriculture

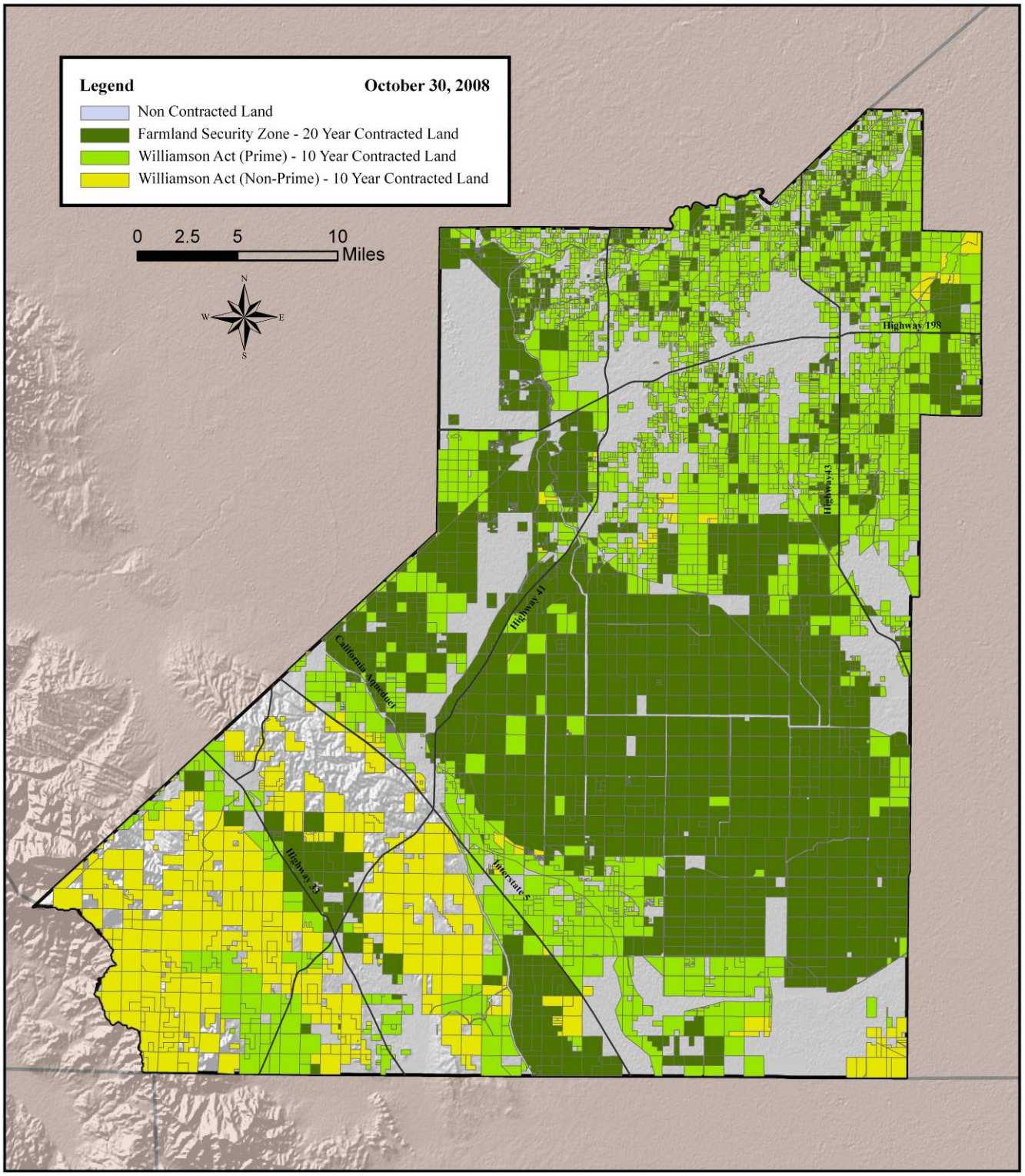
Agricultural resources continue to remain one of the highest valued assets within Kings County. As a valued resource, the County has continually made strides to implement progressive efforts to sustain agriculture. Historical support is evidenced by previous actions to adopt the Williamson Act Program in 1969, Environmental Resource Management Elements in the 1970's, Agricultural based General Plan Policies in 1993, "Right to Farm" Ordinance in 1996, and Farmland Security Zone Program in 1998. The County's cooperative land use efforts with the four incorporated Cities was also the foundation from which LAFCo of Kings County was able to make substantial Sphere of Influence reductions in 2007. This LAFCo sphere of influence update resulted in the removal of 10,000 acres from City and Community District growth consideration, yet maintained consistency with City General Plan urban land uses. This Resource Conservation Element now builds upon these past foundations and establishes a more progressive farmland preservation strategy that is locally defined and based upon farming stakeholder values.

Williamson Act and Farmland Security Zone

In 1965, the California Legislature adopted the California Land Conservation Act of 1965 (commonly referred to as the Williamson Act), which enabled Counties to provide property tax relief to agricultural land owners who voluntarily agreed to devote their land to long term agricultural use (10 year Williamson Act Contract). Kings County implemented this program in late 1969, only after the State Legislature began developing legislation to reimburse Counties for the tax revenue loss that resulted from implementing the Williamson Act Contracts. This new legislation for providing funding for the program was subsequently adopted as the Open Space Subvention Act of 1971. This subvention funding, however, only covered a portion of the tax benefits provided to agricultural land owners. In 1998, the State Legislature amended the Act to expand the provisions and include additional tax benefits to agricultural land owners who entered into a 20 year Farmland Security Zone Contract. Kings County was the first County in the State to implement the Farmland Security Zone Contract provision. Williamson Act and Farmland Security Zone Contracts are both self renewing on the first of each calendar year, unless either the property owner or County file a Notice of Non-Renewal to phase the land out of the contract.

The Williamson Act and Farmland Security Zone Program for Kings County represents the most cost effective and extensive agricultural land preservation mechanism available to the County. Of the approximate 810,887 agricultural acres within the County, approximately 84% (682,823 acres in 2008) were under contract. In 2008, Williamson Act Contracts accounted for 53% (361,864 Acres) and Farmland Security Zone Contracts accounted for 47% (320,959 Acres). Figure RC – 10 identifies all land under Contract in 2008. Kings County remains one of the highest land ratios for Williamson Act and Farmland Security Zone contracted land to total countywide acreage. Therefore, this program serves as the most effective agricultural land preservation tool available to Kings County, and ensures long term use of the County's highly valued agricultural land resources remain in agriculture while also providing beneficial support to local farming operations. Open Space Subvention funding for this program, however, has continual been placed on the State Budget chopping block since 2000. The proposed elimination of subvention funding has been considered as recently as 2008, and the State was successful in adopting a ten percent reduction in 2007. State subvention payments provide a substantial contribution to the County's General Fund. In 2008, Kings County's subvention funding calculation was 2.8 Million, minus the ten percent State reduction. The long term outlook for this funding will depend largely upon future State Budget deliberations, and future elimination could significantly undermine the State's most successful agricultural preservation program.

Figure RC- 12 Williamson Act and Farmland Security Zones Contracts Map



Agricultural Land Conversion

At the turn of the twentyfirst century, the San Joaquin Valley saw unprecedented growth and pressure to convert agricultural land to urban residential and commercial land use. Given that all Cities and Community Districts in Kings County are surrounded by "Prime Agricultural Land", the resulting consequences of urban growth is the loss of farmland. Between 1985 and 2008, approximately 12,090 acres of agricultural land were converted to urban uses throughout Kings County. Kings County and the four incorporated Cities maintain a high degree of land use coordination. However, the resulting loss of farmland has occurred on an incremental basis with minimal understanding of the larger countywide impact to the agricultural economy and prime farmland resources. Williamson Act and Farmland Security Zone Contracts continue to discourage premature urban growth, but a coordinated preservation strategy is needed that allows reasonable accommodation of future urban growth and avoids hindering the patterns of logical and orderly growth. When left uncoordinated, land use and resource management planning have a greater potential for conflict and inefficient conversion of agricultural land that ultimately diminishes the viability of this valued resource.

The Agricultural Land Conversion Study (attached as Appendix B) was conducted in 2008 to analyze impact of farmland conversion and explored potential mitigation strategies for the loss of prime farmland. The following discussions on agricultural land conversion and agricultural land preservation strategy are derived from this study.

Agricultural Land Division Conversion

Two special provisions in the *Land Use Element* allow the creation of undersized parcels within areas designated for agricultural land use. Land Use Policies B4.3.1 and B4.3.2 allow for the creation of homesite parcels that are less than the minimum lot size required in agricultural zone districts. The Farm Home Retention provision allows a retiring farmer to retain the homesite while releasing the remaining acreage to other farming interests. The Transfer of Tile provision allows for the creation and separation of a new homesite for a family member who is actively engaged in the family farming operation. Often the parcels created by these two practices are no longer dedicated to agricultural use and simply become residential home sites with 1 to 2 1/2 acres. Between 1984 and 2008, these agricultural land divisions accounted for 1,905 acres of land being converted to residential use. As the number of residential homesites is increased in agricultural areas, the potential for land use conflicts increases. The County's Right To Farm Ordinance serves to notify homesite owners that they live within an agricultural area that is subject to normal and customary agricultural practices.

Annexation Conversion

The Local Agency Formation Commission (LAFCO) was created by California legislation to control the boundaries of cities and most special districts. LAFCOs are charged with discouraging sprawl and encouraging orderly growth and expansion of services. LAFCO retains regulatory authority over the creation and amendment of city and special district spheres of influence (SOI) which establishes the framework under which city and special district boundaries and extension of services may be allowed. In general, a SOI designates territory that a city or special district intends to annex in the future and provide services. State law forbids LAFCo's from making direct land use decisions, however, it requires them to make indirect land use decisions by controlling the timing and location of development through the annexation process.

City and community district annexations have accounted for the largest amount of agricultural land conversion to urban uses. Approximately 12,090 acres of agricultural land were annexed for urban uses between 1985 and 2008. A majority of the conversion has occurred around the cities of Hanford, Lemoore, and Corcoran according to their respective general plans. Urban growth within Kings County, including the four incorporated cities, has been less intensive than neighboring counties along State Route 99 corridor. The County continues to direct urban growth to existing cities and community districts, and therefore does not compete with cities for development along City Fringe Areas. This allows more cooperative land use planning to occur that has resulted in more organized and efficient growth. The Cities and Community Districts remain more compact in form and less representative of urban sprawl.

Conservation Easement Conversion

The imposition of certain types of easements on agricultural lands can lead to permanent conversion of land zoned for agriculture to a non-agriculture use. This can occur where agricultural landowners voluntarily grant easements or enter into agreements that encumber the use of their land such that limitations are placed on agriculture that would otherwise be allowed. In some instances, these limitations amount to the elimination of any viable agricultural uses on the property. For example, farmers may grant easements to federal or state agencies for the purpose of retaining or creating wildlife habitat/wetlands to support biological resources. Such easements have the potential to severely limit or restrict agricultural uses because they conflict with requirements for habitat/wetland areas. Therefore, imposition of such easements essentially results in the permanent conversion of agricultural land to non-agriculture land use. A mechanism to enable County review of such easement proposals is needed in order to achieve a proper balance between habitat conservation and preservation of important farmlands.

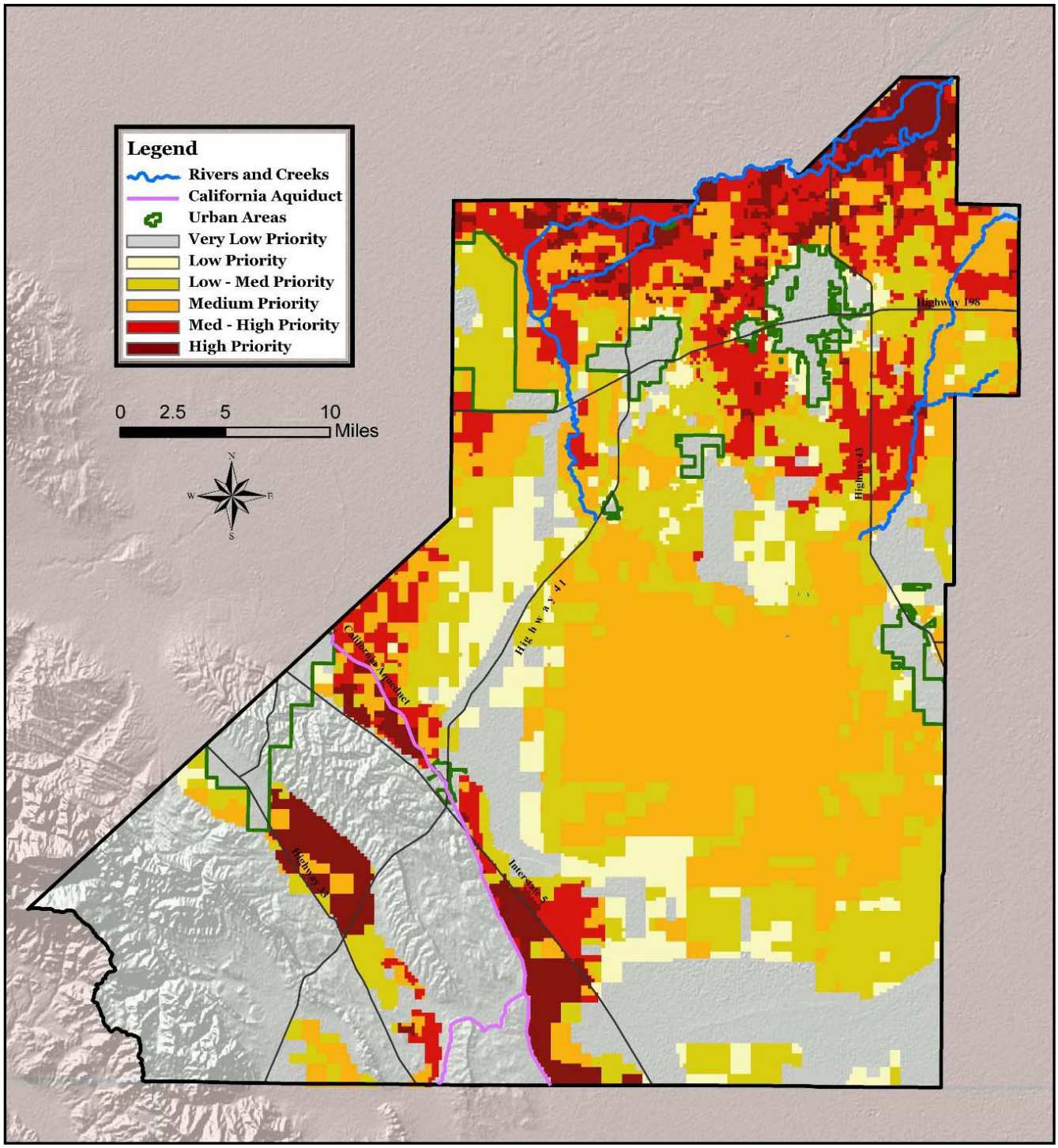
Priority Agricultural Land Model

Historically, most environmental and land use planning analysis related to loss of prime farmland has tended to rely primarily upon either the Department of Conservation's "Important Farmland Mapping and Monitoring Program" maps or "Natural Resource Conservation Service Soil Classification" maps. These sources, however, lend little in terms of analysis information for agricultural economic impacts, proximity and availability of water resources, need for open space buffers between urban areas, or planned orderly growth of Cities and Communities. An agricultural resource prioritization tool was therefore needed that more thoroughly analyzed a greater number of factors related to the value of prime farmland.

The Kings County Community Development Agency developed the "Priority Agricultural Land Model" by utilizing geographic information system (GIS) data and other relevant information resources to evaluate farmland resources throughout the County. The State of California, Department of Water Resources 2003 Land Use Survey Data served as the initial base map with the most recent and comprehensive countywide mapping of agricultural products grown or produced. Base data was enhanced with overlays of additional relevant GIS data layers, and assistance from the Kings County Agricultural Commissioner-Sealer Department in providing key crop valuations. The Department of Conservation's 2006 Important Farmland Map, and the NRCS Soil Classification Map were both used and assigned values for prime farmland and prime soils. Water proximity and availability was determined using Water and Irrigation District boundaries and adjacency to water delivery channels. A three mile buffer around the Naval Air Station Lemoore was assigned to coincide with needed safety buffer and potential Department of Defense funding for agriculture preservation. Defined urban growth allowance within the 2007 LAFCo reduced sphere of influence boundaries was then assigned

detracting values. Fallowed land was also assigned a detracting value. Together, these information resources combined to establish the prioritization schematic of highest to lowest priority designation of all agricultural growing areas. Figure RC -12 displays a generalized map of priority agricultural lands within the County and outlined urban areas.

Figure RC- 13 Priority Agricultural Land



Farmland Preservation Mitigation Strategy

The Farmland Preservation Mitigation Strategy of the *Resource Consevation Element* was developed according to locally defined values, priorities, and stakeholder interests. The Agricultural Land Conversion Study provided a backdrop of recommendations, however, local preference remains strongly supportive of reinforcing existing programs that serve to effectively preserve the County's agricultural resources. The County's Williamson Act and Farmland Security Zone Program serves as a highly cost effective means to ensure the long term preservation of agricultural land resources. Therefore, this strategy is founded upon establishing a program for the strategic voluntary expansion of 20 year Farmland Security Zone Contracts in areas of highest priority to the County.

In balancing urban growth accommodation with more progressive agricultural preservation efforts, this strategy builds upon LAFCo's 2007 City and Community District Sphere of Influence Update reductions, and Kings County Association of Government's (KCAG) "Blueprint Urban Growth Boundaries" in defining areas for planned urban growth. The Kings County Blueprint is part of the eight county San Joaquin Valley Blueprint. County and City jurisdictions in Kings County coordinated with KCAG in developing the "Kings County Preferred Growth Scenario" and went further to define future urban growth boundaries through 2050. A key value that emerged from the Kings County Blueprint effort was for preservation of agricultural land within the County and protection of agricultural buffer around Naval Air Station Lemoore. On April 1, 2009, the San Joaquin Valley Regional Planning Agencies Policy Council adopted Preferred Blueprint Growth Scenario B+ for the San Joaquin Valley. Kings County's preferred growth scenario is embodied in this adopted growth scenario and serves as a guide for future growth consideration. The Policy Council also adopted twelve smart growth principles.

The mitigation strategy will establish a mitigation fee for agricultural land that is converted to non-agricultural land use through general plan land use designation or zone district establishment. The fee is based upon actual costs to establish a new Farmland Security Zone Contract. Application of this mitigation fee is intended to be applied in a two mile buffer around the northern boundaries of Blueprint Urban Growth Boundary defined for the Hanford and Lemoore area.

The 2008 application fee for a FSZ and contract is $570, plus $0.25/acre and document recording fees (approximately $585.50 for a 10 acre contract). The minimum mitigation fees that a developer would pay starts at $585.50 for any size development up to 10 acres (equivalent to the cost for establishing one minimum acreage FSZ contract). The mitigation fee for a development of more than 10 acres would be prorated at an additional $58.55 per acre for every acre over 10 acres. This rate will change as the application fees are modified by the County in the future. See Table RC – 4 Estimated Mitigation Fee for the cost per acre for a single application of various acreages.

The mitigation fees paid by the developer would be deposited into a trust account in the Kings County Treasury. Funds would then be made available to agricultural land owners in the prioritized Farmland Security Zone application area where land is identified as "Highest", "Medium High" or "Medium" priority under the County Priority Agricultural Land Model. Applicable areas would be outside City or Community District Sphere of Influence boundaries or the Blueprint Urban Growth Boundary to ensure compatibility with future urban growth accommodation.

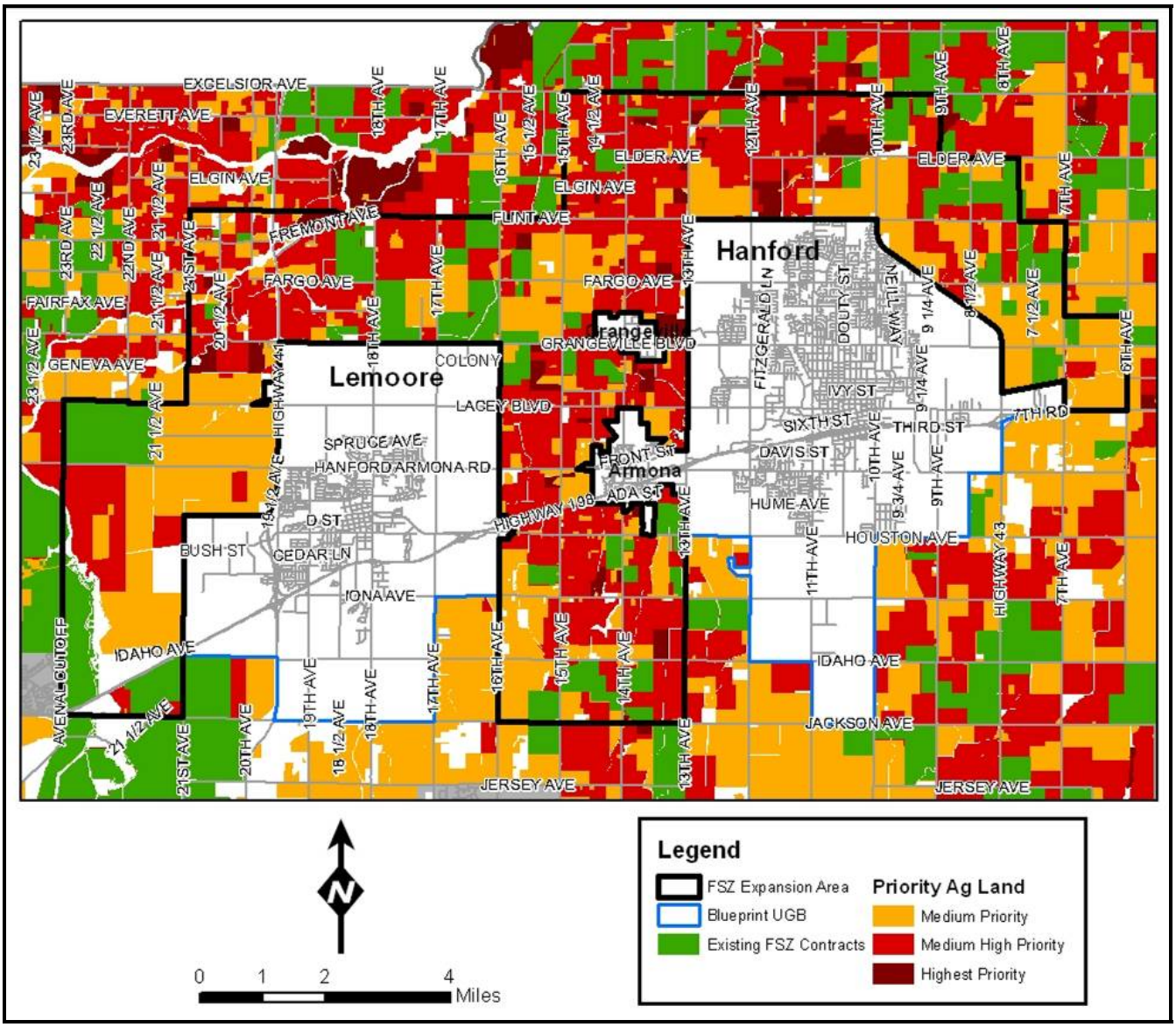
Table RC – 4 Estimated Mitigation Fee

Base Impact Fee*	Development Acreage Per Project	Per Acre Cost	Unit Cost @ 10 DU Per Acre
$585.50	10	$58.55	$5.85500
$588.00	20	$29.40	$1.47000
$593.00	40	$14.83	$0.37063
$603.00	80	$7.54	$0.09422
$608.00	100	$6.08	$0.06080
$623.00	160	$3.89	$0.02434
$663.00	320	$2.07	$0.00647
$743.00	640	$1.16	$0.00181
$833.00	1,000	$0.83	$0.0083
** Application fee = $570.00, plus $0.25 per acre, plus $13 recording cost.*			

The targeted area for implementing Farmland Security Zone expansion includes a two mile buffer around the western, northern and eastern edges of the Blueprint defined Urban Growth Boundaries for the Cities of Hanford and Lemoore. The identified territory also includes the three mile separation between the two Cities and includes the Armona Community and Grangeville area. This area is identified as territory of special interest due to the higher quality soils, agricultural economic value, water availability, and potential for at risk to conversion. Agricultural mitigation fees that are collected and applied towards the creation of new Farmland Security Zone Contracts should be applied to areas of greatest benefit to the County, while not hindering the Cities ability to accommodate urban growth as planned according to their general plans and the Kings County Blueprint.

The territory identified for application of agricultural mitigation fees for the purpose of Farmland Security Zone Contracts will greatly increase the long term preservation of prioritized agricultural land outside the Blueprint Urban Growth Boundaries. In analyzing the area of special interest, only areas of "Medium", "Medium-High", and "Highest" Priority were considered. In total, this area of special interest includes approximately 30,558 acres of agricultural land that is currently under agricultural production, of which 18.52% are currently under Farmland Security Zone contracts. The majority of farmable land (23,288 acres) is under Williamson Act contracts that provide 10 year self renewing preservation time frames. A little more than 5% of the farmable land is not under any contract. Therefore, the use of agricultural mitigation fees to increase the amount of acreage in the Farmland Security Zone could result in the preservation of 24,900 acres for a longer timeframe that would insure this area of special interest is preserved to at least the 2030 time period which coincides closely with the 2035 Kings County General Plan time frame. This would also allow the reconsideration of this territory to occur in following general plan updates that go beyond the 2035 time period without permanently restricting agricultural land in perpetuity where there would be no flexibility for future generation consideration of the County's general plan growth and resource preservation policies.

Figure RC- 14 Prioritized Farmland Security Zone Implementation



C. Soil

Soil is generally defined as the unconsolidated mixture of mineral grains and organic material that mantles the land surfaces of the earth. Soils can develop on unconsolidated sediments and weathered bedrock. The characteristics of soil reflect the five major influences on their development, including topography, climate, biological activity, parent (source) material, and time. The surface soils throughout Kings County have been mapped (Figure RC - 11) by the National Resource Conservation Service. In general, there are six general types of soils (called associations) within the County. The soil associations are comprised of similar specific soil types (called mapping units), which have developed on similar geologic materials and topography.

Northeast Alluvial Fans

The flood plain surfaces in the northeastern portion of the County are mantled with very deep, well-drained, saline-alkali soils. These soils include three soil associations. The Nord association soils are located in the northeast corner of the County, in the higher portions of the Cross Creek alluvial fan. The Kimberlina-Garces association mantles the lower portions of this alluvial fan. The soils developed on the alluvial fan along the Kings River are mapped as Remnoy-Melga-Youd association. The soils of the Kimberlina-Garces and Remnoy-Melga-Youd associations are very deep, nearly level saline-alkali soils. The surface horizons are sandy loams and fine sandy loams. The Remnoy-Melga-Youd association soils have a prominent hardpan. The permeability is moderately slow to very slow. Runoff is usually very slow and the erosion potential is slight. The Nord soils are similar although typically less saline and alkaline.

The agricultural Capability Class ranges from I to III and the predominant land use on these soils is primarily for row and field crop production. The soils of the Kimberlina-Garces and Remnoy-Melga-Youd associations are best suited for salt- and alkali-tolerant, drought-resistant crops. Generally, soils in this group present only slight restrictions to building site development.

Low Alluvial Fans and Basin Rim

The lower portions of alluvial fans that border the northeastern and southeastern margins of the Tulare Lake Basin are transitional in character relative to the upper portions of the alluvial fans and the lake basin. The Lethent, Lethent-Garces-Panoche, and Lethent-Excelsior soil associations are found in these areas. Soils of these associations typically have loam, clay loam, or sandy clay loam surface soils and clay, clay loam, or silt loam subsurface soils. Most of the horizons are alkaline and saline and have high corrosivity for steel and concrete. Some mapping units within this group of soils are calcareous. The permeability is moderate to very slow and runoff is slow or very slow.

The soils are used primarily for irrigated row and field crop production. The soils are best suited for salt- and alkali-tolerant, drought-resistant crops. Most of the soils are Capability Class I through III. The primary limitation, when present, is the droughty nature of these soils. Building site limitations are primarily high shrink-swell potential and high corrosivity.

Tulare Lake Basin and Basin Rim

The soils within and at the margins of the Tulare Lake Basin saline-alkali soils developed in areas of perched shallow groundwater. These soils characterize most of the central portion of the County. Three soil associations are represented, Gepford-Westcamp-Houser, Tulare, and Armona-Lakeside-

Grangeville. These soils are very deeply developed on nearly flat alluvial deposits and are typically somewhat poorly drained to poorly drained. The nearly level topography results in slow runoff and negligible erosion potential. The surface horizon is typically fine-grained, ranging from fine sandy loam to clay. Subsurface horizons are also fine-grained. The permeability is slow to very slow and shrink-swell potential is high. The saline-alkali soils cause high corrosivity to concrete and steel.

The soils are used primarily for irrigated row and field crop production. The soils are best suited for salt- and alkali-tolerant, drought-resistant crops. Most of the soils are Capability Class III with the primary limitation being shallow groundwater.

Southwestern Valleys

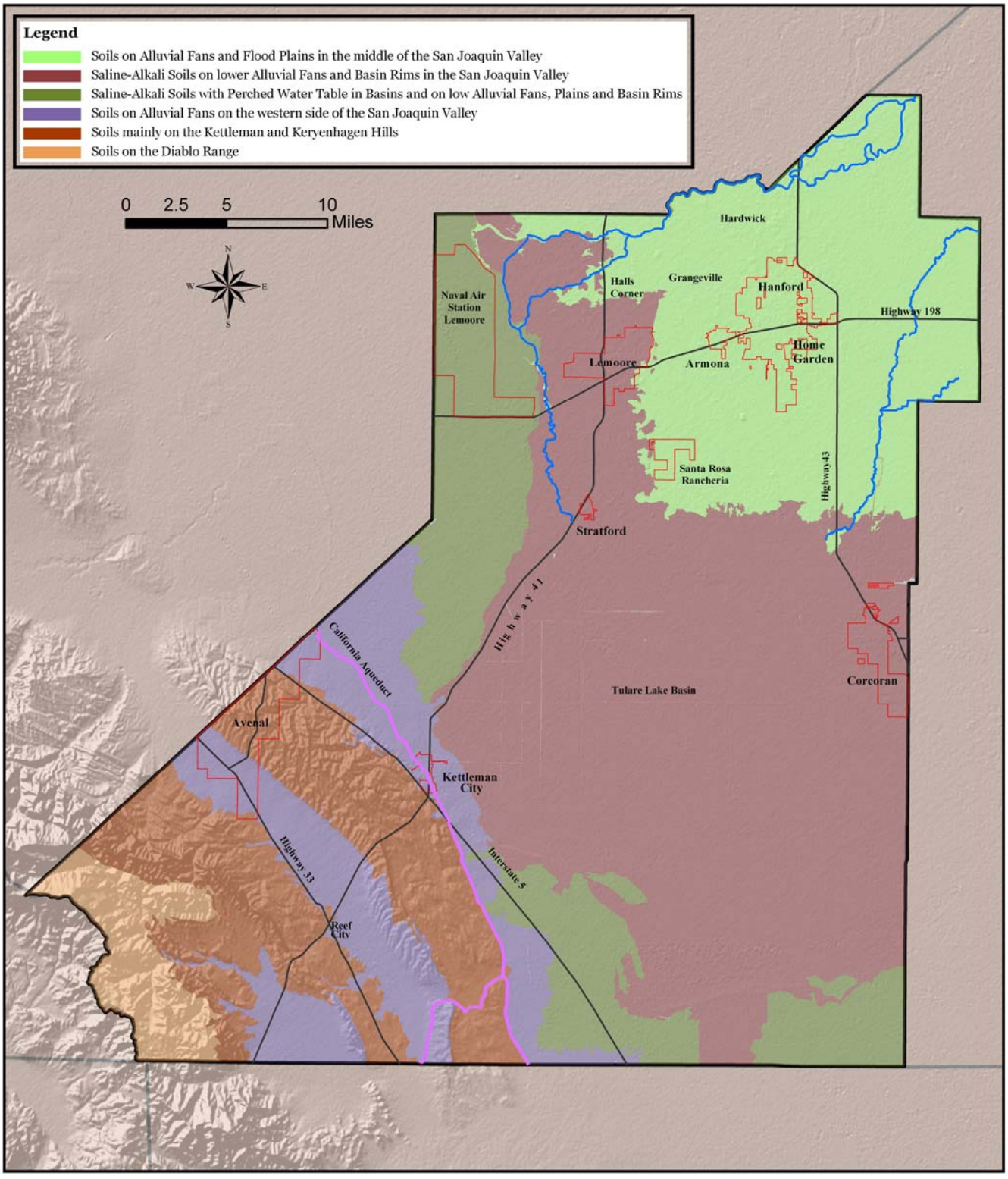
The Kettleman Plain, Sunflower Valley, and the western margin of the Kettleman Hills contain some of the best quality agricultural soils in Kings County. Although the texture and chemistry of the soils are well suited for agriculture, the availability of water limits agricultural productivity. The soil associations that occur in these areas are Avenal-Panoche, Panoche-Wasco, and Wasco-Panoche-Westhaven. These soils are deeply developed on alluvium and are well drained to moderately well drained. The surface soils are typically loam and sandy loam. The permeability is moderate slow to moderately rapid. Runoff is moderate and the erosion hazard is moderate. The shrink-swell potential is moderate to high, presenting a limitation to building development.

As indicated above, the areas mapped as these associations are not typically irrigated and are used primarily for non-irrigated crop production and grazing. Assuming that these soils are not irrigated, the Capability Class is VII. If irrigated, the Capability Class is upgraded to II, with the primary limitation being the erosion hazard and arid climate.

Southwestern Uplands

The soils of the uplands of the southwestern portion of the County, including the Kettleman Hills, Pyramid Hills, Keryenhagen Hills, and the Diablo Range, have severe limitations for agriculture and building development. The soils are developed within colluvium on sedimentary bedrock and are shallow and well-drained to excessively well-drained. The erosion hazard is high. The soil associations within the upland area include the Henneke-Wasesprings-Millsholm and Graviota-Vaquero-Altamont associations in the foothills of the Diablo Range, and the Kettleman-Cantuan-Mercey, Delgado-Kettleman, and Delgado-Carollo associations in the Kettleman and Kreyenhagen Hills. Severe limitations for agriculture include low rainfall, high erosion hazard, shallow depth to bedrock, and excessive shrink-swell potential. The areas are used primarily for rangeland and wildlife habitat. Grazing is generally restricted to winter and spring by low rainfall.

Figure RC – 15 Generalized Soils Map



Preservation of Soil

Much of the irrigated land in the San Joaquin Valley is affected by salt, although the amount and type of salts varies depending on the type of soil and the amount of irrigation water used. The presence of salt in soil decreases the availability of water to a plant. Some plants can tolerate more salts than others. Knowledge of salt-tolerant plants is useful to match crops with growing conditions. Leaching is probably the best method used to control salt build-up. Other methods include crop rotation, subsurface drains, and soil amendments.

Wind erosion is a problem on the west side of the Central Valley. Loss of topsoil as dust blown into the air contributes to the loss of crops, damage to public health including the dissemination of spores causing Valley Fever, automobile accidents, and damage to public facilities. Most wind erosion occurs between March and June. Soil can be protected from wind erosion by maintaining adequate growing vegetation, depositing crop residues to cover the soil, and maintaining adequate soil moisture from irrigation and tillage to keep the soil stable.

Responsibility for implementation of soil conservation and management programs is a responsibility the County shares with a number of Conservation Districts, agencies and organizations. Soil conservation and management practices that maintain the productivity of prime soils throughout the County must be encouraged, along with the application of best management practices for soil and sediments.

D. Natural Plant and Animal Habitats

Associations of plant species that grow in assemblages under similar ecological conditions are called plant communities (natural communities or habitats). Generally, they are named for the dominant species found in the association. Definition of plant communities is important not only because it identifies types of plants that are present, but also because it indicates habitat types and animal species which may be found in the community.

Figure RC – 16 Foothill Grassland

Kings County, including the four incorporated Cities, covers approximately 890,600 acres (1,391 square miles). While the majority of the land in the county has been extensively modified by agricultural, urban, energy, and military-related development, uncultivated plant communities are present on approximately 220,000 acres (343 square miles) or about 25% of the county. Remnant plant communities on those 220,000 acres can be broadly classified into nine categories. The following descriptions of the nine plant communities are based on descriptions in the California Department of Fish and Games "California Natural Diversity Data Base" (CNDDB) and Holland's Preliminary Descriptions of the Terrestrial Natural Communities of California (1986). Most of the regional biological surveys conducted in the southern San Joaquin Valley follow the plant community classification system developed by Holland (1986). Element Codes follow the numbering system used by CNDDB. The nine plant communities mapped by the CNDDB are (listed in order of decreasing acreage in Kings County):

- Valley and Foothill Grassland. CNDDB's Non-native Grassland (CNDDB Element Code 42200).

- Blue Oak-Foothill Pine Woodland. CNDDB's Digger Pine-Oak Woodland (CNDDB Element Code 71410), Blue Oak Woodland (CNDDB Element Code 71140), Open Digger Pine Woodland (CNDDB Element Code 71310), and Juniper-Oak Cismontane Woodland (CNDDB Element Code 71430).

- Chaparral. CNDDB's Northern Mixed Chaparral (CNDDB Element Code 37110).

- Interior Coast Range Saltbush Scrub. (CNDDB Element Code 36320).

- Riparian Forest, Woodland, and Scrub. CNDDB's Great Valley Valley Oak Riparian Forest (CNDDB Element Code 61430), Great Valley Cottonwood Riparian Forest (CNDDB Element Code 61410), Mule Fat Scrub (CNDDB Element Code 63310), Valley Willow Scrub (CNDDB Element Code 63410), and Tamarisk Scrub (CNDDB Element Code 63810).

- Valley Sink Scrub. (CNDDB Element Code 36210).

- Valley Saltbush Scrub. (CNDDB Element Code 36220).

- Valley Freshwater Marsh. (CNDDB Element Code 52410).

- Northern Claypan Vernal Pool. (CNDDB Element Code 44120).

These plant communities often integrate and co-occur with one another. A complete description of the nine natural communities may be found in the Biological Resources Survey (BRS) located in Appendix B of the 2035 Kings County General Plan. The BRS is intended to expand upon and enhance the Resource Conservation Element by providing up-to-date biological information and a practical planning protocol that will help conserve biological resources, assist the county with their legal requirements as noted in Sections 4.1 through 4.5 of the BRS, and minimize public controversy and time delays in project permitting.

In addition to objective biological information, the BRS presents a range of goals, procedures, and implementation measures designed to guide decision-makers in addressing special status species and sensitive habitat issues in Kings County. The BRS offers a variety of mechanisms and strategies which can help guide future decisions by the county to help conserve biological resources. All of the goals, procedures, and implementation measures which are adopted as part of the *2035 Kings County General Plan* will help shape the county's regulatory programs and other actions affecting biological resources.

Preservation of Important Natural Habitats

With the pressure for new development, the number and intensity of land use conflicts with sensitive habitats in the County has increased. Native plant and animal habitat has been removed or disturbed through land development, including residential, industrial, commercial, mineral and energy projects. Even certain types of agricultural developments and practices have the potential to affect sensitive habitats. As noted in the Biological Resources Survey, Resource Conservation Element Update, *2035 Kings County General Plan* (2008), retention of significant habitats requires further study and continued coordination with a number of resource and regulatory agencies with responsibility for species protection. County policy direction is needed to resolve sensitive habitat conflicts in a

predictable and programmatic manner that meets both state and federal requirements for retention of critical habitat, and allows for continued economic development of the County.

Protection and Quality of Natural Wetlands

Valley Freshwater Marsh is a predominant wetland community in Kings County that is characterized by emergent grass-like vegetation (cattails, tules, and rushes) growing in seasonally or permanently saturated soils. In Kings County, marsh habitat is present primarily in slow-moving sloughs, river oxbows, man-made ponds and basins, and in irrigation district, reservoirs, and groundwater recharge areas.

Figure RC – 17 Vernal Pool

Vernal Pools are another wetland variety found in the County. These ephemeral wetlands that form when winter and spring rains fill depressions in hogwallows and mound areas provide habitat for a variety of small plant and animal species. Northern Claypan Vernal Pools, once present along most of the floodplains in the San Joaquin Valley, have nearly been eliminated in Kings County. Vernal pools are known to occur in Kings County in the grasslands along Cross Creek just west of Highway 99, near the town of Goshen, west of Guernsey, and north of Waukena. Other pools may also be present in grasslands along Cottonwood Creek just north of Corcoran Irrigation District Reservoir. Critical habitat for vernal pool habitat in Kings County occurs along Cross Creek just west of Highway 99. County policies should maintain the quality of these and other natural wetland areas, and maintain compatible land uses in natural wetland habitats designated by state and federal agencies.

Riparian Resources

Figure RC – 18 Kings River Riparian Environment

Areas along natural streams, or adjacent to other natural bodies of water, may be referred to as riparian environments. These areas offer wildlife a rich source of insect and plant food, shelter and nesting sites, and water. The plant cover regulates water temperature and provides a nursery habitat for fish. The riparian environment is especially vulnerable to fluctuations in the water supply. Practices which control water flow or waterway vegetation can change the riparian environment while attaining essential water delivery and flood control functions for the public good. Plants and trees serve as filters for sediment and pesticides, stabilize banks, and keep soils loose and permeable, allowing aquifers below streams to be recharged. Elimination of natural plant communities along streams can increase surface runoff and siltation, creating a stream environment detrimental to fish. Riparian communities in Kings County are quite diverse. Five categories of such communities occur, distinguished by the dominant tree and shrub species:

- Great Valley Valley Oak Riparian Forest
- Great Valley Cottonwood Riparian Forest
- Great Valley Willow Scrub

- Mule Fat Scrub
- Tamarisk Scrub

Riparian communities have been eliminated or seriously altered throughout much of their original extent in Kings County. However, as much as the local hydrology has changed, the Kings River, Cross Creek, the Kern River channel, and other lesser streams still support riparian vegetation – vegetation that is quite rich and healthy where it has not been greatly disturbed. The best remaining examples of undisturbed riparian forest in the County occur along the Kings River and on smaller channels within the Kings River floodplain.

Protecting and managing these riparian communities as valuable resources is an important responsibility that is shared with resource agencies and special districts. County land use decisions affecting riparian environments need to balance public health, safety and economic considerations with the important habitat and scenic values associated with riparian environments.

E. Threatened and Endangered Species

Special status species are plants and animals (including invertebrates and fish) that have highly restricted distribution or are few in number, such that they are vulnerable to population reductions and possible extinction due to human activities. Many such species occur in Kings County. Most special status species are protected in some manner by state and/or federal law or regulation. Certain activities, that may affect these species may be prohibited or subject to regulation. Special status species are an integral part of the natural ecosystem, contributing to the productivity and diversity of the natural world, upon which we depend for resources and amenities. In addition, they enrich the natural heritage of Kings County and California as a whole.

In the 15 years since the 1993 BRS, the number of special status species occurring in Kings County has increased from 67 species to 90 species. This is an increase of approximately 35 percent. Since the 1993 BRS, one of the plant species in the Kings County area (Hoover's Eriastrum) has been removed from the threatened and endangered species list. A complete description and location of the special status species currently found in Kings County may be located in the BRS attached located in Appendix B of this General Plan.

Identification Treatment of Sensitive Species with Development Project Review

Kings County's threatened, endangered, and other special status species are indicators of the County's overall environmental health. The County's BRS has identified 18 threatened or endangered wildlife species, including such commonly known species as Blunt-nosed Leopard Lizard, California Condor, American Peregrine Falcon, Tipton Kangaroo Rat, San Joaquin Kit Fox, Valley Elderberry Longhorn Beetle, Swainson's Hawk, San Joaquin Antelope Squirrel, and Vernal Pool Fairy Shrimp. The Survey also identifies 2 federally-listed plant species, the California Jewel-flower and San Joaquin Woolythreads. Sensitive habitats also include native oaks and native trees associated with the County's rivers, creeks, and streams.

Figure RC – 19 Various Threatened or Endangered Wildlife Species Found in Kings County

Blunt Nosed Leopard Lizard | San Joaquin Kit Fox | Peregrine Falcon | Elderberry Longhorn Beetle




Future land use conflicts with special status species in the County are most likely to occur in the following areas:

- The fringes of agriculture lands adjacent to native lands within the valley floor.
- Within and adjacent to oilfields on the west side.
- Undeveloped native lands west of the California Aqueduct and along the edge of the Tulare Lake Basin (vicinity of Sand Ridge and Dudley Ridge).
- Urban, residential, and industrial expansion in growth areas on the outskirts of Avenal and Kettleman City.

At issue is how to balance the needs and activity of an increasing human population with protection for the County's unique and exhaustible natural resources. As projects move through the County's development review process, assurances are needed that threatened or endangered species habitat locations are properly identified and considered, and where potential conflicts arise, avoidance measures or other appropriate mitigation solutions consistent with regulatory agency requirements are applied.

Figure RC- 20 Listed Plant Species Sightings

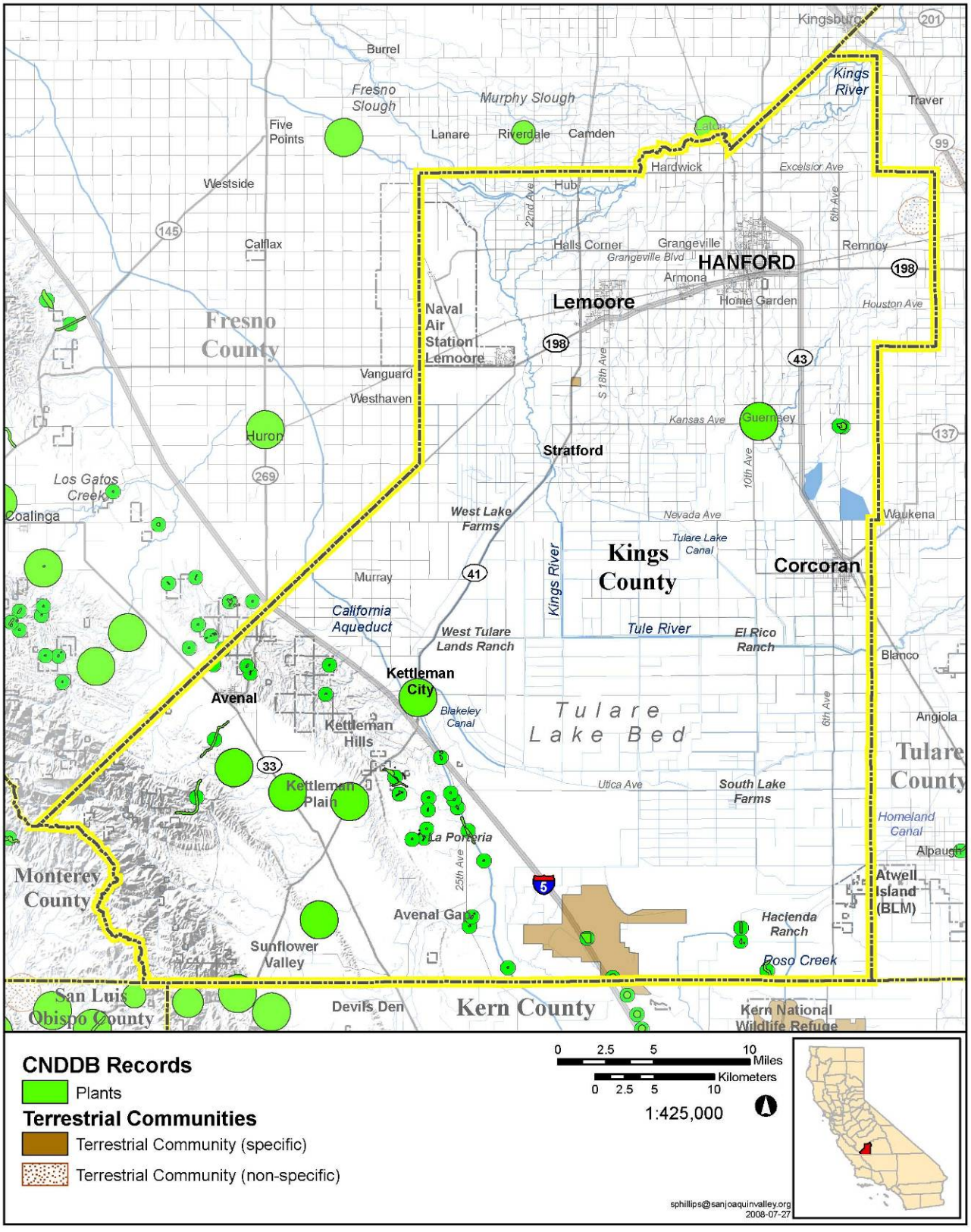
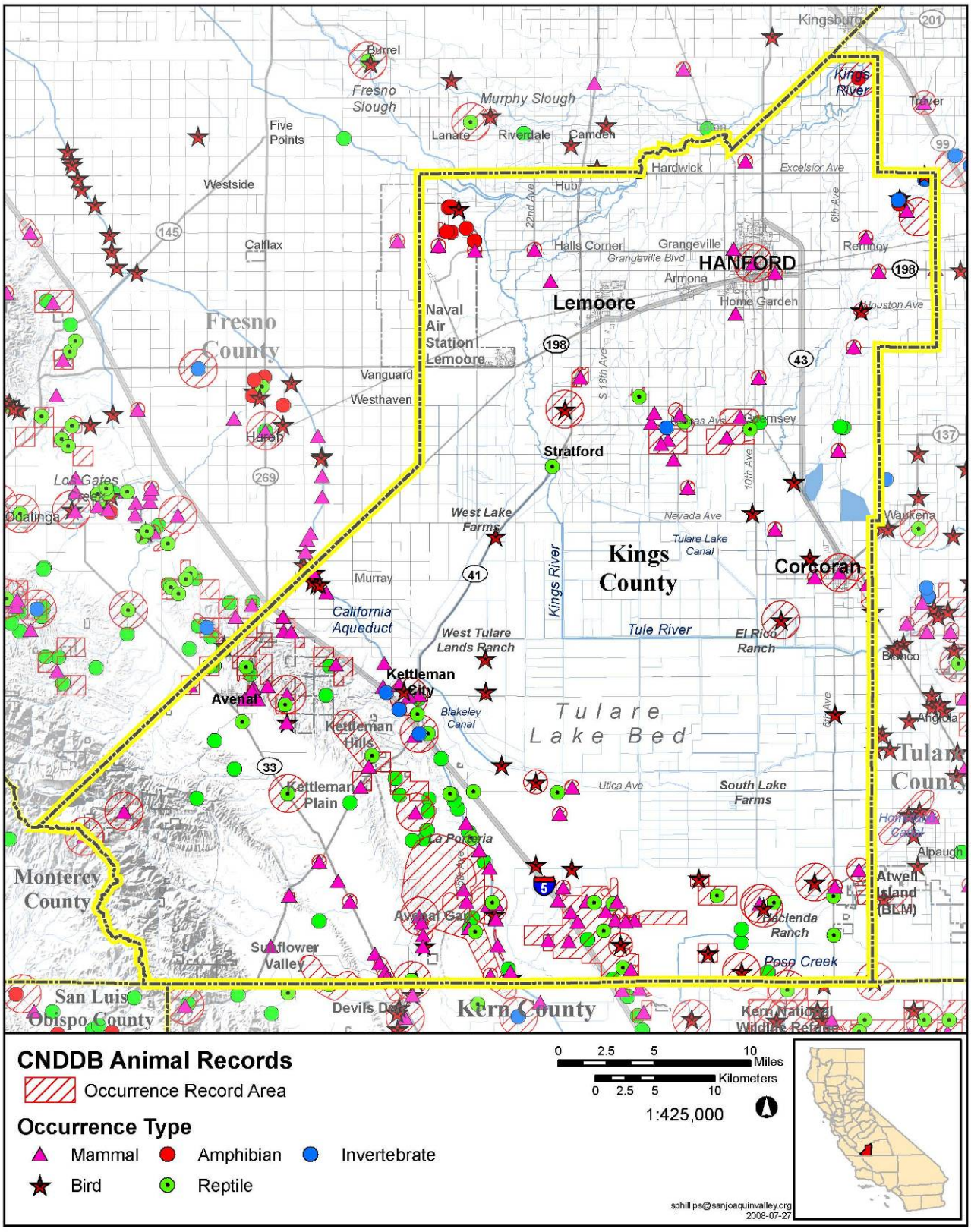


Figure RC- 21 Listed Animal Species Sightings



F. Freshwater Recreational Fishing

Recreational fishing in Kings County occurs primarily along the banks of the Kings River, which is administered by the State Reclamation Board, and at three County-maintained locations along the California Aqueduct, near Kettleman City, and near the Avenal Cutoff. Few public boat launching sites exist along the Kings River in Kings County.

Managing Natural Watercourses to Preserve Fish Habitat

Agriculture, water diversion, and land development activities that impact the Kings River and the California Aqueduct have the potential to reduce recreational fishing resources. Sedimentation, loss of riparian vegetation, and stream bank erosion can also damage recreational fishing habitat.

The County can support resource agencies, conservation districts and associations whose interests include management of the County's streams to preserve recreational fishing opportunities by encouraging design of public and private projects that will minimize impacts to the Kings River and other significant watercourses.

G. Energy

Oil and gas production in Kings County has diminished over the past 40 years and the trend continues. Although the County's future energy production is likely to emphasize alternative energy sources that avoid or minimize production of greenhouse gases, new oil and gas sources should be allowed where environmental quality will not be degraded and where well sites can be restored to a pre-drilling condition at completion of their useful life.

Renewable Energy Sources and Conservation

Figure RC – 22 Renewable Energy

The County's mild climate and agricultural economy make solar heating and waste-to-energy projects viable alternatives to traditional fossil fuel production sources. Sources of biomass, or raw material suitable for conversion to energy, include manure from dairy operations and municipal waste at landfill sites. To improve air quality and achieve greenhouse gas emissions reductions mandated by recent State legislation (AB 32), sustainable and renewable alternative energy sources including wind, solar, hydroelectric and biomass energy can be promoted, and energy conservation measures encouraged. The construction of solar farms in agriculturally zoned land is a permitted use in Kings County, however, this activiy is encouraged to be placed on non-prime farmland.

H. Mineral Resources

Few commercial mining and mineral extraction activities occur in Kings County. Currently the only substances mined are sand and gravel for commercial use, or the occasional mining of topsoil from a farm performing leveling activities to facilitate better drainage activities. The only historical local mineral mining operations were an open pit gypsum mine and a mercury mine in southwestern Kings County, but they have ceased operation.

Continued Provisions for Mineral Extraction as an Allowable Conditional Use

Open pit mining is regulated by the State Surface Mining and Reclamation Act (SMARA), which requires a local permit, financial assurance, and a reclamation plan. These requirements are implemented through the conditional use permit process of the County Zoning Ordinance. The County will continue to allow mining and mineral extraction as a conditional use where land use conflicts are avoided, environmental resources are not substantially degraded, and proper reclamation is assured consistent with the requirements of the Kings County Surface Mining and Restoration Ordinance (Chapter 17 of the Kings County Code of Ordinance).

I. Archaeological, Cultural and Historic Resources

Kings County is the home of the Tachi tribe of the Yokuts who lived north of Tulare Lake and westward to the hills near Coalinga. The lake region contains numerous archaeological artifacts along the Tulare lakeshores margins and a significant archaeological site called the Witt site in southern Kings County (near Dudley Ridge). Numerous other recorded cultural resource sites have been identified in Kings County in the area of Stratford, the area south and west of Lemoore, and in the area west of Alpaugh in southeastern Kings County.

Kings County also contains four sites that are listed on the National Register of Historic Places, and three additional sites that have been designated as California Historical Landmarks. The sites include a Taoist Temple, County Courthouse, Carnegie Library, and the Witt archaeological site. The three California Historical Landmarks include the Kingston Town Site north of Hardwick; the El Adobe de los Robles Rancho west of Lemoore; and the Mussel Slough Tragedy site south of Hardwick.

The Mussel Slough Tragedy occurred on May 11, 1880, approximately 5 miles northwest of Hanford in a field located on the northeast corner of 14th and Elder Avenues. It is the site of a dispute over land titles between settlers and the Southern Pacific Railroad. The confrontation escalated into gunfire resulting in the death of seven men.

Figure RC – 23 Muscle Slough Tragedy Site

Mussel Slough was characteristically named for the freshwater mussels that flourished in the slough leading from the Kings River to the Tulare Lake. The Mussel Slough region in the late 1860's was unsettled and characterized by a broad, dry plain suitable only for cattle ranching. In 1866 Congress provided the authorization to railroad companies to construct a rail line through this section of the San Joaquin Valley. Keeping with standard practices of the time, congress granted the constructing railroad title to the odd numbered sections of land along the line. Homesteaders promptly began establishing farms and constructing canals with the anticipation of purchasing land which was planned for sale in the amount of $2.50 per acre and upward, according to distributed Southern Pacific brochures. Ultimately the land price was set much higher at $35.00 per acre in 1874 following a Supreme Court decision allowing the railroad to reclaim their land without compensation unless the settlers were willing to pay the asking price.

Tensions between homesteaders and the railroad intensified with farmers refusing to leave their land. On May 11, 1880 the tragedy occurred when a group of lightly armed homesteaders attempted to deter a U.S. Marshal and two heavily armed new property owners from evicting farmers from their Mussel Slough properties. The confrontation quickly intensified into one of the deadliest shootouts of the "American West," culminating in the death of five homesteaders and the two legal property owners.

Thirteen historic sites of local importance are also found in Kings County. The sites include several cemeteries and churches located in Corcoran, Lemoore, Grangeville, and other rural areas in the northern County. Additional sites include the original site of Lemoore; the Avenal Ranch; Kettleman Hills fossil beds; and First High School on the Kings River. See Figure RC – 24.

Protection of Significant Cultural and Historic Resources

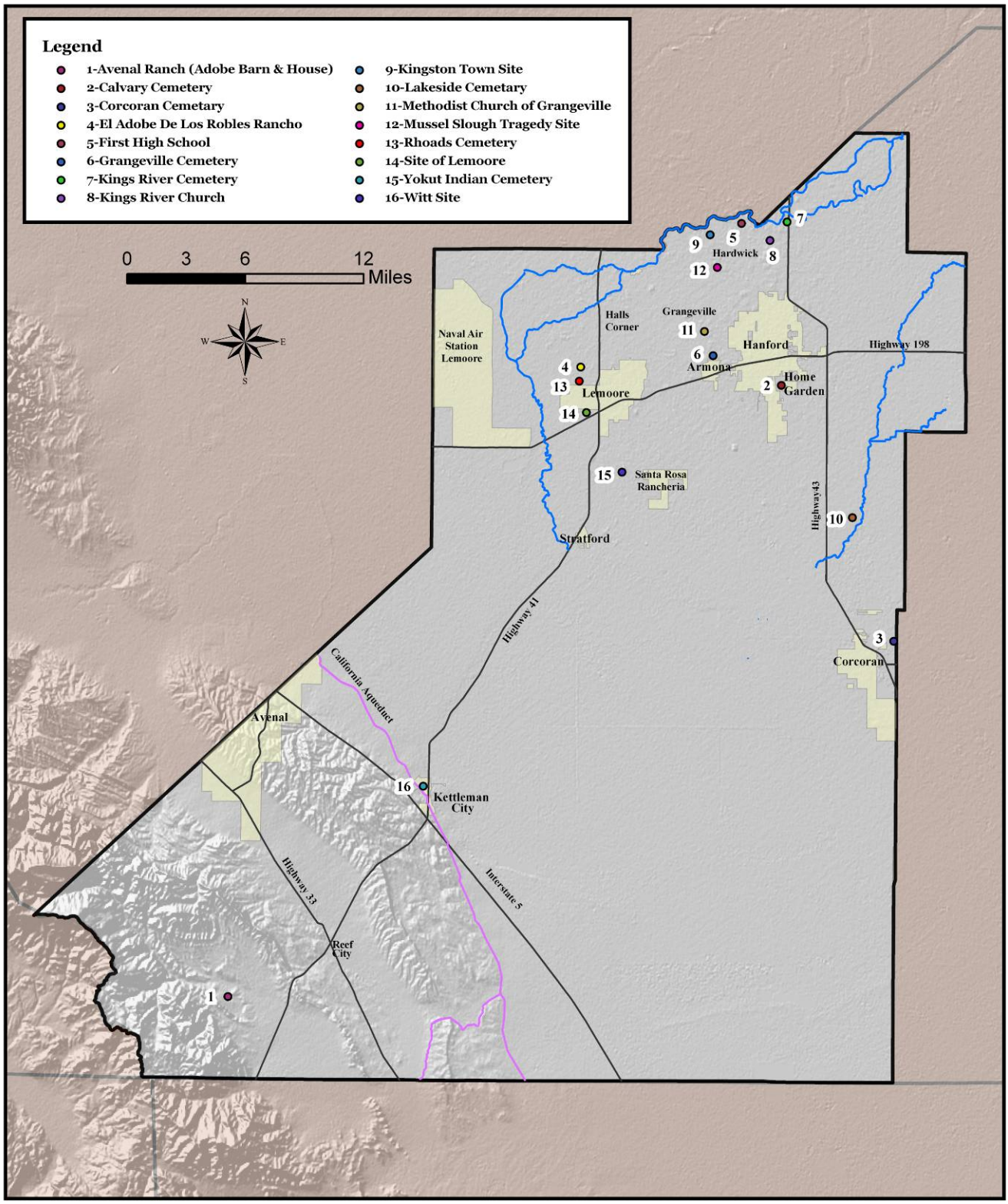
Despite increasing interest in history on the part of the general public in recent years, the preservation of sites of historical or archaeological significance can be difficult to achieve. Some sites disappear through neglect, while others are either intentionally or unintentionally razed. Much of the work of finding and preserving the history of Kings County is being accomplished through the cooperative efforts of private individuals and groups with an interest in the County's history.

The County will continue to identify potential archaeological and historical resources and assure their protection through land development application review, compliance with the California Environmental Quality Act (CEQA), and by referral to the County's Museum Advisory Committee for review and comment. Where feasible, the rehabilitation or adaptive reuse of historic sites and structures will be considered.

The State recently passed Senate Bill 18 in 2004, wich requires cities and counties to notify and consult with California Native American Tribes when adopting or amending general and specific plans, or when designating land as open space. The purpose of consultation is to protect Native American cultural places that may be impacted by the proposed action. Senate Bill 18 is a process separate from the CEQA process that expands the focus of archaeological protection measures. It broadens the focus from the protection and preservation of archaeological sites and artifacts to also include protection of traditional tribal cultural places on public and private lands, for both federally and non-federally recognized tribes.

The California State Native American Heritage Commission advises local governments on how to implement the law and identifies "California Native American Tribes" in the area that must be consulted. Through consultation with local native American tribes, the County incorporated specific goals, objectives, and policies in this element to ensure compliance with Senate Bill 18. These policies were crafted to avoid conflicts at the site specific project level and efficiently protects the tribes significant historical and archaeological sites and structures.

Figure RC- 24 Kings County Historical Sites



J. Solid Waste Management, Source Reduction and Recycling

Source reduction decreases the amount of materials or energy used during the manufacturing or distribution of products and packages. Source reduction plays a vital role in solid waste management since it stops waste before it is created. Recycling on the other hand, is collecting already used materials and making them into another product. Recycling of solid waste begins when the usefulness of the product has run its course, while source reduction occurs in the design stages of a product and attempts to reduce end product waste.

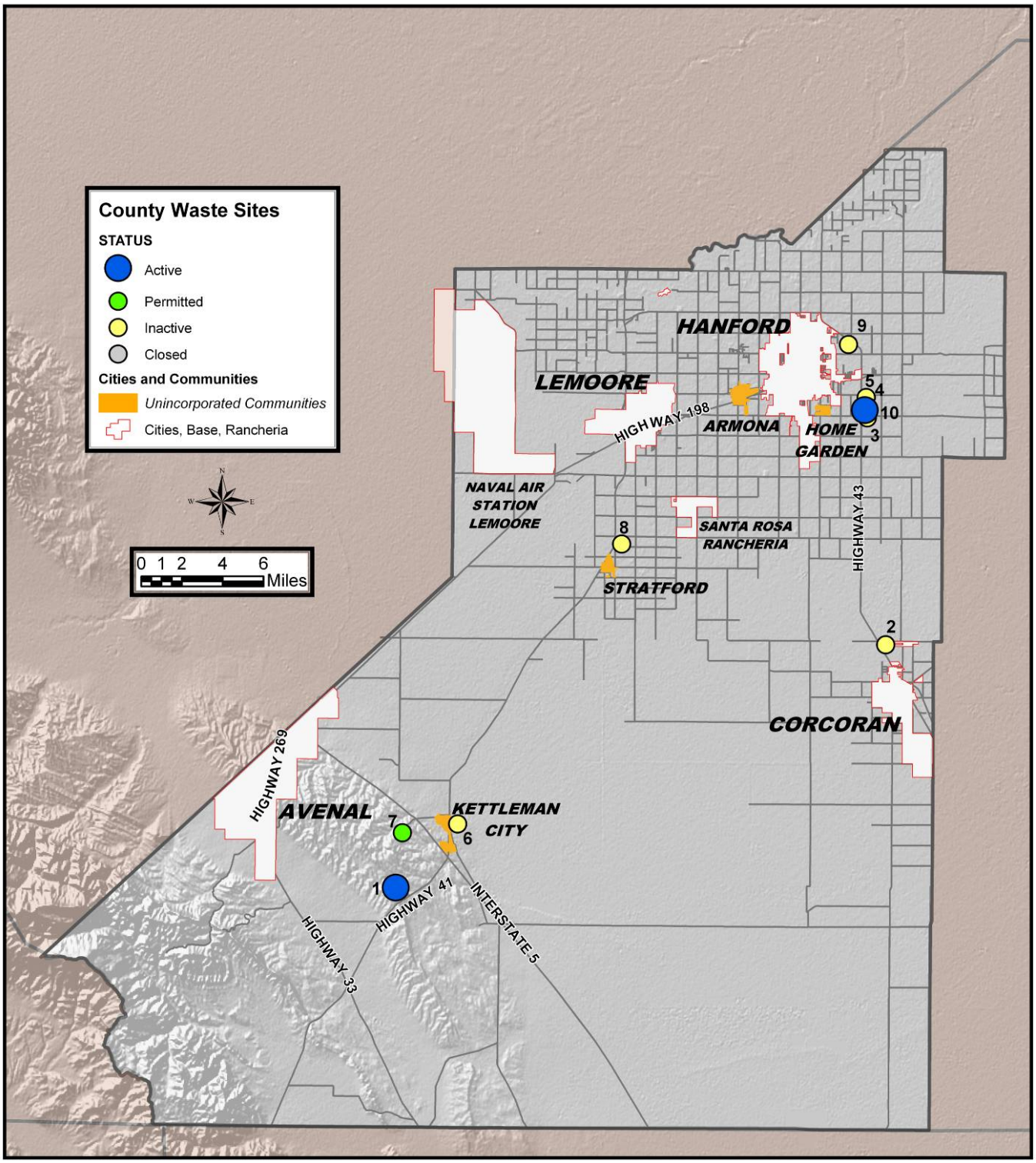
Adequate Provision and Retention of Waste Disposal Capacity

As population in the San Joaquin Valley, and Kings County in particular, continues to increase so does the waste stream that will ultimately require additional disposal capacity that is necessary to accommodate future growth.

The Kings Waste and Recycling Authority (KWRA) manages the materials recovery facility located east of Highway 43, just south of Hanford Armona Road. The KWRA facility continues to implement efforts to recycle and re-use material to divert waste from entering the landfills. The KWRA serves all County unincorporated areas, and the Cities of Corcoran, Hanford and Lemoore. Municipal waste generated in these areas are first directed to the KWRA facility and then transferred to the Chemical Waste Management, Inc. Kettleman Hills Facility which operates both municipal waste and hazardous waste landfills at their site located west of Interstate 5 along State Route 41. The Avenal Landfill serves the City of Avenal. Existing waste site locations are identified on Table LU-1 and shown on Figure LU-6 in the Land Use Element of the General Plan. See Figure RC – 25.

Policies pertaining to solid waste, source reduction, and recycling are identified in the Source Reduction and Recycling Element (SRRE) and the Household Hazardous Waste Element (HHWE) of the *Kings County Integrated Waste Management Plan*, and are made a part of this Resource Conservation Element by reference.

Figure RC- 25 Kings County Waste Sites



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III. RESOURCE CONSERVATION POLICIES

A. Water Resources

RC GOAL A1 **Beneficially use, conserve, and protect water resources while developing strategies to capture additional water sources that may become available to ensure long-term sustainable water supplies for the region.**

RC OBJECTIVE A1.1
Maintain and Protect Existing Water Supplies.

RC Policy A1.1.1: **Cooperate with water purveyors and water management agencies to manage groundwater resources within the County to assure an adequate, safe and reliable groundwater supply for existing and future water users.**

RC Policy A1.1.2: **Review new discretionary development proposals, including new or expanded uses within agricultural zone districts, to ensure that there are adequate water supplies to accommodate such uses. Projects must provide evidence of adequate and sustainable water availability prior to approval of a tentative map or other land use approval.**

RC Policy A1.1.3: **Discourage the net export of groundwater and surface water resources currently allocated to water users within Kings County.**

RC Policy A1.1.4: **Work cooperatively with state and federal land managers to coordinate watershed management on public land.**

RC Policy A1.1.5: **Encourage and support regional groundwater management strategies such as the Integrated Regional Water Management Plan.**

RC Policy A1.1.6: **Support expansion of joint management of surface water and groundwater supplies that contributes to the protection, reliability and sustainability of local and regional water supplies.**

RC OBJECTIVE A1.2
Conserve and reuse water to provide for the efficient use of water resources.

RC Policy A1.2.1: **Encourage and support the development of educational programs by water purveyors and public agencies, in order to**

increase public awareness of water conservation opportunities and the potential benefits of implementing water-saving measures and programs.

RC Policy A1.2.2: Require the use of low water consuming, drought-tolerant and native landscaping and other water conserving techniques, such as mulching, drip irrigation and moisture sensors, for new development.

RC Policy A1.2.3: Continue to support efforts and educational programs intended to reduce water consumption on agricultural lands and enhance groundwater recharge.

RC Policy A1.2.4: Encourage and support the development of recycled water systems in Kings County.

RC Policy A1.2.5: Encourage and support the safe use of gray water for landscaping, agriculture, recreation and open space areas.

RC OBJECTIVE A1.3
Secure additional water supply sources to meet current and future water demand.

RC Policy A1.3.1: Participate with and encourage all state, regional and local efforts to develop new or expanded water supplies to serve Kings County.

RC Policy A1.3.2: Evaluate new urban development for compliance to SB610 and SB221 to ensure that adequate water supply sources and facilities are available to accommodate the new demand that would be created by such development.

RC OBJECTIVE A1.4
Protect the quality of surface water and groundwater resources in accordance with applicable federal, state and regional requirements and regulations.

RC Policy A1.4.1: Evaluate proposed land uses and development projects for their potential to create surface and groundwater contamination from point and non-point sources. Confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products or waste; floating debris; and runoff from the site.

RC Policy A1.4.2: Monitor and enforce provisions to control water pollution contained in the U.S. EPA National Pollutant Discharge Elimination System (NPDES) program as implemented by the

California Water Quality Control Board, Central Valley Region.

RC Policy A1.4.3: Require the use of feasible and cost-effective Best Management Practices (BMPs) and other measures designed to protect surface water and groundwater from the adverse effects of construction activities and urban and agricultural runoff in coordination with the California Water Quality Control Board, Central Valley Region.

RC Policy A1.4.4: Encourage and support the identification of degraded surface water and groundwater resources and promote restoration where appropriate.

RC OBJECTIVE A1.5
Avoid the placement of potential pollution sources in areas that have the potential to foster groundwater recharge.

RC Policy A1.5.1: Cooperate with local agencies in the preservation and purchase of natural sloughs for use as water recharge and drainage basins.

RC OBJECTIVE A1.6
Protect groundwater quality by applying development standards which seek to prevent pollution of surface or groundwater and net loss of natural water features.

RC Policy A1.6.1: Require subdivisions to connect to the sewer and water services of a City or Community District.

RC Policy A1.6.2: Support measures to ensure that water users do not unreasonably use groundwater resources.

RC Policy A1.6.3: Protect groundwater by enforcing the requirements for installation of wells in conformity with the California Water Code, the Kings County Well Ordinance, and other pertinent state and local requirements.

RC GOAL A2 Protect the Kings River.

RC OBJECTIVE A2.1
Maintain the existing Kings River water conveyance system and its use as a designated floodway; encourage the preservation of riparian habitat along the Kings River consistent with state and federally mandated flood control purposes.

RC Policy A2.1.1: Recognize the Kings River Conservation District's responsibility to maintain the Kings River channels and levees for flood control purposes. On land within the floodway,

allow farming and other uses that are consistent with the designated floodway regulations of the Central Valley Flood Protection Board.

RC Policy A2.1.2: Apply the "Natural Resource and Conservation" land use designation along the Kings River, Cross Creek, and in environmentally sensitive areas having existing natural watercourses, drainage basins, sloughs, or other natural water features. The only permitted uses on land within designated floodway channels include uses such as flood control channels, water pumping stations and reservoirs, irrigation ditches, water recharge basins, limited open public recreational uses such as passive riverside parks, related incidental structures, and agricultural crop production that does not include permanent structures. The application of this designation shall be subject to administration of the encroachment permit process by the Kings River Conservation District for areas along the Kings River designated floodway.

RC Policy A2.1.3: Apply the "Natural Resource and Conservation" land use designation to all areas of the County west of State Highway 33 where topography consists of 15% slopes or greater. Permitted uses on steep sloped Natural Resource Conservation land include livestock grazing, livestock and timber, vines, and horticultural specialties.

RC Policy A2.1.4: Coordinate the review of all development proposals within or adjacent to designated floodways with relevant resource conservation district entities to ensure compliance with Central Valley Flood Protection Board requirements, and local Floodplain Administration requirements.

B. Agricultural Resources

RC GOAL B1 Maintain viable and productive agricultural land within the County, and ensure the long term preservation of the County's agricultural resources continue to provide a sustainable food supply and supports a vibrant local agricultural economy.

RC OBJECTIVE B1.1
Identify the County's highest priority agricultural lands that are critical to the County's agricultural economy, prime soils, and water availability, and emphasize higher preservation efforts for these areas.

RC Policy B1.1.1: **Maintain the County's Priority Agricultural Land Model to serve as an information resource in evaluating urban growth and impacts related to the County's agricultural economy and redirect that growth where possible to the lowest priority agricultural land. This model is referenced in Kings County's 2008 Agricultural Land Conversion Study.**

RC Policy B1.1.2: **Use the Priority Agricultural Model as a reference for determining potential economic and resource impacts related to the loss of agricultural land resulting from conversion to urban uses.**

RC Policy B1.1.3: **Emphasize the need for State and Federal funding to address the increased FEMA Flood damage risk resulting from expanded 100 year flood zones as made effective for Kings County on June 16, 2009.**

RC OBJECTIVE B1.2

Establish feasible mitigation for the loss of agricultural land conversion that is not over burdensome to landowner and development interests, yet enhances long term preservation efforts of the County's highest priority agricultural lands.

RC Policy B1.2.1: **Require new development that results in the loss of agricultural lands to provide mitigation to offset the loss. The County will prepare a Farmland Preservation Mitigation Strategy to implement this policy. All mitigation costs shall be borne by project proponents.**

RC Policy B1.2.2: **When redirection of growth is not possible, mitigation fees shall be established for the loss of agricultural land and be based on average per acre fee for the establishment of a new Farmland Security Zone creation.**

RC Policy B1.2.3: **Mitigation fees shall be used for the creation of new Farmland Security Zone contracts on willing landowner property that is greater than 10 acres and located within the "Medium-High" and "Highest" Priority Agricultural Land as defined by the County, and within the eligible farmland classifications as defined under the State's Important Farmland Mapping and Monitoring Program.**

RC OBJECTIVE B1.3

Balance the long term preservation of the County's agricultural resources with areas planned to accommodate urban growth within Cities and Community Districts, and prioritize the creation of Farmland Security Zone contracts on land outside the Blueprint Urban Growth Boundaries to ensure

long term preservation of the County's vital agricultural resources in areas not planned to accommodate future projected urban growth.

RC Policy B1.3.1: **Restrict the creation of new Williamson Act or Farmland Security Zone Contracts on land within the Primary Sphere of Influence of any City or Community District as defined and adopted by LAFCo of Kings County.**

RC Policy B1.3.2: **Require City review and approval of any new Williamson Act or Farmland Security Zone Contract proposal within the Blueprint Urban Growth Boundary as defined by the Kings County Association of Governments for that City, excluding territory already located within the relevant Primary Sphere of Influence.**

RC Policy B1.3.3: **Encourage landowners with property outside the Blueprint Urban Growth Boundary and identified as priority agricultural land to enter into a Farmland Security Zone contract.**

RC Policy B1.3.4: **Consider, pursuant to requests from cities, filing a non-renewal on contracted land within a city's Primary Sphere of Influence (which has not been protested by that city) to accommodate growth according to the city's general plan.**

RC Policy B1.3.5: **Any Department of Defense funded agricultural easements shall be directed to areas designated Exclusive Agriculture which serve as a safety buffer for the base's flight operations.**

RC Policy B1.3.6: **Private land owner initiated agriculture conservation easementss shall be discouraged within the Primary Sphere of Influence of Cities or Community Distrtict, and Blueprint Urban Growth Boundaries so as to prevent future conflicts with planned orderly growth patterns.**

C. Soil Resources

RC GOAL C1 **Encourage the conservation of soil resources that are critical to the long-term protection and sustainability of County's agricultural productivity and economy.**

RC OBJECTIVE C1.1
Conserve prime agricultural soils, and avoid their conversion to nonagricultural uses.

RC Policy C1.1.1: **Apply one of the three Agriculture land use designations to areas with productive and potentially productive agricultural soils and grazing land.**

RC Policy C1.1.2: **Evaluate the affects of the loss of agricultural soils related to discretionary land use approvals for non-agricultural uses that are allowed in agriculturally zoned land.**

RC GOAL C2 **Encourage soil conservation and management practices that maintain the productivity of prime soils throughout the County.**

RC OBJECTIVE C2.1
Maintain and enhance the agricultural productivity of soils through the application of best management practices for soil and sediments.

RC Policy C2.1.1: **Encourage farmers to participate in programs that reduce soil erosion and increase soil productivity. To this end, the County shall promote coordination with the Excelsior-Kings River Resource Conservation District, Tulare Lake Resource Conservation District, Natural Resources Conservation Service, UC Cooperative Extension, and other similar agencies and organizations.**

RC OBJECTIVE C2.2
Ensure that land use decisions are compatible with the control of soil erosion and the maintenance of soil quality.

RC Policy C2.2.1: **Require erosion control measures for any development involving construction or grading near waterways, or on land with slopes over 10 percent. Require that improvements such as roads and driveways be designed to retain natural vegetation and topography to the extent feasible.**

RC Policy C2.2.2: **Continue to require the application of construction related erosion control measures, including Stormwater Pollution Protection Plans (SWPPP) for all new construction.**

D. Natural Plant and Animal Habitats

RC GOAL D1 **Preserve land that contains important natural plant and animal habitats.**

RC OBJECTIVE D1.1
Require that development in or adjacent to important natural plant and animal habitats minimize the disruption of such habitats.

RC Policy D1.1.1: **Evaluate all discretionary land use applications in accordance with the screening procedures contained in the Biological Resources Survey located in Appendix B. If the results of the project screening indicates the potential for important biological resources to exist on the site a biological evaluation**

(consistent with Appendix B) shall be performed by a qualified biologist. If the evaluation indicates that the project could have a significant adverse impact, mitigation shall be required or the project will be redesigned to avoid such impacts. Mitigation shall be provided consistent with the California Environmental Quality Act (CEQA), and applicable state and federal guidelines as appropriate. Mitigation may include habitat improvement or protection, acquisition of other habitat, or payment to an appropriate agency to purchase, improve, or protect such habitat.

RC Policy D1.1.2: **Require project applicants to consult with the California Department of Fish and Game and the United States Fish and Wildlife Service and to obtain appropriate authority for such take pursuant to Endangered Species Act requirements if new development or other actions are likely to result in incidental take of any threatened or endangered species.**

RC GOAL D2 **Maintain the quality of natural wetland areas as required by the California Department of Fish and Game, the United States Fish and Wildlife Service and the United States Army Corp of Engineers.**

RC OBJECTIVE D2.1
Maintain compatible land uses in natural wetland habitats designated by state and federal agencies.

RC Policy D2.1.1: **Follow state and federal guidelines for the protection of natural wetlands. Require developers to obtain authorization from the appropriate local, state, or federal agency prior to commencement of any wetland fill activities.**

RC Policy D2.1.2: **Use the California Environmental Quality Act (CEQA) process to assess wetland resources, and require mitigation measures for development which could adversely impact a designated wetland.**

RC Policy D2.1.3: **Exempt prior converted wetlands from consideration as wetlands under the County planning process, except as required by state and federal regulations.**

RC GOAL D3 **Protect and manage riparian environments as valuable resources.**

RC OBJECTIVE D3.1
Ensure that, in development decisions affecting riparian environments, the conservation of fish and wildlife habitat and the protection of scenic qualities

are balanced with other purposes representing basic health, safety, and economic needs.

RC Policy D3.1.1: **Designate the Kings River as a resource conservation area, implemented by use of the Natural Resource Conservation zone district.**

RC Policy D3.1.2: **Encourage the Kings River Conservation District to avoid substantial alteration of the Kings River channel and its riparian vegetation, consistent with their flood control responsibilities.**

RC Policy D3.1.3: **Evaluate the potential impact on the riparian environment of proposed development adjacent to the Kings River, beyond the boundaries of the designated floodway. Conservation of fish and wildlife habitat and protection of scenic qualities should be the guiding principle.**

RC Policy D3.1.4: **Prohibit development within riparian environments over which the County has jurisdiction. However, allow or consider for approval if it is determined that significant disturbance of the riparian environment would not occur, the following passive uses or activities:**

- **Streamside maintenance for mandated flood control or water delivery purposes;**
- **Road and utility line crossings;**
- **Grazing and similar agricultural production activities not involving structures or cultivation;**
- **Vegetation removal for integrated pest management programs under guidelines;**
- **Passive recreational uses such as riverside parks and bikeways**

RC Policy D3.1.5: **Refer all discretionary permit applications for projects along the Kings River and Cross Creek to the appropriate local, state, and federal agencies for review and approval.**

E. Threatened and Endangered Species

RC GOAL E1 **Balance the protection of the County's diverse plant and animal communities with the County's economic needs.**

RC OBJECTIVE E1.1
Require mitigation measures to protect important plant and wildlife habitats.

RC Policy E1.1.1: **Complete the inquiry process outlined in Appendix B in the initial project review for development permits to determine whether the project is likely to have a significant adverse impact on any threatened or endangered species habitat locations, and to assure appropriate consideration of habitat preservation by development. Maintain current copies of California Department of Fish and Game and United States Fish and Wildlife Service maps showing locations of known threatened and endangered species habitat. If shown to be necessary, require the developer to consult with the California Department of Fish and Game, the United States Fish and Wildlife Service, and the United States Army Corps of Engineers as to potential impacts, appropriate mitigation measures, and required permits.**

RC Policy E1.1.2: **Require as a primary objective in the review of development projects the preservation of healthy native oaks and other healthy native trees.**

RC Policy E1.1.3: **Maintain to the maximum extent practicable the natural plant communities utilized as habitat by threatened and endangered species (see Appendix B for a listing and map of these plant communities).**

F. Freshwater Recreational Fishing

RC GOAL F1 **Manage natural stream environments to provide protection for fish habitat.**

RC OBJECTIVE F1.1
Protect freshwater recreational fishing along the Kings River and the California Aqueduct by balancing agricultural and development needs with the protection of these resources.

RC Policy F1.1.1: **Encourage design of public and private projects which will minimize damage to the Kings River.**

RC Policy F1.1.2: **Support the Kings River Fisheries Management Program, jointly sponsored by the Kings River Conservation District, Kings River Water Association and the Department of Fish and Game, and similar efforts to enhance and monitor fish habitat.**

G. Energy Resources

RC GOAL G1 **Encourage the development of oil and gas energy sources provided that they do not degrade environmental quality.**

RC OBJECTIVE G1.1
Ensure the restoration of oil and gas well sites to a pre-drilling condition after their completed use of a site.

RC Policy G1.1.1: **Require the timely reclamation of oil and gas development sites upon termination of such activities to facilitate the conversion of the land to its primary land use as designated by the General Plan. Reclamation costs shall be borne by the mine operator.**

RC Policy G1.1.2: **Additional restrictions in the General Agricultural areas of the county will not be imposed on oil and gas exploration as long as the oil companies involved continue to restore sites to their original condition after use.**

RC OBJECTIVE G1.2
Promote the development of sustainable and renewable alternative energy sources, including wind, solar, hydroelectric and biomass energy.

RC Policy G1.2.1: **Review proposed biomass energy projects through the conditional use permit process of the County Zoning Ordinance, and ensure that such projects meet all air quality requirements.**

RC Policy G1.2.2: **Encourage and support efforts to develop commercial alternative energy sources within Kings County, when appropriately sited.**

RC Policy G1.2.3: **Support the development and use of small-scale alternative energy sources that provide for individual homeowners and businesses.**

RC Policy G1.2.4: **Coordinate the siting of alternative energy facilities within the Exclusive Agriculture (AX) Zone District with the Lemoore Naval Air Station to ensure such facilities will not have the potential to create a hazard for aircraft (e.g. reflective solar panels).**

RC Policy G1.2.5: **Site new large-scale alternative energy facilities where they can be served by existing electrical transmission lines, or where such lines can be located and designed to minimize visual and environmental disturbances.**

RC Policy G1.2.6: **New noncommercial solar and wind energy systems in agricultural designations and solar energy systems in urban designations designed to provide electrical power to a single use or site shall be a permitted use requiring only "building permits".**

RC Policy G1.2.7: **Require review as a conditional use permit pursuant to the procedures of the Kings County Zoning Ordinance Commercial solar and wind energy systems.**

RC OBJECTIVE G1.3
Conserve energy to lower energy costs and improve air quality.

RC Policy G1.3.1: **Encourage developers to be innovative in providing landscaping that modifies microclimates, thus reducing energy consumption.**

RC Policy G1.3.2: **Require new urban development to provide and maintain shade trees and other landscaping along streets and within parking areas to reduce radiation heating. However, solar access for solar panels shall not be blocked.**

RC Policy G1.3.3: **Participate, to the extent feasible, in local and State programs that strive to reduce the consumption of energy.**

RC Policy G1.3.4: **Coordinate with local utility providers to provide public education on energy conservation programs.**

H. Mineral Resources

RC Goal H1 **Support the extraction of mineral resources in a manner that will not degrade the environment or conflict with other land uses.**

RC OBJECTIVE H1.1
Provide for the development of mining and mineral extraction.

RC Policy H1.1.1: **Implement the Surface Mining and Reclamation Act by requiring all mining operations, including surface mining, to secure a Conditional Use Permit, pursuant to the Kings County Zoning Ordinance, prior to beginning any mining operation.**

RC Policy H1.1.2: **All surface mines, unless otherwise exempted, shall be subject to reclamation plans that meet the requirements of the Kings County Surface Mining and Restoration Ordinance (Article 17 Kings County Code of Ordinance) and the State Surface Mining and Reclamation Act (SMARA) requirements. Reclamation procedures shall restore the site for future beneficial use of the land. Mine reclamation costs shall be borne by the mine operator, and guaranteed by financial assurances set aside for restoration procedures.**

RC OBJECTIVE H1.2
Ensure that mineral extraction operations are designed, located and operated so that they do not harm humans or the natural environment or are incompatible with surrounding land uses.

RC Policy H1.2.1: **Discourage the location of mining operations near residential areas and other sensitive land uses, unless all impacts to such uses can be mitigated.**

RC Policy H1.2.2: **Minimize the adverse effects on environmental resources such as water quality and quantity, air quality, drainage and flood control, geophysical characteristics, biological resources, and aesthetic factors.**

I. Archaeological, Cultural, and Historical Resources

RC GOAL I1 **Preserve significant historical and archaeological sites and structures that represent the ethnic, cultural, and economic groups that have lived and worked in Kings County.**

RC OBJECTIVE I1.1
Promote the rehabilitation or adaptation to new uses of historic sites and structures.

RC Policy I1.1.1: **List historic sites and structures designated, or proposed for designation, as County landmarks in specific or area plans or local area development guidelines.**

RC Policy I1.1.2: **Direct proposed developments that may affect proposed or designated historic sites or County landmarks to the Kings County Museum Advisory Committee or other similarly purposed advisory body under the Kings County Parks and Recreation Advisory Commission for review and comment.**

RC Policy I1.1.3: **Encourage the protection of cultural and archaeological sites with potential for placement on the National Register of Historic Places and/or inclusion in the California Inventory of Historic Resources.**

RC Policy I1.1.4: **Refer applications that involve the removal, destruction, or alteration of proposed or designated historic sites or County landmarks to the Kings County Museum Advisory Committee or its successor for recommended mitigation measures.**

RC OBJECTIVE I1.2
Identify potential archaeological and historical resources and, where appropriate, protect such resources.

RC Policy I1.2.1: **Participate in and support efforts to identify significant cultural and archaeological resources and protect those resources in accordance to Public Resources Code 5097.9 and 5097.993.**

RC Policy I1.2.2: **Continue to solicit input from local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American Activity and/or to sites of cultural importance.**

RC Policy I1.2.3: **Address archaeological and cultural resources in accordance with the California Environmental Quality Act (CEQA) for discretionary land use applications.**

RC Policy I1.2.4: **The County will respectfully comply with Government Code §65352.3 (SB18) by conducting formal consultations with tribes as identified by the Native American Heritage Commission on all general plan and specific plan actions.**

RC Policy I1.2.5: **The County will respectfully comply with Government Code §6254.(r) and 6254.10 by protecting confidential information concerning Native American cultural resources. For example adopting internal procedures such as keeping confidential archaeological reports away from public view or discussion in public meetings.**

RC Policy I1.2.6: **The County shall work in good faith with the Santa Rosa Rancheria Tachi Yokut Tribe ("Tribe"), the developer and other parties if the Tribe requests return of certain Native American artifacts from private development projects (e.g. for interpretive or educational value). The developer is expected to act in good faith when considering the Tribe's request for artifacts. Artifacts not desired by the Tribe shall be placed in a qualified repository as established by the California State Historical Resources Commission (see Guidelines for the Curation of Archaeological Collections, May 1993). If no facility is available, then all artifacts shall be donated to the Tribe.**

RC Policy I1.2.7: **The County shall work with the developer of any "gated community" (i.e. not open to the public), to ensure that Native Americans are allowed future access, under reasonable conditions, to view/visit known sites within the "gated community." If a village site is identified within a gated community project, the developer shall be conditioned to allow future access by Native Americans to view/visit that village site.**

IV. IMPLEMENTATION

This section provides Resource Conservation Element Implementation Programs.

A. Resource Conservation Program 1

Serve as primary support staff to the Kings County Water Commission that is made up of agriculture, City and special district representatives to address Countywide water resource and water conservation issues.

B. Resource Conservation Program 2

Adopt a “Natural Resource Conservation” Zone District Overlay on high slope watershed areas within the Coast Ranges, and along natural waterway channels of the Kings River and Cross Creek.

C. Resource Conservation Program 3

Develop and adopt programmatic details for the implementation of the County’s Agricultural Mitigation Program as generally outlined in the Resource Conservation Element.

D. Resource Conservation Program 4

Implement the evaluation process outlined in the "Biological Resources Survey," summarized in Appendix B and incorporated into this General Plan by reference, into the Kings County Community Development Agency processing procedure when reviewing development proposals. This will determine the need for biological assessments for discretionary permits and projects that may impact wetlands or habitat of any special status plant or animal species in Kings County.

E. Resource Conservation Program 5

Require environmental assessments on development projects that may have a significant impact upon any of the resources identified in the Resource Conservation Element, and critically review environmental impact reports prepared by other agencies that may have a significant impact upon any of these resources. Environmental documentation should emphasize the finite nature of agricultural lands and the cumulative impact of Countywide agricultural land diminishment. Major projects which may significantly affect land use, air quality, water use and quality, plant and wildlife habitat, and human health should involve qualified and knowledgeable professional preparation and review of impact reports.

F. Resource Conservation Program 6

Continue to implement and administer the Kings County Surface Mining And Reclamation Act (SMARA) Ordinance, and coordinate SMARA Permits with the State Office of Mine Reclamation to effectively manage the County’s mineral resources.