

Chapter 74

VEGETATION PROTECTION AND MANAGEMENT

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74.0 Purpose: In accordance with the Vegetation Conservation Element of the Regional Plan Goals and Policies, this chapter provides for the protection of Stream Environment Zone (SEZ) vegetation, other common vegetation, uncommon vegetation, and sensitive plants. It also provides for remedial management of vegetation to achieve and maintain environmental thresholds for plant species and structural diversity, and the maintenance of vegetation health. The management and protection of vegetation shall, at a minimum, consider the diversity of plant species and landscape pattern of plant communities, and their attributes in relationship to wildlife and fisheries habitat, scenic quality, recreation use, soil conservation, and water quality.

74.1 Applicability: TRPA requires the protection and maintenance of all native vegetation types. TRPA may require the preparation and implementation of a remedial vegetation management plan for any parcel where the need for remedial vegetation management has been identified for purposes of environmental threshold maintenance or attainment. The use, protection, and maintenance of vegetation are also addressed in Chapters 2, 4, 20, 25, 30, 37, 50, 55, 65, 71, 72, 73, 75, 77, 78, and 79 of the Code of Ordinances.

74.2 Protection of Stream Environment Zones: No project or activity shall be undertaken in an SEZ (land capability 1b) which converts SEZ vegetation to a non-native or artificial state, or which negatively impacts SEZ vegetation through action including, but not limited to, reducing biomass, removing vegetation, or altering vegetation composition.

74.2.A Exceptions: The following are exceptions:

- (1) Manipulation or management of SEZ vegetation may be permitted in accordance with the Code of Ordinances for purposes of SEZ vegetation health or wildlife or fish habitat improvements, and after approval of a vegetation management plan pursuant to Subsection 74.4.B., or as provided in Subsections 20.4, 20.5.C., or 79.2, or Chapters 71 or 72.

- (2) Maintenance of landscaping that was installed prior to the creation of TRPA, or installed for the purpose of scenic quality pursuant to Chapter 30, Design Standards, or pursuant to a TRPA permit[§], or under a TRPA exemption prior to August 1, 1997, provided that fertilizer use is restricted in accordance with the BMP Handbook and described in Subsection 81.7.A^{§§}, unless a remedial action pursuant to Section 74.3 has been taken by TRPA.
- (3) Removal of vegetation may be permitted pursuant to Subsections 4.2.A(5), 4.3.A(6), or 65.2, or 55.4, Chapter 73, or under defensible-space guidelines approved by TRPA.

74.3 Remedial Vegetation Management: TRPA and resource management agencies, including the states' forestry departments, shall identify areas where remedial management of vegetation is necessary to achieve and maintain environmental thresholds for health and diversity in vegetation. Requests by TRPA to prepare and implement a remedial vegetation management plan for a specified area shall follow the procedures set forth in Chapter 9.

74.4 Preparation Of Remedial Vegetation Management Plans: At the request of TRPA, remedial vegetation management plans shall be prepared by the property owners of areas identified for remedial vegetation management in cooperation with TRPA and appropriate resource management agencies.

74.4.A Plan Content: Remedial vegetation management plans shall contain, at a minimum, the following information:

- (1) Purpose of the management plan, including a list of objectives;
- (2) Description of existing vegetation, including the abundance, distribution, and age class of tree species;
- (3) Remedial measures necessary to achieve the stated objectives, including details of harvest and revegetation plans (see Chapter 77); and
- (4) An implementation schedule, including a monitoring program to report progress on monitoring of vegetation.

74.4.B Plan Approval: TRPA may approve a remedial vegetation management plan provided the plan is necessary to achieve, and can reasonably be expected to achieve, the purposes set forth in Subsection 74.4.A.

[§] Amended 11/20/02

^{§§} Amended 12/18/02