



# Sierra Pacific Industries

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Thomas Herman, Chairman  
Humboldt County Planning Commission  
3015 H Street  
Eureka, CA 95501

August 16, 2007

Re: General Plan Update Chapter 5.3 Forest Resources

Dear Mr. Herman and Members of the Planning Commission:

The enclosed edited version of Chapter 5.3 Forest Policies is provided for your review. The edits were made to achieve three goals set by timberland owners:

1. The "new merger" ordinance goes away.
2. Maintain value of timberland ownership.
3. The current Joint Timber Management Plan (JTMP) process stays in place.

Representatives of the timberland owners constituting a majority of the timberland ownership in Humboldt County met with Planning Staff to discuss the draft Forest Resources Element of the General Plan Update. Staff sought our input on the draft Forest Resources element including the range of alternative that they suggested. They also solicited our input for incentive-based alternatives to promote continued forest management. Staff was tasked with coming up with a range of alternatives and then developed their Option B, which is the draft Chapter 5.3 Forest Resources document that is being heard tonight.

The timberland owners group accepted the challenge of the Planning Staff and carefully reviewed and analyzed both the intended and unintended consequences of the document that Planning Staff prepared. All of the reviewers are Registered Professional Foresters. We prepared an edited version of Chapter 5.3 using "strike-out" for deletions and "underline" for additions. The edits we made to the staff version of the Element reflect changes that we believe will achieve the goals of forest landowners while promoting the continued management of timberland to produce forest products.

The Forestry Review Committee (FRC) has begun, but not finished, the process of reviewing Chapter 5.3. To date the FRC has passed motions to rescind the "new merger" ordinance and to continue the current JTMP process. The passed motions conform to timberland owners' goals #1 and #3 above.

Goal #2, Maintain value of timberland ownership, is accomplished by incorporating the edits that we have proposed for Chapter 5.3. If these edits are made a part of Chapter 5.3, then we support that edited version becoming a part of the General Plan Update.

Thank you for your consideration of this matter.

Sincerely,

*William E. Blackwell*

William E. Blackwell

Enclosure: 30 pages

## Chapter 5.3 Forest Resources

### 5.3.1 Introduction

The Forest Resources section, a component of the Land Use Element, fulfills the requirement for a "land use category that provides for timber production on those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982"

(see Text Box 1) and other timber producing properties. The purpose of this section is to identify the county's known timber resources, and support the conservation, development, and utilization of these resources.

The Land Use Element is most directly related to the Conservation and Open Space, Housing, and Circulation Elements. The required inventory of forest resources and open space lands is included as part of the Conservation and Open Space Element. The Safety Element identifies urban fringe and rural residential areas in the Forestland-Residential Interface (FRI) prone to wildfire hazards.

### 5.3.2 Background

Over 80% of Humboldt County is forested, with about 50% of this acreage in private commercial timberland. For the most part, the timber production land base has remained relatively stable, with over 600,000 acres held by industrial timber companies, ~~in areas that have no houses~~ and is managed for long-term production. The most significant conversions of timberlands has been to public acquisition. Although there have been many changes in the timber industry over the last 20 years, Humboldt County continually leads the state in production volume.

The county's timber production base is currently at a crossroads. Increasing globalization and regulatory costs have ~~has~~ impacted the timber industry—as ~~it has~~ they have many other industries—resulting in fewer larger mills serving regional needs and divestitures of land holdings.

The county's timberlands are a cornerstone of the environment and economy, providing natural resource benefits as well as recreational opportunities. These lands are a critical aspect of the Land Use Element. Policies supporting the protection, conservation, and economic utilization of timber resources were put in place as part of earlier County plans.

#### California Timberland Productivity Act of 1982.

*51102. (a) The Legislature further declares that to fully realize the productive potential of the forest resources and timberlands of the state, and to provide a favorable climate for long-term investment in forest resources, it is the policy of this state to do all of the following:*

- (1) Maintain the optimum amount of the limited supply of timberland to ensure its current and continued availability for the growing and harvesting of timber and compatible uses.*
- (2) Discourage premature or unnecessary conversion of timberland to urban and other uses.*
- (3) Discourage expansion of urban services into timberland.*
- (4) Encourage investment in timberlands based on reasonable expectation of harvest.*

including the 1984 Framework Plan. New trends show historic patterns of ranching and timber production transitioning to residential uses on smaller parcels. Lot line adjustments within large ownerships create a mosaic of parcels that may not correspond with sensible land development patterns. Full buildout of the present configuration of parcels will challenge the County's ability to support infrastructure and public services, and will affect adjacent land uses and environmental quality. The cumulative effects of conversion raise additional questions concerning the long-term viability of Humboldt's timber and ranching economy and its resource-rich character. Decisions made now can help shape and better guide these changes[D1].

Forest resource policy options were developed for this General Plan to reflect topics of community concern as raised by stakeholders and directed by the Board of Supervisors. Those topics are:

- *Timber management and state law*
- *The forest resource land base*
- *The Forestland-Residential Interface (FRI)*
- *Infrastructure and public services*

### **Timber Management and State Law**

Throughout the General Plan update process, there has been broad support for County policies that provide for continued timber production. There is particular support for forest improvement programs for small landowners, expanding the use of non-industrial timber management plans (NTMPs), and providing policies that allow the County to address statewide policies and issues from a position that reflects its position as a leader in annual timber production.

### **Forest Resource Land Base**

County-level planning policies are aimed at helping implement state laws that are intended to ensure a continuing, stable forest resource land base. Policies based on an incentive approach are included, which consider the driving trends in timberland conversion and the role that local general plan policies play in the long-term use of these lands.

### **Forestland-Residential Interface (FRI)**

The FRI is located generally where houses meet or intermingle with undeveloped forestlands. This area tends to be a focal point for conflict between residential and resource land uses. It can also be a hazard area because of the risks of wildland fires.

Managing timber harvest practices is primarily the domain of the state. Given California's regulatory framework, the County's role in timberlands management lies largely in ensuring a continuing stable land base, limiting incompatible uses, and managing land uses along the FRI, and maintaining roads and infrastructure to facilitate timber production. FRI policy-development issues include topics regarding harvest plan dispute resolution, public notice of resource production, subdivision design, and wildfire risk reduction programs.

## Infrastructure and Public Services

Planning for infrastructure and public services necessitates an understanding of the possible future configurations of land use that will be served. Infrastructure and public service needs will may differ for lands remaining in resource production (i.e., timber harvesting) versus lands that convert to high-density residential development or other uses that preclude timber management.

The policies included in this section were developed to address service needs for lands in resource production. Policies that address needs resulting from any increased residential development in resource lands are more specifically discussed in the Capital Improvements and Public Facilities Element of the General Plan.

### 5.3.3 Goals and Policies

#### Goals

- FR-G1. ~~Preserve~~ Conserve and Enhance Timberlands.** To actively protect and conserve timberlands for long-term economic utilization and to actively enhance and increase county timber production capabilities. (Framework Plan)
- FR-G2. ~~Orderly~~ Development of Forestlands.** ~~Protect forestlands from fragmentation into parcel sizes that cannot economically sustain timber production as the primary use.~~ Provide for orderly development of rural lands consistent with the need to encourage sustained resource production without land degradation; reduce public exposure to safety hazards; minimize costs of providing services; conserve energy; encourage recreational development on appropriate lands; and encourage development along existing public corridors.
- FR-G3. ~~Incompatible~~ Uses.** Protect forest lands from the encroachment of incompatible land uses and manage for inclusion of compatible as a strategy to prevent forestland fragmentation and conversion to residential uses.
- FR-G4. ~~Public~~ Services.** Support the public services necessary to maintain a viable forest products industry.

#### Policies

##### Timber Management and State Law

- FR-P1. ~~Support~~ State Timberland Planning Efforts.** Support the California Department of Forestry and Fire Protection's strategic planning efforts in order to create a regulatory system that encourages the continued productivity of timberlands.
- FR-P2. ~~Timber Harvesting~~ Plan Review.** Defer to the CDF on timber harvest reviews. Comment only where County infrastructure and facilities may be impacted and use patterns have significantly contributed to use conflicts at issue and where the County can assist in dispute resolution.

- FR-P3. Timber Management Regulations.** Support fewer, more effective and lower-cost timber management regulations. Coordinate County policies so they are compatible with the State Forest Practice Act and State Forest Practice Rules.
- FR-P4. Broader Use of NTMP's.** Support broader use of non-industrial timber management plans (NTMPs), including increasing the maximum acreage allowable under such plans and encouraging multiple landowner cooperative plans.
- FR-P5. Forest Improvement Programs.** Support continuance and funding of forest improvement programs.
- FR-P6. Tax Incentive Programs.** Support tax incentive programs, such as the Timber Production Zone that encourage timber production retention of land ownership in parcels that are economical to manage.
- FR-P7. Innovative Forestland Programs.** Support development of innovative forest and rangeland programs that facilitate production and conservation goals.
- FR-P8. Unfragmented Timberland Ownership.** Support efforts to maintain large-scale unfragmented ownerships for resource-based activities. Support voluntary removal of substandard lots from timberland production zones (TPZ) when residential use becomes primary and the value is greater than the timber production value of the land.
- FR-P9. Public Utilities on TPZ Lands.** ~~Avoid, wherever practical~~ Select, the location of any federal, state, or local public improvements and any improvements of public utilities, and the acquisition of land therefore, in TPZs where the project will have a significant adverse effect on the on TPZ parcels so as to minimize the impacts of such improvements on the production of timber.
- FR-P10. Carbon Sequestration.** Foster development of markets for new products and services, certification of wood and livestock products, and market mechanisms for carbon sequestration.

#### **Forest Resource Land Base**

- FR-P11. Substandard Parcels.** ~~Recognize~~ Certify substandard parcels through the ministerial action of Determination of Status/Certificate of Compliance process, but make separate findings regarding the ability to develop with residential structures based upon the conformance with General Plan density and open space development policies.
- FR-P12. Timber Site Quality III.** Parcels in areas of Timber Site Quality III or higher should be retained for timber production or compatible uses. (FRWK)
- FR-P13. Lot Line Adjustments.** Lot line adjustments of substandard TPZ parcels may be approved in order to consolidate logical management units.
- FR-P14. Rezoning.** Support rezoning of land from -TPZ when it can be found that:

- A. The original inclusion was in error or inappropriate; or
- B. The conversion and rezoning is necessary to provide for the logical expansion of an existing adjacent community; or
- C. The conversion and rezoning is necessary to provide for the reconfiguration of parcels in order to utilize development unit credits for cluster housing and provide permanent protection of the remainder resource lands of the highest value.

**FR-P15. Conservation Easements.** Support voluntary conservation easement programs for working lands.

**FR-P16. Planned Rural Development.** Provide a Planned Rural Development (PRD) program that allows incentive based clustering of home sites at a density above what would otherwise be allowed when lands most suitable for timber production are retained for ~~permanent~~ long-term continued production. To qualify, identified homesite parcels must be clustered to avoid increasing use conflicts and ~~not be in conflict with any applicable Habitat Conservation Plan.~~ Right to harvest agreements shall be secured on lands proposed for ~~conversion to residential uses.~~ The remaining lands most suitable for continued timber production shall be retained for ~~permanent~~ long-term timber production.

**CLUSTERING Incentive Options:**

Tier I clustering program:

<i>Density credit</i>	Twice the existing entitlements when 90% of timberlands are protected.
<i>Protection instrument</i>	<del>Conservation easement with a 20-year term</del> <u>B7 zoning or other suitable instrument for remainder.</u>
<i>Rezone homesite parcels</i>	County to follow up.
<i>JTMP</i>	<del>When required under Section 51119.5 of the Government Code</del> <u>Required for all parcels.</u>

Tier II clustering program:

<i>Density credit</i>	<del>3-4 times existing entitlements when 95% of timberlands are protected.</del>
<i>Protection instrument</i>	<u>Conservation easement with a 40-year term</u> <del>Permanent conservation easement</del> <u>on remainder.</u>
<i>Rezone homesite parcels</i>	County to follow up.

JTMP \_\_\_\_\_ When required under Section 51119.5 of the Government Code Required for all parcels.

Tier III clustering program:

Density credit \_\_\_\_\_ 6 times existing entitlements.

Protection instrument \_\_\_\_\_ Conservation easement with a 60-year term.

Rezone homesite parcels \_\_\_\_\_ County to follow up.

JTMP \_\_\_\_\_ When required under Section 51119.5 of the Government Code.

Tier IV clustering program:

Density credit \_\_\_\_\_ 8 times existing entitlements.

Protection instrument \_\_\_\_\_ Conservation easement with a 80-year term.

Rezone homesite parcels \_\_\_\_\_ County to follow up.

JTMP \_\_\_\_\_ When required under Section 51119.5 of the Government Code.

**FR-P17. Road Cluster Constraints and Density.** Cluster densities should reflect constraints and meet the criteria established under FR-S2 through FR-S6. Densities should reflect road constraints. No subdivisions are allowed where deficiencies have been identified that are not feasible to correct.

**FR-P18. Dwelling Units per Parcel for Non-Clustered Parcels.** No more than two single-family dwelling units and normal accessory uses and structures for owner and caretaker on timberlands. The second dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of three acres for a homesite and appurtenant uses. ????????????????

**FR-P19. Sensitive Habitats.** Lands containing sensitive habitats should only be developed consistent with local, state, and federal rules and regulations the maintenance requirements of the habitat.

**FR-P20. Sensitive Watersheds.** New development, not including forest practice activities regulated by the California Division of Forestry (except where subject to local land use and zoning regulations pursuant to Public Resources Code Section 4516.5(f) or other provision of law), shall be regulated to protect beneficial uses of sensitive watersheds and critical water supply areas.

- FR-P21. Water Withdrawal.** New development, not including forest practice activities regulated by the California Division of Forestry (except where subject to local land use and zoning regulations pursuant to Public Resources Code Section 4516.5(f) or other provision of law), shall be designed to avoid cumulative impacts caused by water withdrawal from surface and groundwater sources. (Note: standards will be developed in Water Resources Element.)

#### **Forestland-Residential Interface**

- FR-P22. Planned Compatible Uses.** Support timber production on lands planned for it. Lands adjacent to areas designated as Timberlands should be planned for uses compatible with agriculture and timber.
- FR-P23. Forestland-Residential Interface.** FRI zoning overlays shall be applied on all residential parcels contiguous to the boundary between TPZ zoned lands and lands zoned for rural residential use in those resource areas around Rural Community Centers (RCCs) and Community Planning Areas (CPAs).
- FR-P24. Biomass Conversion.** Support biomass conversion and utilization programs for energy production that result in reduced fuel loading.

#### **Infrastructure and Public Services**

- FR-P25. Maintain Public Roads.** Maintain public roads and drainage facilities to address traffic safety, reduce hauling costs, allow for resource transportation, and minimize erosion and water quality degradation.
- FR-P26. Revenues for Maintaining Public Roads.** ~~Secure~~ Allocate revenues to support the costs of maintaining public roads in timberland areas.
- FR-P27. Mitigation for Unrelated Uses in Forestlands.** Proposed uses in forest resource lands not related to timber production shall not negatively affect timber production and harvesting nor create significantly increase demand for additional county services without mitigation.



## 5.3.4 Standards and Land Use Designations

### Standards

#### *Timber Management and State Law*

**FR-S1. Legislative Priorities.** The policies developed under this section are to be used by the County in formulating its legislative priorities platform and in drafting policy responses to state and federal proposals.

#### **Forest Resource Land Base**(These may ultimately be moved to a "Rural Lands" Section)

**FR-S2. Subdivisions.** Subdivision to the minimum parcel size may be permitted if the project meets the following criteria:

- A. The subdivision will result in significant improvements ~~(including but not limited to stocking and conifer release)~~ in site productivity, timber growth, and harvest through ~~intensive~~ continued timber management; and
- B. Adequate access, water, and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements; and
- C. On each parcel, the residential site is located, to the fullest practical extent, in areas of the lowest productivity.
- D. Access to the remainder is consistent with the uses of the remaining property.
- E. A joint timber management plan (JTMP) is prepared for divisions below 160 acres. (Modified FRWK 2721.4)

**FR-S3. Rural Residential Subdivisions.** Subdivision of land may be approved for residential purposes, if:

- A. There is proof of adequate water for domestic use (400 gallons per day minimum) and fire suppression (See Fire Safe Standards) provided through either:
  - 1) Certified dry weather tests of individual developed water supply systems on each parcel using wells, creeks, or springs; or
  - 2) Four or fewer connections to a developed private water system, including certified dry weather testing of source, storage, and transmission facilities, with recorded easements and legal agreements; or
  - 3) Evidence of connection to a public water supply meeting the water works standards of the State of California.
  - 4) ~~Cumulative impact of w~~Water withdrawals from surface and groundwater sources shall be assessed and found to not be detrimental to beneficial uses.
- B. There is proof that adequate sewage disposal capability will be provided through either:

- 1) Individual on-site systems approved by the Humboldt/Del Norte Health Department; or
- 2) Evidence of connection to a public waste disposal system.

C. Building sites are identified that are not subject to health and safety hazards caused by:

- 1) Geologic instability, steep slopes, and erosion;
- 2) Seismic activity;
- 3) flooding; and
- 4) Lack of Access for structural fire protection.

D. Recorded access or other acceptable legally documented access to a publicly maintained road that is:

- 1) Adequate for ultimate development at planned densities; and
- 2) Adequate for use by emergency vehicles.
- 3) Not subject to adverse impacts caused by:
  - a) Geologic instability, steep slopes, and erosion;
  - b) Seismic activity;
  - c) Flooding; and
  - d) Lack of Access to structural fire

protection.

**FR-S4. Exceptions to Rural Residential Subdivision Standards.** The standards of FR-S3 may be replaced for subdivisions meeting the following criteria:

- 1) All parcels created and any remainder are each in excess of 160 acres or greater; and
- 2) The purpose of the parcels is resource production; and
- 3) 2) A transfer of development rights for residential purposes is executed in favor of the County of Humboldt.

~~Note: Residential development rights may be reclaimed by meeting the standards in Standard FR-S3, Sections A, B, and C.~~

#### **Forestland-Residential Interface (FRI)**

**FR-S5. FRI Overlay Zone.** For areas mapped within the FRI overlay zone, reduce use conflicts via the following:

- a. Require residential subdivisions in these areas to include forested buffers and building setbacks between residential uses and adjacent timberlands.
- b. Identify ~~preferred and necessary~~ historic and potential log haul routes to be maintained and acknowledged by residential users.
- c. Require recordation of "Right to Harvest" acknowledgements (and other timber management activities such as prescribed burning and helicopter yardings) in the subdivision approval process.

- d. Support protection of residential drinking water supplies.
- e. Require demonstration on residential zoned parcels of structural fire response capabilities, compliance with fire safe standards, and ongoing fire protection management programs.
- f. Support noticing via North Coast Unified Air Quality Management District requirements of affected property owners for prescribed burn activities.
- g. For hilltop development, require perimeter road and open space adjacent to forestlands, with houses internal to the perimeter road, to ensure defensible space.

**FR-S6. Adequate Structural Fire Response Capabilities.** On residential zoned parcels ~~Develop standards and definitions that are consistent with local, state, or federal guidelines for adequate structural fire response capabilities in consultation with the Humboldt County Fire Safe Council.~~

### Infrastructure and Public Services

Note: Standards specific to infrastructure needs resulting from development in resource lands will be provided in the Infrastructure and Public Facilities Element.

### Land Use Designations

#### Timber Production (T)

The Timber Production designation is utilized to classify land that is primarily suitable for the growing, harvesting and production of timber. The designation shall be ~~restricted applied~~ to those parcels ~~originally zoned Timberland Production and includes all other timber producing properties.~~ Portions of these parcels not zoned TPZ may be developed consistent with the existing zone and in compliance with all applicable federal, state and county regulations.

**Homesite Density:** 40-160 acres for TPZ parcels or zoning minimum for all other parcels.

Conditional Use Permits are required for homesite development on TPZ parcels below 160 acres; Special Permits[DO2] are required for homesite development on TPZ parcels of 160 acres and greater. For non-TPZ parcels the homesite density shall meet the applicable zoning requirements.

**Minimum Parcel Size:** TPZ is 160 acres or down to 40 acres with an approved JTMP. For non-TPZ parcels the minimum parcel size shall meet the applicable zoning requirements.

#### California's Timber Productivity Act

51104 (g) "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

(h) "Compatible use" is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber, and shall include, but not be limited to, any of the following, unless in a specific instance such a use would be contrary to the preceding definition of compatible use:

(6) A residence or other structure necessary for the management of land zoned as timberland production.

**Primary and Compatible Uses for TPZ Parcels:** Primary uses include the growing and harvesting of timber and timber production facilities, including portable processing equipment. No use shall be permitted in TPZ that significantly detracts from or inhibits the

growing and harvesting of timber. Compatible uses other than the direct growing, harvesting, and portable processing of timber include:

- A) Watershed management.
- B) Management for fish and wildlife habitat.
- C) A use integrally related to the growing, harvesting, and processing of forest products, including but not limited to roads, log landings, watercourse crossings, water drafting sites, and log storage areas (portable chippers and portable sawmills are considered a part of "processing").
- D) The erection, construction, alteration, or maintenance of gas, electricity, water, or communication transmission receiving and generating facilities consistent with Policy FR-P9.
- E) Grazing and other agricultural uses.
- F) A residence or other structure necessary for the management of land zoned for timber production.
- G) Temporary labor camps, less than one year in duration, which are accessory to timber harvesting, processing, or planting operations.
- H) Recreational uses under the control of the owner that will not significantly detract from or inhibit timber or agricultural production on the project site or adjoining lands.
- I) All prudent reforestation and restoration activities, including site preparation and reclamation.

**Primary and Compatible Uses for Non-TPZ Parcels:** Primary and compatible uses for non-TPZ parcels shall be determined by the applicable zoning and land use designations.

### ***FRI Overlay Designations***

Overlay designations apply to lands where planned or existing residential uses are adjacent to forested hillside areas and use conflicts and fire safety issues are special concerns. ~~FRI is mapped using the adjacency rule—includes every non-resource (residential) parcel within Rural Community Centers (RCCs) and Community Planning Areas (CPAs) timber parcel that is adjacent to a timber parcel non-resource (residential) parcel—and mapped around Rural Community Centers (RCCs) and Community Planning Areas (CPAs).~~<sup>1</sup>

<sup>1</sup> Rural community centers are small, unincorporated towns and community centers that provide a variety of community and tourist oriented goods and services, but which may not have developed identifiable commercial or residential areas.

Community planning areas are defined geographic areas for which specific community plans have been developed, providing additional policies and standards specific to the respective planning areas. These community plans comprise Volume II of the County's General Plan.

### 5.3.5 Implementation Measures

- FR-IM1. Merger Ordinance Revisions.** Rescind section of Merger Ordinance (Article II) pertaining to merger of substandard TPZ lands. Provide recognition of legal parcels as per the County Subdivision Ordinance and State Subdivision Map Act standards, ~~but make separate findings regarding the ability to develop residential structures based upon conformance with General Plan density and open space development policies (Policy FR -P11).~~ Provide an exception to the density finding when clustering is approved per the standards set forth in the Planned Rural Development Program. (Policy FR -P16)
- FR-IM2. Develop Incentive Program to Encourage Timber Production.** Develop programs designed to support incentives for property owners and forestland managers (consistent with this plan) to encourage continued timber production on forestlands.
- FR-IM3. Develop Landowner Assistance Program.** Develop departmental planning assistance program and incentives based on policies to assist landowners with lot-line adjustments and density bonuses, and to encourage clustered development patterns.
- FR-IM4. Implementation of FRI Overlay.** Map FRI ~~around~~ within Rural Community Centers (RRCs) and Community Planning Areas (CPAs) to create an Overlay Zone. Implement development standards for overlay zone.
- FR-IM5. Coordination of County and State Policies.** Coordinate County policies on rules for less than three-acre conversions and streamside management areas so they are compatible with the State Forest Practice Act and State Forest Practice Rules.
- FR-IM6. Identification of Substandard Roads.** Coordinate with the Department of Public Works and emergency service providers to identify County roads that are substandard to subdivision road standards and fire safe standards that would limit future residential subdivisions. Define what the deficiency is and measures necessary to improve existing conditions to acceptable levels of service.

**NOTE:** the section below will fall out of the 'final' version found in the GP, but will be critical to the process of review

## 5.3.6 Staff Analysis and Alternatives

### State Requirements

California Government Code Section 65302 requires that a general plan "designate in a land use category that provides for timber production for those parcels of real property zoned for timber production pursuant to the California Timberland Productivity Act of 1982."

Sections 51101 and 51102 of the California Timberland Productivity Act provides specific policy guidance in developing the land use designation associated with timberlands, at least those timberlands classified as TPZ. Also, California Government Code Section 65302(e) requires that a general plan include an open-space element, as provided in Article 10.5, commencing with Section 65560. Section 65560(b) describes open-space land as including "open space used for the managed production of resources, including but not limited to forest lands." Planning for the conservation and preservation of open-space lands via a comprehensive open-space program and plan includes inventory of resources, conservation measures, an action program, and consistency of the open-space plan with building permits issued, subdivision maps approved, and adopted open-space zoning ordinances (California Government Code Sections 65563-65567).

The broader category of forestlands includes a subset of lands classified as timberlands. Some forestlands are reserved or not capable of meeting timberlands standards and, as such, are not classified as timberlands. All forestlands are of interest in terms of this larger planning effort, which includes open space and other land use planning considerations.

### Background

Many of the key policy issues associated with timberland policy were initially identified by the Forest Review Committee (FRC) in 2000 (see text box).

The *Critical Choices Report*, issued in final form in March 2001, summarized the first phase of public input for the General Plan update process, and identified the range of policy choices that would be further pursued. Some choices were eliminated from further consideration, such as the development and implementation by the County of local timber harvest rules. Some of the key policy questions identified in the report include:

#### Text Box 4 FRC-Identified Timberland Policy Issues

##### Public Service Issues

- *Law enforcement*
- *Fire safety*
- *Recreation opportunities*

##### Public Improvement Issues

- *Maintenance of public roads*
- *Drainage facilities*
- *Public water systems*
- *Materials for road building*
- *Utility company policies*

##### Public Powers/Land Use Conflicts

- *Incompatibility between residential use and timber production*
- *Subdivision development conflicts*
- *Small TPZ lots*

- Is the current forestland base protected under existing policies?
- What are the needs of small-scale forestland managers and timber operators?
- What role should the County play in the management of forest resources?

General plan consultants Dyett & Bhatia produced a *Natural Resources and Hazards Report in September, 2002* that included background information and a discussion of the forest resource policy issues identified in the *Critical Choices Report*. The FRC found the chapter on forest resources in that document short on discussion and analysis, and recommended a more detailed treatment of forest resource and potential policy options. Following that recommendation and significant additional input from the FRC, planning staff prepared a revised draft *Forest Resources Policy Report* in October 2003, addressing forest resource policy issues in more depth.

In December 2003, the “Deliberative Dialog” meetings introduced Sketch Plan Alternatives. The Alternatives underwent public review at 24 separate meetings during 2004. The *Sketch Plan Alternatives Report* included two- and three-tier timber land-use classifications, including industrial timber and urban fringe timber designations.

In September 2004, *Sketch Plan Alternatives: Summary of Planning Commission and Board of Supervisors Recommendations* laid out policy guidance to be used in drafting the general plan and its alternatives. Included in the recommendations were:

- A set of Guiding Principles
- Policy option development recommendations
- Directives for developing a range of Plan Alternatives (Sketch Plans A, B, and C)

Ten “Guiding Principles” for developing the “proposed project” were provided as part of policy guidance developed in the September 2004 recommendations. Five guiding principles particularly relevant for forest resource land-use issues are listed below (numbers correspond to those in the list of 10 principles):

- 1) The proposed project must ensure efficient use of water and sewer services and focus development in those areas and discourage low-density residential conversion of resource lands and open space.
- 4) The proposed project must support the County’s economic development strategy and work to retain and create living wage job opportunities.
- 7) The proposed project must contain long-term agriculture and timberland protections, such as increased restrictions on resource land subdivisions and patent parcel development.
- 8) The proposed project must include unambiguous natural resource protections; especially for open space, water resources, water quality, scenic beauty, and salmonids.
- 10) Development of the proposed project and alternatives must involve stakeholders and be supported with accurate and relevant data.