



County of Santa Cruz

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PLANNING DEPARTMENT

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ALVIN D. JAMES, DIRECTOR

April 15, 1999

AGENDA: April 27, 1999

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: STATUS REPORT ON FOREST PRACTICE RULE CHANGES AND COASTAL COMMISSION REVIEW OF POLICIES AND ORDINANCES RELATING TO TIMBER HARVESTING

Members of the Board:

On November 24, 1998, your Board adopted, in concept, a number of General Plan/Local Coastal Program Land Use Plan policy and implementing ordinance amendments and directed staff to forward these amendments to the California Coastal Commission for their review. Also on that date, your Board directed staff to return in January 1999 with proposed changes to the Forest Practice **Rules** for processing in 1999. On January 26, 1999, your Board approved a set of proposed Forest Practice Rules changes for 1999 and directed staff to submit these Rules changes, along with appropriate justification, to the Board of Forestry for their review. Your Board continued consideration of this matter to May 25, 1999, when it was hoped that:

- the Coastal Commission would have completed their review of the ordinance and policy amendments, and
- the Board of Forestry would have completed their review of Santa Cruz County's proposed 1999 Forest Practice Rules changes, and
- the Office of Administrative Law would have completed its review of the 1998 Forest Practice Rules changes which have already been approved by the Board of Forestry on November 2, 1998.

Your Board would then have been able to determine whether adequate changes to the Forest Practice Rules had been adopted by the Board of Forestry and, in turn, make a decision on the policy and ordinance amendments. Your Board also scheduled the Special Use zoning study for consideration on the May 25, 1999 agenda. The following is a status report on the three topics listed above.

Coastal Commission Review

On March 11, 1999, the Coastal Commission considered the County's Local Coastal Program (LCP) and implementing ordinance amendments. Although the Coastal Commission's staff report recommended approval of the amendments with some minor modifications, Coastal staff requested a continuance to resolve a number of issues regarding some of the County's proposed amendments, primarily those relating to regulating timber harvesting within riparian corridors. Following the public hearing, the Commission continued the item to an unspecified date. Discussions with Coastal staff indicate that the matter will probably be placed on the Commission's June agenda in Santa Barbara. County Counsel and Planning staff will continue to work with Coastal staff to resolve their concerns.

1998 Forest Practice Rules Changes

Planning staff has requested updates on the processing of the approved 1998 Forest Practice Rules changes on a weekly basis from Board of Forestry staff. As of the date of this letter, Board of Forestry staff have still not completed the responses to the comments received during the processing of the 1998 Rules changes and, therefore, have not submitted the Rules changes to the Office of Administrative Law (OAL) for processing. This represents over five months of time necessary to respond to the comments received at the Board of Forestry hearing in November 1998. When the Rules package is submitted, OAL has 30 days to review the material. Whether the Board of Forestry approved Rules changes will be accepted by OAL is unknown, however, it is possible that additional work may be necessary to complete this set of Rules changes.

1999 Forest Practice Rules Changes

The proposed 1999 Forest Practice Rules approved by your Board in January 1999 were submitted to the Board of Forestry by Planning staff in early February 1999, including a justification package for the amendments. Unfortunately, as of April 1, 1999, there is no longer a quorum of the Board of Forestry. Five vacancies await appointments by Governor Davis. Until these Board positions are filled, the County's 1999 Forest Practice Rules changes cannot be processed. At this point, the next Board of Forestry meeting is scheduled for early May, however, it is unlikely that newly appointed Board members would be ready to discuss the County's submittal at that time. What is more likely is that the Board of Forestry's Forest Practice Committee would be prepared to review the County's Rules package in June, with the public hearing scheduled for the full Board of Forestry in August or September.

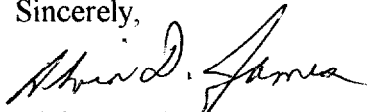
Conclusion/Recommendation

Your Board's action established May 25, 1999, as the date when your Board was scheduled to make a final determination on the policies and ordinances relating to timber harvesting. As discussed above, events have occurred that make that date infeasible. None of the information necessary for your Board's review will be available on that date. It does not appear that the various reviews will be completed until early September, or possibly later in the year.

Therefore, staff recommends that your Board:

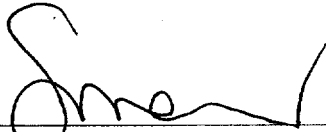
1. Cancel the May 25, 1999, public hearing relating to timber harvesting in Santa Cruz County, including the public hearings on the proposed policy and ordinance amendments, the consideration of the 1998 and 1999 Forest Practice Rules changes and the Special Use zoning report; and
2. Direct County Counsel and Planning staff to continue to work with the California Coastal Commission on resolving the issues concerning the County's Major Amendment #3-98 and to return to the Board after Coastal Commission action with a status report on the decision of the Coastal Commission; and
3. Direct Planning staff to monitor and participate in the review of the Forest Practice Rules changes by the Board of Forestry and the Office of Administrative Law; and
4. Direct Planning staff to return on September 14, 1999, with a status report regarding the processing of the 1998 and 1999 Forest Practice Rules changes and the Coastal Commission action on the County's policy and ordinance amendments, including any recommendations regarding the setting of future public hearings by your Board.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED: _____



Susan A. Madiello
County Administrative Officer

cc: County Counsel
California Department of Forestry, Central Coast Ranger Unit
Santa Cruz Farm Bureau
Big Creek Lumber
Mark Morganthaler
Steven M. Butler
Citizens for Responsible Forest Management
Sierra Club
Summit Watershed Protection League
Valley Women's Club
J. E. Greig, Inc.
City of Santa Cruz Water Department
Redwood Empire
Roy Webster
Central Coast Forest Association