



County of Santa Cruz

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PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

Agenda Date: September 21, 1999

August 30, 1999

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

Subject: Proposal to rezone Assessor's Parcel Numbers 089-121-68 and a portion of Assessor's Parcel Numbers 089-121-69, 70 and 71 from the Special Use ("SU") zone district to the Timber Production ("TP") zone district, resulting in one TP parcel and three parcels with a split zoning of SU and TP. Requires a rezoning.

APPLICATION NUMBER: 98-0838

APNs: 089-121-68, 69, 70 and 71

APPLICANT: Gary Paul

OWNER: Beverly and James Bazdarich

LOCATION: The property is located on the north end of Love Creek road approximately 2.5 miles northeast from the intersection of Love Creek and Fritch Roads.

Members of the Board:

BACKGROUND

The County's General Plan Policy on Timber Resources is to "encourage timberland owners to apply for Timber Production Zoning where appropriate." Your Board adopted a resolution on April 14, 1998 establishing a flat fee of \$750 to process a rezoning to the Timber Production zone district, in order to facilitate appropriate rezoning of timberlands.

On December 3, 1998, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal to rezone four contiguous parcels of about 10 acres each from the Special Use (SU) zone district to the Timber Production (TP) designation. This project qualifies for a statutory exemption (Attachment 3) in accordance with the California Environmental Quality Act and the County Environmental Review

Guidelines (Article 17, Section 1703). County Code Section 13.10.375 (c) zoning to the TP district specifies the six criteria which must be met in order to rezone to TP. The project meets the following six criteria for rezoning to Timber Production:

1. A map has been submitted with the legal description or assessor's parcel number of the property to be rezoned (Exhibit B, Attachment 6).
2. A Timber Management Plan prepared by a registered professional forester has been submitted for the property (Exhibit H, Attachment 6). The Timber Management Plan has been reviewed and accepted by the Planning Department as meeting minimum standards (Exhibit I, Attachment 6).
3. The parcels currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules for the district in which the parcel is located.
4. The parcels are timberland, as each parcel is capable of producing a minimum of 15 cubic feet of timber per acre annually.
5. The uses on the parcels are in compliance with the Timber Production Zone uses set forth in Section 13.10.372.
6. The land area to be rezoned is in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and is comprised of at least five acres in area.

In addition, the three required findings for rezoning can be made subject to the Conditions of Approval (Attachment 2). The findings are included with this staff report as Attachment 1.

On July 14, 1999, the Planning Commission heard this application at a noticed public hearing. The Planning Commission adopted Resolution 9-99 (Attachment 4) recommending approval of the conditional rezoning of the subject parcel to your Board. Minutes of the Planning Commission meeting can be seen as Attachment 7.

Please note that the text of the July 14 Planning Commission staff report incorrectly refers to Assessor's Parcel Numbers 089-121-68 as 089-121-71. All maps and exhibits are, however, correct.

DISCUSSION

Project Setting:

The project site is located in the San Lorenzo Valley planning area with access via Love Creek Road, a private road, about 2.5 miles from the intersection of Fritch and Love Creek Roads (Exhibit A, Attachment 6). The four subject parcels are roughly 10 acres each. One parcel, APN 089- 121-70, is developed with a single family dwelling. The dwelling is located on the

level ridge top clearing on the parcel. Approximately one-quarter acre of this parcel is utilized for residential related uses. The topography, except at the home site and along the ridge line, is generally steep with slopes of 10 to 75 + %. The northern flanks of the ridge lie within the Bear Creek watershed. This portion of the property is densely forested in redwood with a scattered number of large Douglas firs and a number of young fir. These slopes vary from 15 to 75 % . Two class III (ephemeral) watercourses are located on the northwest portion of the property. These drainage channels are heavily shaded by redwoods and lack characteristic riparian vegetation, These channels eventually drain into Bear Creek, a perennial stream, roughly one half mile away. While the subject property is not located within a mapped Cooper-Clark landslide, a small slide was noted in the Timber Management Plan and the Timber Harvest Plan. No roads or skid trails will cross this slide. The northeast slope of the property contains a swale which drains into the headwaters of Newell Creek, about 500 feet away, and ultimately into Loch Lomond. The east slope is similar in topography to that on the northwest and sustains significant stands of redwood and younger fir. The southern flanks of the ridge slopes 35 to 75 + % and is overall steeper in topography than that to the north and east. The south facing slope is predominantly chaparral with isolated patches of redwoods and fir. At the upper eastern end of the south facing slope contains significant stands of fir and redwood. The south facing, essentially non-timbered slope is part of the Love Creek watershed, Staff recommends that this slope remain in the SU zone district, as it does not support any commercial conifer or hardwood timber resources.

This property was clear cut at the turn of the century, and no old growth trees remain on the property. Approximately 15 acres of the property were selectively harvested under THP 5-85-40 SCR in 1986. The subject parcels were logged using logging roads and landings on the adjacent TP to the west and one landing on parcel 089-121-68. Future harvests will use the existing skid and logging roads. The main access road to the property pre-exists the 1986 timber harvest, being constructed some time in the 1960's. No new roads are anticipated. About 15 to 20 acres of the property currently contains merchantable redwood stands, and roughly 25 to 27 acres can be expected to produce merchantable timber in the long-term future, As demonstrated in the Timber Management Plan and verified in the field, the northern portion of the subject parcels are capable of producing at least 15 cubic feet of timber per acre annually, meeting the definition of timberland. Since roughly the southern third of parcels 089- 12 1-69, 70 and 71 is not timberland and will not support timber within the foreseeable future, staff does not recommend rezoning this portion of the parcels to the TP zone district. Only one to two acres of parcel 089-121-68 contains chaparral, thus staff does not recommend split zoning for this parcel.

The parcels are bordered on the north and west by TP zoned properties, by SU zoned properties on the south and by PR zoned parcels owned by the City of Santa Cruz to the east. The Zoning Map for APNs 089- 121-68, 69, 70 and 7 1 and the surrounding parcels is included as Exhibit C of Attachment 6. A map of the proposed zoning is attached as Exhibit E of Attachment 6 and in Attachment 5.

General Plan & Zoning Consistency

The project properties have a 1994 General Plan land use designation of Mountain Residential. The northern third of the property is located within a mapped Timber Resource designated area (Exhibit D, Attachment 6). The parcels are currently zoned Special Use. The Special Use and Timber Production zoning districts implement the Mountain Residential General Plan designation, as specified in Section 13.10.170 of the County Code. As the primary timberlands are located on approximately the northern two-thirds of parcels 089-121-69, 70 and 71 and nearly all of parcel 089-121-68, and these parcels are bordered by TP zoned parcels on the north and by SU parcels to the south, the proposed split rezoning on parcels 089- 121-69, 70 and 71 will not create an isolated or incongruous zoning. Moreover, the timbered area of each parcel exceeds five acres.

In accordance with County Code Section 13.10.375, Special Standards and Conditions for the Timber Production (TP) District, the applicant has met all of the criteria to have the property rezoned. As the property is undeveloped, conditions (Attachment 2) are proposed for this approval to ensure that any future development of the subject parcel will be compatible with a long-term timber use for which this rezoning is being proposed. Moreover, the conditions specify the uses for any new logging roads, which are allowed under and consistent with the County’s ordinances and General Plan policies. Condition II.F. has been appended subsequent to the Planning Commission hearing to ensure compliance with the County’s riparian protection policies set forth in Chapter 13.10.695 “Locational Criteria for Timber Harvesting”, which specifies no cut zones within riparian corridors.

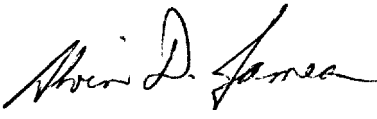
All required findings can be made to approve this application and the rezoning is consistent with the General Plan policies and land use designations, subject to the attached conditions of approval.

RECOMMENDATION

It is, therefore, RECOMMENDED that your Board, based on the attached Findings (Attachment 1) and Conditions (Attachment 2):

1. Approve the determination that the project is statutorily exempt from the California Environmental Quality Act (Attachment 3); and
2. Adopt the attached Ordinance amending Chapter 13.10 of the Santa Cruz County Code that Conditionally Rezones Assessor’s Parcel Number 089-121-68 and a portion of Assessor’s Parcel Numbers 089-121-69, 70 and 71 from the SU zone district to the TP zone district (Attachment 5); and
3. Direct the Planning Department to update the General Plan Timber Resources Map to include the area within the boundaries of Assessor’s Parcel Number 089-121-68 and that portion of Assessor’s Parcel Numbers 089-121-69, 70 and 71 rezoned to the TP zone district as Timber Resources.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



SUSAN A MAURIELLO
County Administrative Officer

cc: Gary Paul, 5521 Scotts Valley Drive Suite 235, Scotts Valley, CA 95066
Beverly Bazdarich P.O. Box 1151 Ben Lomond, CA 95005

- Attachments:
1. Findings
 2. Conditions of Approval
 3. CEQA Exemption
 4. Planning Commission Resolution No. 9-99
 5. Ordinance Amending Chapter 13.10 of the County Code changing properties from one zone district to another
 6. Planning Commission Staff Report of July 14, 1999
 7. Planning Commission Minutes of July 14, 1999

SAM/ADJ/CLC Ham-swiftBdreport-TPZ.wpd

Gary Paul for Bazdarich
Application No. : 98-0838
APN: 089-121-68, 69, 70 and 71

REZONING FINDINGS:

1. THE PROPOSED ZONE DISTRICT WILL ALLOW A DENSITY OF DEVELOPMENT AND TYPES OF USES WHICH ARE CONSISTENT WITH THE OBJECTIVES AND LAND-USE DESIGNATIONS OF THE ADOPTED GENERAL PLAN; AND,

As conditioned, the rezone will allow a density of development and types of uses which are consistent with the objectives and the land use designations of Mountain Residential. The uses will more closely conform with the General Plan as a result of the rezoning of one parcel which in part lies within a Timber Resource designation and contains timber resources meeting the timber stocking requirements in the areas lying outside of the designated Timber Resources and the partial rezoning of three parcels which in part contains timber resources meeting the timber stocking requirements on about on two-thirds of each parcel in areas lying within a Timber Resource designation as well as outside of the designated Timber Resources.

Subject to the concurrent approval of the attached conditions, limiting the location of building sites to areas that will not interfere with future timber harvest operations the rezone will allow a density of development and types of uses which are consistent with the objectives and the land use designations of Mountain Residential. Condition II.A limits the use of these roads to those compatible with the County's General Plan policies for timber harvest roads, and requires that all County permits must be obtained prior to using these roads for any other purpose. Requiring that any dwelling be located a minimum of 300 feet from any timber landing ensures that development of a future dwelling will not preclude or interfere with any future timber harvesting use. The 300 foot distance, analogous to the Agricultural buffer requirement, allows an adequate distance for falling trees, as well as the access, staging and use of heavy equipment associated with logging and the stockpiling of logs for transportation. The uses will more closely conform with the General Plan as a result of the rezoning of a parcel containing timber resources meeting the timber stocking requirements, and the partial rezoning of parcels which contain clearly demarcated timber resources meeting the timber stocking requirements of at least five acres on the northern two-thirds of the parcels, which are contiguous with Timber Production zoned parcels on the north and west and have been logged in the recent past.

2. THE PROPOSED ZONE DISTRICT IS APPROPRIATE OF THE LEVEL OF UTILITIES AND COMMUNITY SERVICE AVAILABLE TO THE LAND; AND,

The proposed TP zone district is appropriate to the level of utilities and community

Gary Paul for Bazdarich
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services available to the parcel. The subject parcel is accessed via a privately maintained road. The parcel is located outside of the Urban Services Line and is, therefore, rural in nature.

3. THE PROPOSED REZONING IS NECESSARY TO PROVIDE FOR A COMMUNITY RELATED USE WHICH WAS NOT ANTICIPATED WHEN THE ZONING PLAN WAS ADOPTED,

The proposed rezoning is necessary to provide for a community related use - timber harvesting and timberland management. Timber harvesting was permitted in the SU zone district in the past in certain circumstances under the jurisdiction of the County and later under the sole authority of the California Department of Forestry. Interim Zoning Ordinances 4476 and 4469 adopted in August 1997 no longer allow timber related uses within the Special Use zone district except where the area within a designated Timber Resource area. The subject parcels are located partially within a Timber Resources area and contain timber stands meeting the timber stocking standards outside of the designated Timber Resource area. The property was harvested in 1986 and the rezoning of one parcels (APN 089-121-71) and the split rezoning of three of the parcels (APNs 089- 12 1-68, 69 and 70) will allow the continuation of harvesting and management of the timberlands on the TP portions of the subject parcels.

Permit No. 98-0838
 Applicant: Bazdarich
 Assessor's Parcel Nos. 089-121-68, 69, 70 and 71

CONDITIONS OF APPROVAL

Approval No. 98-0838

Applicant: Gary Paul

Property Owners: Beverly and James Bazdarich

Assessor's Parcel Nos. 089-121-68, 69, 70 and 71

Property location and address: The north end of Love Creek road approximately 2.5 miles northeast from the intersection of Love Creek and Fritch Roads. No situs.

San Lorenzo Planning Area

Exhibits:

- J. Timber Management Plan prepared by Gary Paul, dated October 26, 1998

- I. This approval authorizes the rezoning of parcel 089-121-68 and the partial rezoning of parcel 089-121-69, 70 and 71 to the Timber Production zone district. Prior to revision of the Zoning Map and to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the Zoning Approval Holder shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Record the conditions of rezoning on the subject parcel. The Zoning Approval Holder shall submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 90 days of final approval of the rezoning by the Board of Supervisors.
 - C. Record a Declaration of Acknowledgment Regarding a Timber Management Plan for APNs 089- 121-68, 69, 70 and 7 1 with the County Recorder. Submit proof of recordation to the Planning Department.
- II. Site Conditions.
- A. The skid road constructed under Timber Harvest Permit 5-85-40 SCR and any future logging road as shown in Exhibit H are "new roads" as defined in

Permit No. 98-0838

Applicant: Bazdarich

Assessor's Parcel Nos.089-121-68, 69, 70 and 71

Chapter 16.22.030 of the County Code. Use of the skid road and any new logging road for any purpose other than timber harvesting, timber management as defined in Public Resources Code 4527, non-vehicular recreation and fire suppression is strictly prohibited unless all required County permits are obtained.

- B. The access road shown in Exhibit H is a pre-existing road. This road will meet the definition of a "new road" if any improvements resulting in over 100 cubic yards of grading along any 500 foot length are made to the road, and the usage of the road shall then be restricted to those allowed under Condition II.A.
- C. Any single family dwelling and/or other structures shall be designed and sited to be physically compatible with the growing and harvesting of a sustained yield tree crop, as well as be consistent with the purposes of the Forest Taxation Reform Act of 1976 and sections 13.10.371 to 13.10.375 of the County Code.
1. Single family dwelling(s) shall not be located on or within 300 feet of any timber landing.
 2. Any proposed single family dwelling or other non-timber growing and harvesting use shall be consistent with any future timber harvesting or timber production use on the subject parcel.
- D. Timber stands meeting minimum stocking standards shall be maintained as required by Section 13.10.375(c)3 on the TP zoned portions of APNs:089-121-68, 69, 70 and 71.
- E. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the Zoning Approval Holder shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- III. As a condition of this rezoning approval, the holder of this rezoning approval ("Zoning Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this zoning approval of the COUNTY or any subsequent amendment of this approval which is requested by the Zoning Approval Holder.
- A. COUNTY shall promptly notify the Zoning Approval Holder of any claim,

Permit No. 98-0838

Applicant: Bazdarich

Assessor's Parcel Nos.089-121-68, 69, 70 and 71

- action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Zoning Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Zoning Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Zoning Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if **both** of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Zoning Approval Holder shall not be required to pay or perform any settlement unless such Zoning Approval Holder has approved the settlement. When representing the County, the Zoning Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the zoning approval without the prior written consent of the County.
- D. Successors Bound. "Zoning Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 90 days of the adoption of this Zoning approval, the Zoning Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of these conditions, or this Zoning approval shall become null and void.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

ATTACHMENT 3

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

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Application No. 98-0838

Assessor Parcel No. 089-121-68, 69, 70 and 71

Project Location: The north end of Love Creek road approximately 2.5 miles northeast from the intersection of Love Creek and Fritch Roads.

Project Description: Proposal to rezone Assessor's Parcel Numbers 089-121-68 and a portion of Assessor's Parcel Numbers 089-121-69, 70 and 71 from the Special Use ("SU") zone district to the Timber Production ("TP") zone district, resulting in one TP parcel and three parcels with a split zoning of SU and TP. Requires a rezoning.

Person or Agency Proposing Project: Gary Paul for Beverly and James Bazdarich

Phone Number: (83 1) 438-8968

- A. _____ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
- B. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgement.
- C. XXXX Statutory Exemption other than a Ministerial Project.
Specify type: Article 17, Section 1703. Timberland Preserves

D. Categorical Exemption

- | | |
|---|--|
| 1. Existing Facility | 17. Open Space Contracts or Easements |
| 2. Replacement or Reconstruction | 18. Designation of Wilderness Areas |
| 3. New Construction of Small Structure | 19. Annexation of Existing Facilities/Lots for Exempt Facilities |
| 4. Minor Alterations to Land | 20. Changes in Organization of Local Agencies |
| 5. Alterations in Land Use Limitations | 21. Enforcement Actions by Regulatory Agencies |
| 6. Information Collection | 22. Educational Programs |
| 7. Actions by Regulatory Agencies for Protection of the Environment | 23. Normal Operations of Facilities for Public Gatherings |
| 8. Actions by Regulatory Agencies for Protection of Nat. Resources | 24. Regulation of Working Conditions |
| 9. Inspection | 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| 10. Loans | |
| 11. Accessory Structures | 26. Acquisition of Housing for Housing Assistance Programs |
| 12. Surplus Govt. Property Sales | 27. Leasing New Facilities |
| 13. Acquisition of Land for Wild-Life Conservation Purposes | 28. Small Hydroelectric Projects at Existing Facilities |
| 14. Minor Additions to Schools | 29. Cogeneration Projects at Existing Facilities |
| 15. Minor Land Divisions | |
| 16. Transfer of Ownership of Land to Create Parks | |

E. _____ Lead Agency Other Than County:

Cathleen Carr

Cathleen Carr, Project Planner

Date: 8/30/99

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BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 9-99

On the motion of Commissioner : **HOLBERT**
duly seconded by Commissioner : **SKILLICORN**
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION
SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS
ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

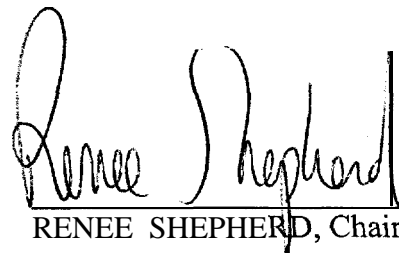
WHEREAS, the Planning Commission has held a public hearing on Application No. 98-0838, involving property located on the north end of Love Creek road approximately 2.5 miles northeast from the intersection of Love Creek and **Fritch** Roads, and the Planning Commission has considered the proposed rezoning, all testimony and evidence received at the public hearing, and the attached staff report.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt the attached ordinance amending the Zoning Ordinance by changing a portion of the property from the "SU" Special Use zone district to the "TP" Timber Production zone district.

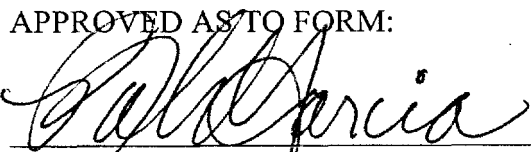
BE IT FURTHER RESOLVED, that the Planning Commission makes findings on the proposed rezoning based on the conditions of approval as contained in the Report to the Planning Commission.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 14th day of July, 1999, by the following vote:

AYES: COMMISSIONERS : **SHEPHERD, SKILLICORN, RUTH, HOLBERT, BREMNER**
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS


RENEE SHEPHERD, Chairperson

ATTEST: 
MARTIN J. JACOBSON, Secretary

APPROVED AS TO FORM:

COUNTY COUNSEL

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ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13
OF THE SANTA CRUZ COUNTY CODE
CHANGING FROM ONE ZONE DISTRICT TO ANOTHER**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the property located on the north end of Love Creek road approximately 2.5 miles northeast from the intersection of Love Creek and Fritch Roads.; finds that the zoning established herein is consistent with all elements of the Santa Cruz County General Plan; and finds and certifies that all environmental regulations specified in the California Environmental Quality Act, the State and County Environmental Guidelines, and Chapter 16.0 1 of the County Code have been complied with by the preparation and approval of a Statutory Environmental Exemption for the project.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Zoning Plan amendment as described in Section III, and adopts their findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
2. The proposed zone district is appropriate of the level of utilities and community services available to the land; and
3. a) The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district; or
 b) The proposed rezoning is necessary to provide for a community related use which was not anticipated when the zoning plan was adopted; or
 c) The present zoning is the result of an error; or
 d) The present zoning is consistent with the designation shown on the General Plan.

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SECTION III

Chapter 13.10, Zoning Regulations, of the Santa Cruz County Code is hereby amended by amending the County Zoning Plan to change the following property from the existing zone district to the new zone district as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
089-121-68	"SU"	"TP"
089-121-69	"SU"	"SU" and "TP"
089-121-70	"SU"	"SU" and "TP"
089-121-71	"SU"	"SU" and "TP"

SECTION IV

The rezoning which results from this ordinance shall not become operative until and unless: (1) a Declaration of Restrictions for the property, reviewed and approved by the County Planning Director, has been duly executed and recorded; and (2) the recording of said Declaration of Restrictions takes place within 90 days following the date that the Board of Supervisors adopts this ordinance. This ordinance shall be null and void if said Declaration of Restrictions is not recorded in the manner, and by the time required by this section. The Declaration of Restrictions shall contain the following provisions:

- A. The skid road constructed under Timber Harvest Permit 5-85-40 SCR and any future logging road as shown in Exhibit H of the Planning Commission Staff Report dated 7/14/99 for Application No. 98-0838 are "new roads" as defined in Chapter 16.22.030 of the County Code. Use of the skid road and any new logging road for any purpose other than timber harvesting, timber management as defined in Public Resources Code 4527, non-vehicular recreation and fire suppression is strictly prohibited unless all required County permits are obtained.
- B. The access road shown in Exhibit H is a pre-existing road. This road will meet the definition of a "new road" if any improvements resulting in over 100 cubic yards of grading along any 500 foot length are made to the road, and the usage of the road shall then be restricted to those allowed under Condition II.A.(Attachment 2 of the Board of Supervisors Report dated 9/21/99 for Application No. 98-0838).
- C. Any single family dwelling and/or other structures shall be designed and sited to be physically compatible with the growing and harvesting of a sustained yield tree crop, as well as be consistent with the purposes of the Forest Taxation Reform Act of 1976 and sections 13.10.371 to 13.10.375 of the County Code.
 - 1. Single family dwelling(s) shall not be located on or within 300 feet of any timber landing.
 - 2. Any proposed single family dwelling or other non-timber growing and

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harvesting use shall be consistent with any future timber harvesting or timber production use on the subject parcel.

- D. Timber stands meeting minimum stocking standards shall be maintained as required by Section 13.10.375(c)3 on the TP zoned portions of APNs:089-121-68, 69, 70 and 71.
- E. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the Zoning Approval Holder shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

SECTION V

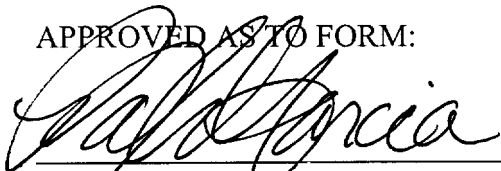
This ordinance shall take effect on the 31st day after the date of final passage.

PASSED AND ADOPTED this 21st day of September, 1999, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
 NOES: SUPERVISORS
 ABSENT: SUPERVISORS
 ABSTAIN: SUPERVISORS

 JEFF ALMQUIST
 Chairperson of the Board of Supervisors

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 ATTEST: _____
 Clerk of the Board

APPROVED AS TO FORM:


 Assistant County Counsel

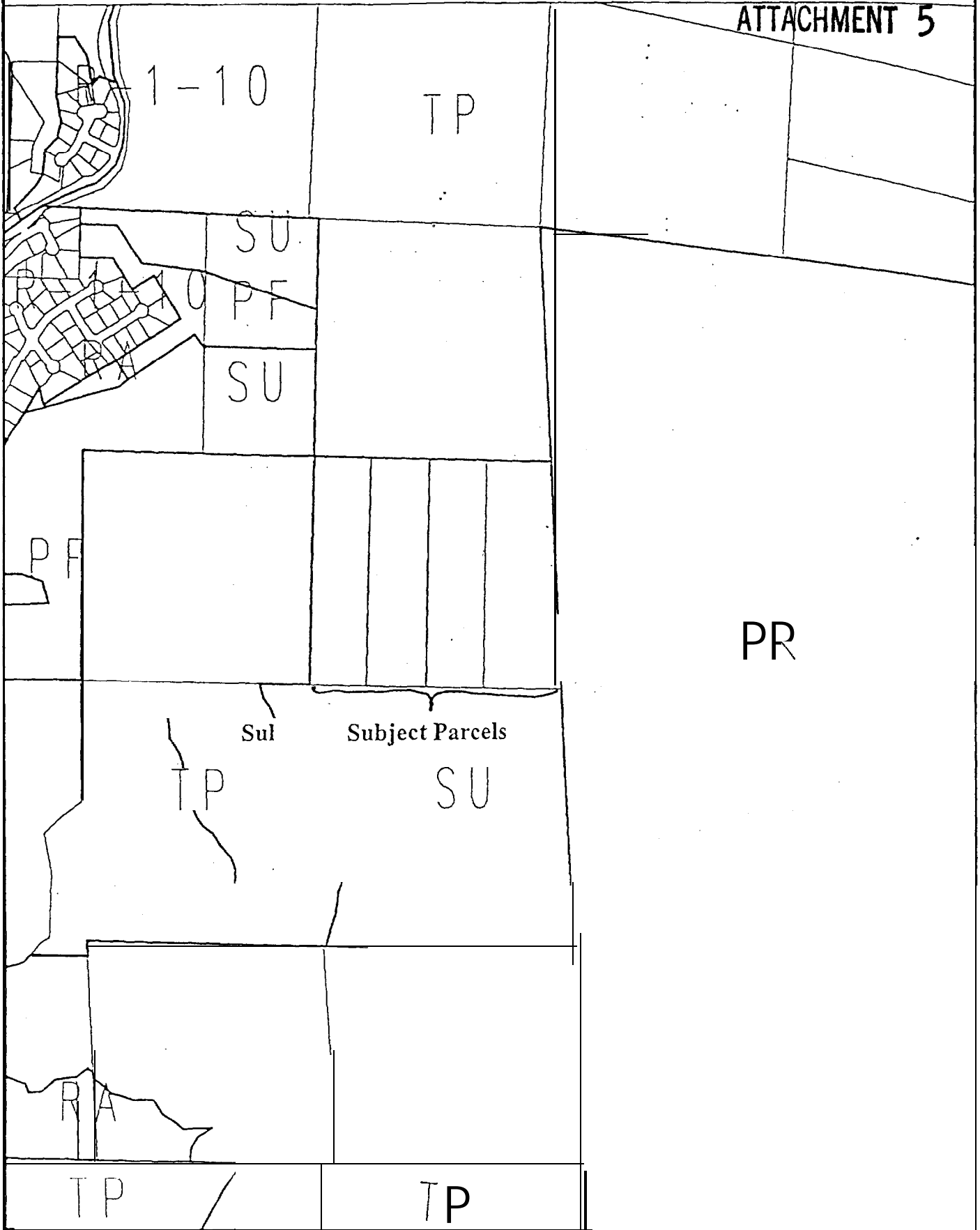
DISTRIBUTION: County Counsel
 Planning- Cathleen Carr
 Planning -Bernice Romero
 Assessor

SCALE (PI/INCH) = 1/91
WIDTH IN FEET = 5,638.53
DEPTH IN FEET =

REQUEST ID: 98-0838

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ATTACHMENT 5



33 ASSESSOR PARCELS
3 PLANNING ZONES

EXISTING ZONING

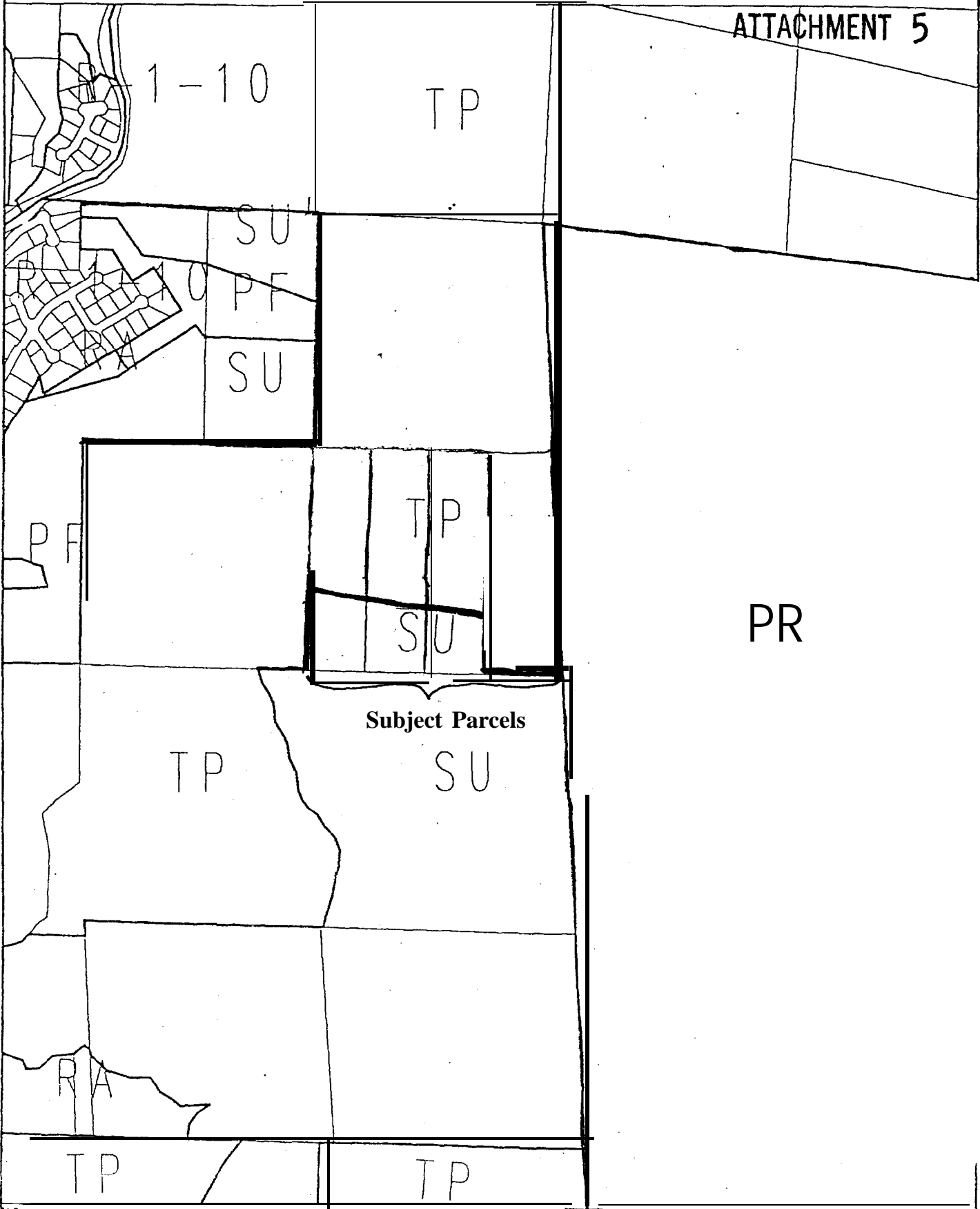


SCALE (FT/INCH) = 791
WIDTH IN FEET = 5,638.53
DEPTH IN FEET = 6,996.22

REQUEST ID: 98-0838

848

ATTACHMENT 5



Subject Parcels

N8 3 ASSESSOR PARCELS
N3 3 PLANNING ZONES

PROPOSED ZONING



COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: July 14, 1999
Agenda Item: No.3
Time: After 9:00 a.m.

STAFF REPORT TO THE PLANNING COMMISSION

APPLICATION NO. : 98-0838 APN: 089-121-68, 69, 70 and 71

APPLICANT: Gary Paul

OWNERS: Beverly and James Bazdarich

PROJECT DESCRIPTION: Proposal to rezone a portion of Assessor's Parcel Numbers 089-121-68, 69, 70 and 71 from the Special Use ("SU") zone district to the Timber Production ("TP") zone district, resulting in four parcels with a split zoning of SU and TP. Requires a rezoning.

LOCATION: The north end of Love Creek road approximately 2.5 miles northeast from the intersection of Love Creek and Fritch Roads.

FINAL ACTION DATE: Exempt from the Permit Streamlining Act (Legislative Action)

PERMITS REQUIRED: Zoning Ordinance Amendment

ENVIRONMENTAL DETERMINATION: Statutory exemption from CEQA per section 1703

COASTAL ZONE: yes XX no APPEALABLE TO CCC: yes XX no

PARCEL INFORMATION

PARCEL SIZES: 089-121-68	10.2 acres
089-121-69	10.2 acres
089-121-70	10.2 acres
089-121-71	10.0 acres

EXISTING LAND USE: PARCEL: Rural residential, vacant rural and timber production

SURROUNDING: Timber production, vacant rural and rural residential

PROJECT ACCESS: Love Creek Road

PLANNING AREA: San Lorenzo Planning Area

LAND USE DESIGNATION: "R-M" Mountain Residential

ZONING DISTRICT: "SU" Special Use

SUPERVISORIAL DISTRICT: Fifth

ENVIRONMENTAL INFORMATION

<u>Item</u>	<u>Comments</u>
a. Geologic Hazards	a. Slide noted and mapped **
b. Soils	b. Lompico-Felton complex,
c. Fire Hazard	c. Portions in mapped critical fire
d. Slopes	d. 5 to 75%
e. Env. Sen. Habitat	e. None mapped
f. Grading	f. None proposed - existing logging roads and skid trails **
g. Tree Removal	g. Future Timber Harvest Proposed **
h. Scenic	h. Not located in a designated scenic area
i. Drainage	i. N/A

Gary Paul for Bazdarich
 Application No. : 980838
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j. Traffic	j. N/A
k. Roads	k. N/A
l. Parks	l. N/A
m. Sewer Availability	m. Septic in place on parcel 70
n. Water Availability	n. Well, in place on parcel 70
o. Archeology	o. None mapped

** Report was required - Timber Management Plan (Exhibit J)

SERVICES INFORMATION

W/in Urban Services Line: n yes XX o

Water Supply: Private Well

Sewage Disposal: S e p t i c

Fire District: California Department of Forestry Fire Service District

Drainage District: Zone 8

ANALYSIS & DISCUSSION

Background

In August 1997, the Board of Supervisors was informed that the County had the authority to regulate the location of timber harvesting through its zoning ordinance. As a result, the Board adopted Interim Ordinances 4476 and 4469 allowing timber harvesting only in the following zone districts: Timber Production (TP), Park and Recreation (PR), Mineral Extraction (M-3), and Special Use (SU) provided the SU zoned property is also located within a designated Timber Resource area. As a result of these actions, a number of properties with commercially viable timber resources could not be managed and harvested as timber producing properties. The County's General Plan Policy on Timber Resources is to "encourage timberland owners to apply for Timber Production Zoning where appropriate." In order to facilitate rezoning timberlands in non-timber harvesting zone districts to Timber Production, the Board of Supervisors adopted a resolution on April 14, 1998 establishing a flat fee of \$750 to process a rezoning to the Timber Production zone district.

On December 3, 1998, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal to rezone four contiguous parcels of about 10 acres each from the Special Use (SU) zone district to the Timber Production (TP) designation. County Code Section 13.10.375 (c) zoning to the TP district specifies the six criteria which must be met in order to rezone to TP. This project qualifies for a statutory exemption (Exhibit H) in accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 17, Section 1703).

Gary Paul for Bazdarich
Application No. : 98-0838
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Project Setting

The project site is located in the San Lorenzo Valley planning area with access via Love Creek Road, a private road, about 2.5 miles from the intersection of Frith and Love Creek Roads (Exhibit A). The four subject parcels are roughly 10 acres each. One parcel, APN 089-121-70, is developed with a single family dwelling. The dwelling is located on the level ridge top clearing on the parcel. Approximately one-quarter acre of this parcel is utilized for residential related uses. The topography, except at the home site and along the ridge line, is generally steep with slopes of 10 to 75 + %. The northern flanks of the ridge lie within the Bear Creek watershed. This portion of the property is densely forested in redwood with a scattered number of large Douglas firs and a number of young fir. These slopes vary from 15 to 75%. Two class III (ephemeral) watercourses are located on the northwest portion of the property. These drainage channels are heavily shaded by redwoods and lack characteristic riparian vegetation. These channels eventually drain into Bear Creek, a perennial stream, roughly one half mile away. While the subject property is not located within a mapped Cooper-Clark landslide, a small slide was noted in the Timber Management Plan and the Timber Harvest Plan. No roads or skid trails will cross this slide. The northeast slope of the property contains a swale which drains into the headwaters of Newell Creek, about 500 feet away, and ultimately into Loch Lomond. The east slope is similar in topography to that on the northwest and sustains significant stands of redwood and younger fir. The southern flanks of the ridge slopes 35 to 75 + % and is overall steeper in topography than that to the north and east. The south facing slope is predominantly chaparral with isolated patches of redwoods and fir. At the upper eastern end of the south facing slope contains significant stands of fir and redwood. The south facing, essentially non-timbered slope is part of the Love Creek watershed. Staff recommends that this slope remain in the SU zone district, as it does not support any commercial conifer or hardwood timber resources.

This property was clear cut at the turn of the century, and no old growth trees remain on the property. Approximately 15 acres of the property were selectively harvested under THP 5-85-40 SCR in 1986. The subject parcels were logged using logging roads and landings on the adjacent TP to the west and one landing on parcel 089-121-71. Future harvests will use the existing skid and logging roads. The main access road to the property pre-exists the 1986 timber harvest, being constructed some time in the 1960s. No new roads are anticipated. About 15 to 20 acres of the property currently contains merchantable redwood stands, and roughly 25 to 27 acres can be expected to produce merchantable timber in the long-term future. As demonstrated in the Timber Management Plan and verified in the field, the northern portion of the subject parcels are capable of producing at least 15 cubic feet of timber per acre annually, meeting the definition of timberland. Since roughly the southern third of parcels 089-121-68, 69 and 70 is not timberland and will not support timber within the foreseeable future, staff does not recommend rezoning this portion of the parcels to the TP zone district. Only one to two acres of parcel 089-121-71 contains chaparral, thus staff does not recommend

Gary Paul for Bazdarich

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split zoning for this parcel.

The parcels are bordered on the north and west by TP zoned properties, by SU zoned properties on the south and by PR zoned parcels owned by the City of Santa Cruz to the east. The Zoning Map for APNs 089-121-68, 69, 70 and 71 and the surrounding parcels is included as Exhibit C. A map of the proposed zoning is attached as Exhibit E.

General Plan & Zoning Consistency

The project properties have a 1994 General Plan land use designation of Mountain Residential. The northern third of the property is located within a mapped Timber Resource designated area (Exhibit D). The parcels are currently zoned Special Use. The Special Use and Timber Production zoning districts implement the Mountain Residential General Plan designation, as specified in Section 13.10.170 of the County Code. As the primary timberlands are located on approximately the northern two-thirds of parcels 089-121-68, 69 and 70 and nearly all of parcel 089-121-71, and these parcels are bordered by TP zoned parcels on the north and by SU parcels to the south, the proposed split rezoning on parcels 089-121-68, 69 and 70 will not create an isolated or incongruous zoning. Moreover, the timbered area of each parcel exceeds five acres.

In accordance with County Code Section 13.10.375, Special Standards and Conditions for the Timber Production (TP) District, the project meets the following six criteria for rezoning to Timber Production:

1. A map has been submitted with the legal description or assessor's parcel number of the property to be rezoned (Exhibit B).
2. A Timber Management Plan, dated October 26, 1998, prepared by a registered professional forester has been submitted for the property (Exhibit J). The Timber Management Plan has been reviewed and accepted by the Planning Department as meeting minimum standards (Exhibit K).
3. The property currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules for the district in which the parcel is located.
4. The northern two-thirds or more of the property is timberland, as this area is capable of producing a minimum of 15 cubic feet of timber per acre annually and approximately one third of the parcel is located within a mapped Timber Resource area.

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5. The uses on the parcel are in compliance with the Timber Production Zone uses set forth in Section 13.10.372.

6. The land area to be rezoned is in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and is comprised of at least five acres in area.

The conditions (Exhibit G) proposed for this approval will ensure that any future development of the subject parcels will be compatible with a long-term timber use for which this rezoning is being proposed. Moreover, the conditions specify the uses for the access road and any other logging roads, which are allowed under and consistent with the County's ordinances and General Plan policies.

Conclusion

All of the criteria have been met for rezoning parcel 089-121-71 and the northern portion of parcels 089-121-68, 69 and 70 to the Timber Production zoning designation. All required findings can be made to approve this application and the rezoning is consistent with the General Plan policies and land use designations, subject to the attached conditions of approval (Exhibit G).

Please see Exhibit F ("Findings") for a complete listing of findings and evidence related to the above discussion.

RECOMMENDATION:

Staff recommends that your Commission adopt the attached Resolution (Exhibit I), sending a recommendation to the Board of Supervisors for approval of Application No. 98-0838 based on the attached findings (Exhibit F) and subject to the attached conditions (Exhibit G), and the approval of the determination that the project is statutorily exempt from CEQA (Exhibit H).

EXHIBITS

- A. Location Map
- B. Assessor's Parcel Map
- C. Zoning Map
- D. Timber Resource Map
- E. Proposed Zoning Map
- F. Findings
- G. Conditions of Approval
- H. Notice of Exemption from CEQA

Gary Paul for Bazdarich
Application No. : 98-0838
APN: 089-121-68, 69, 70 and 71

851

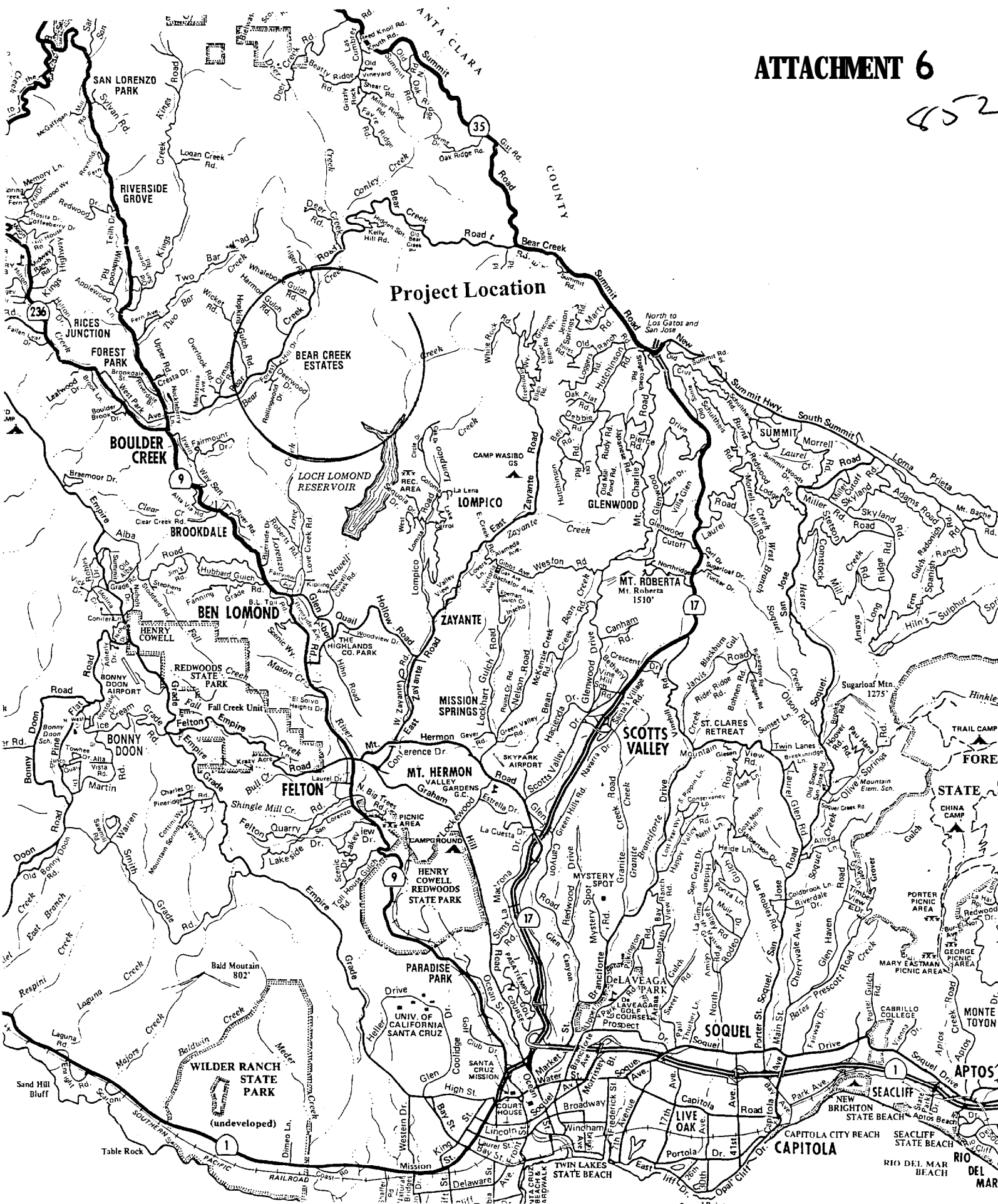
- I. Planning Commission Resolution
- J. Timber Management Plan by Gary Paul, dated October 26, 1998
- K. TMP Review Memo dated June 4, 1999

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Cathleen Carr
Cathleen Carr
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (408) 454-3225

Report reviewed by: Martin J. Jacobson
Martin J. Jacobson, AICP
Principal Planner
Development Review

452



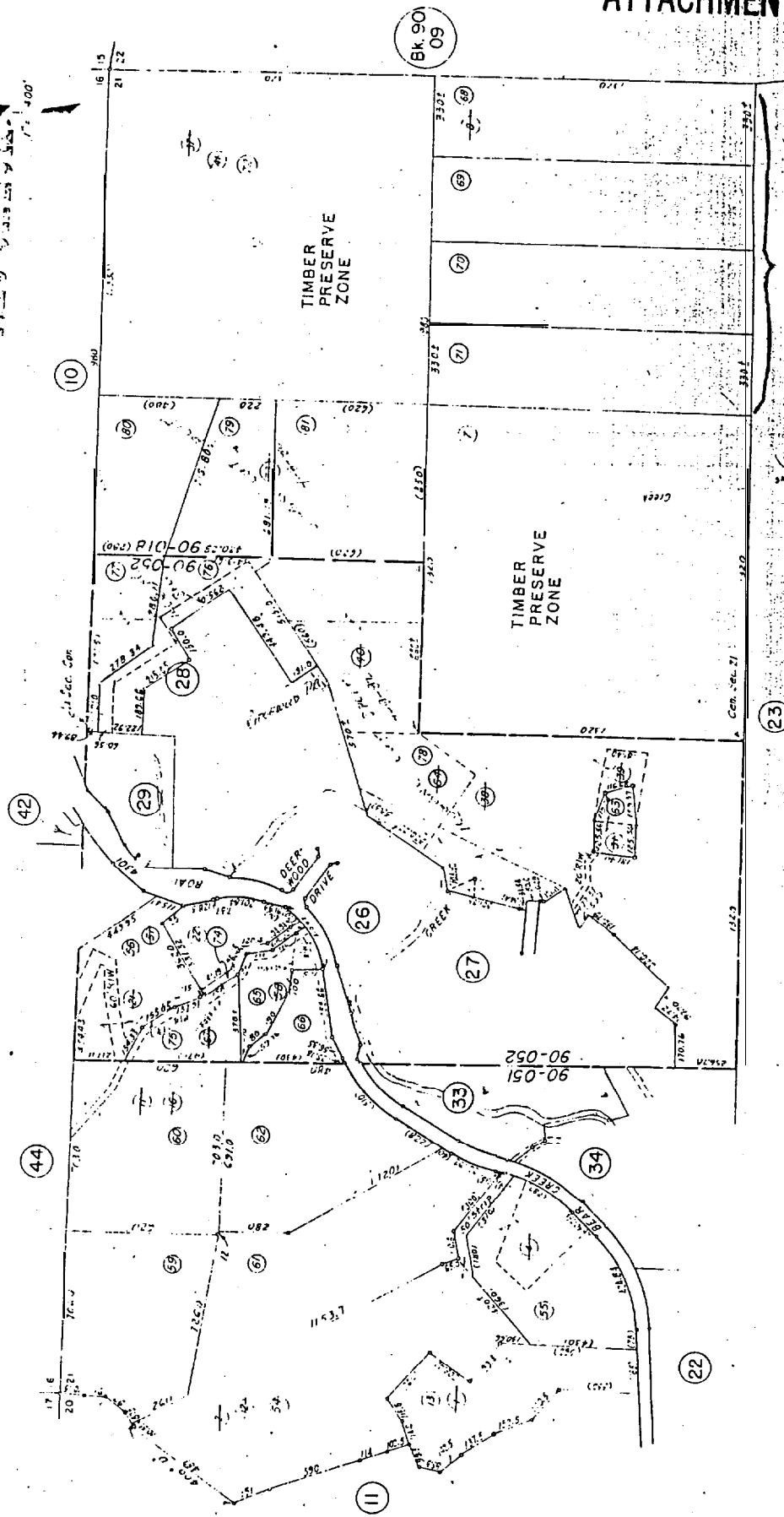
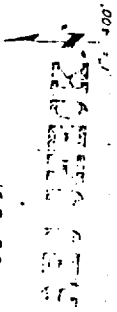
Project Location

FOR TAX PURPOSES ONLY

POR. N. 1/2 SEC. 21, T. 9 S., R. 2 W., M.D.B. & M.

Tax Area Code
90-018 90-052
90-051

89-12



ATTACHMENT 6

Subject Parcels

Note - Assessor's Parcel Block B
Lot Numbers Shown in Circles.

Assessor's Map No. 89-12
of Santa Cruz, Ca.
Jan. 1963

ASSESSOR'S PARCEL MAP

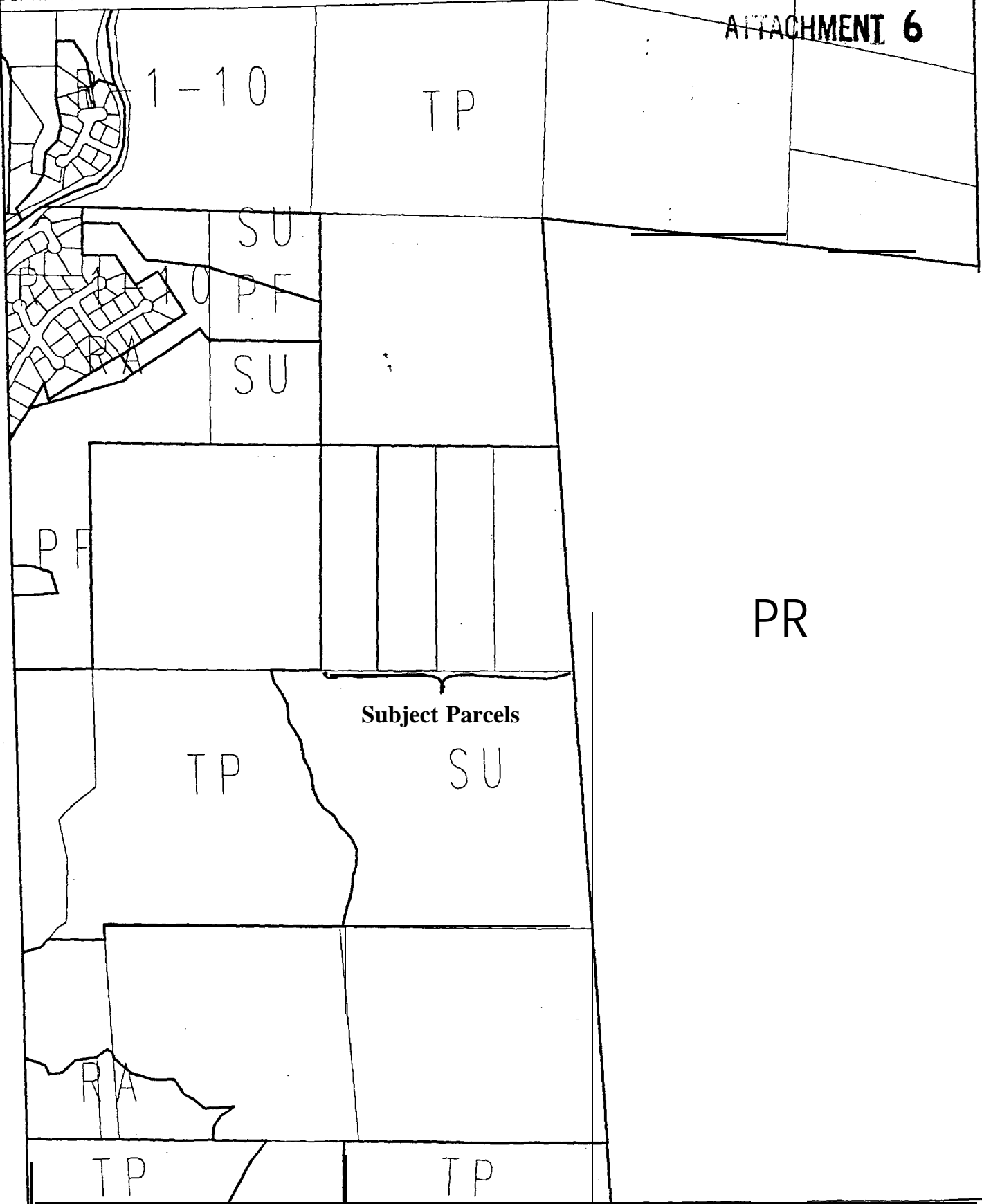
EXHIBIT 10 B

SCALE (FT INCH) = 791
WIDTH IN FEET = 5,638.53
DEPTH IN FEET = 6,996.22

REQUEST ID: 98-0838

854

ATTACHMENT 6



3 ASSESSOR PARCELS
3 PLANNING ZONES

ZONING MAP

N ↑ EXHIBIT 9.3

855

REQUEST ID: 98-0838

SCALE (FT/INCH) = 791
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ATTACHMENT 6

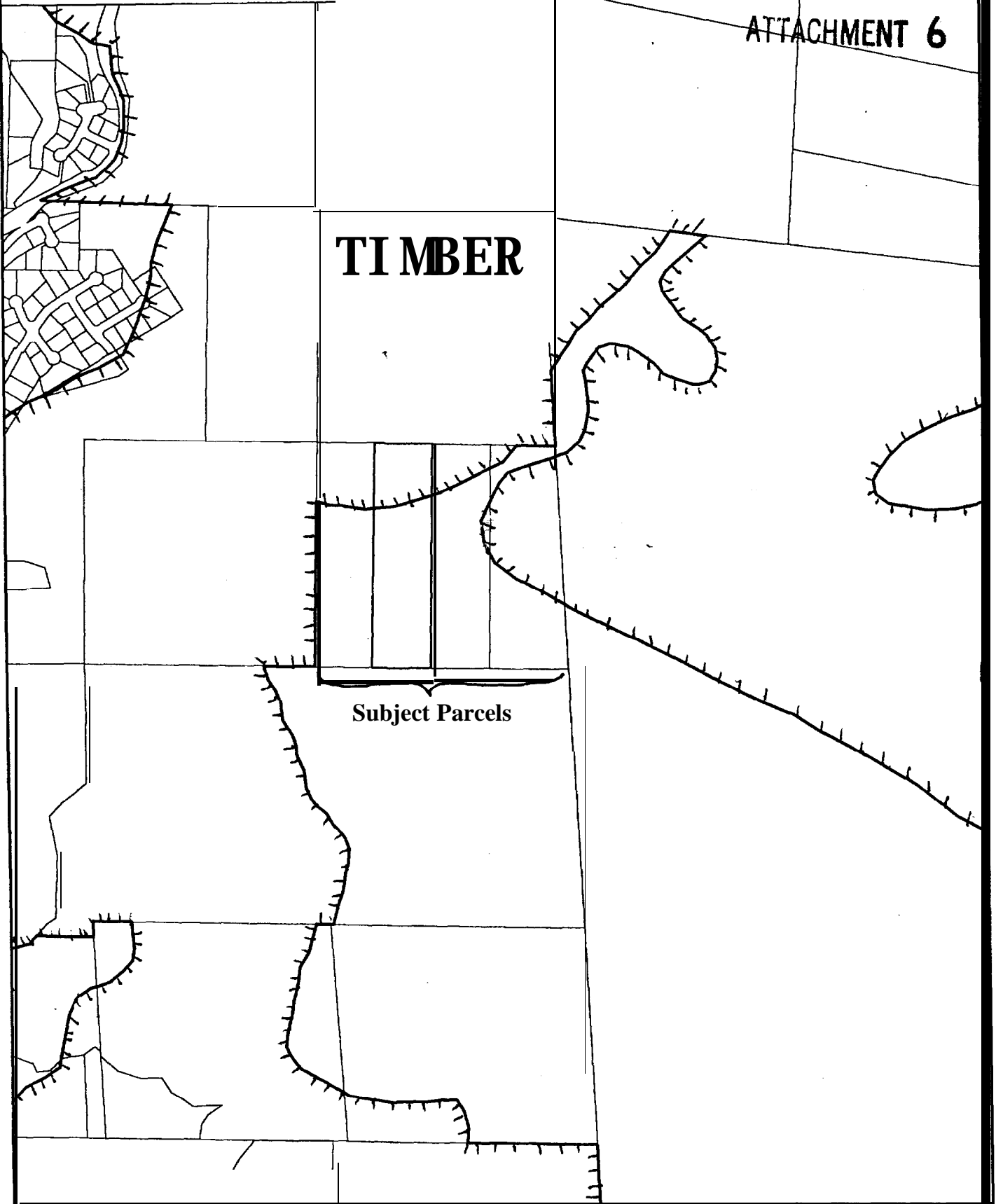
TIMBER

Subject Parcels

N 83 ASSESSOR PARCELS
N 83 R&C TIMBER RESOU

TIMBER RESOURCES MAP

EXHIBIT D-103

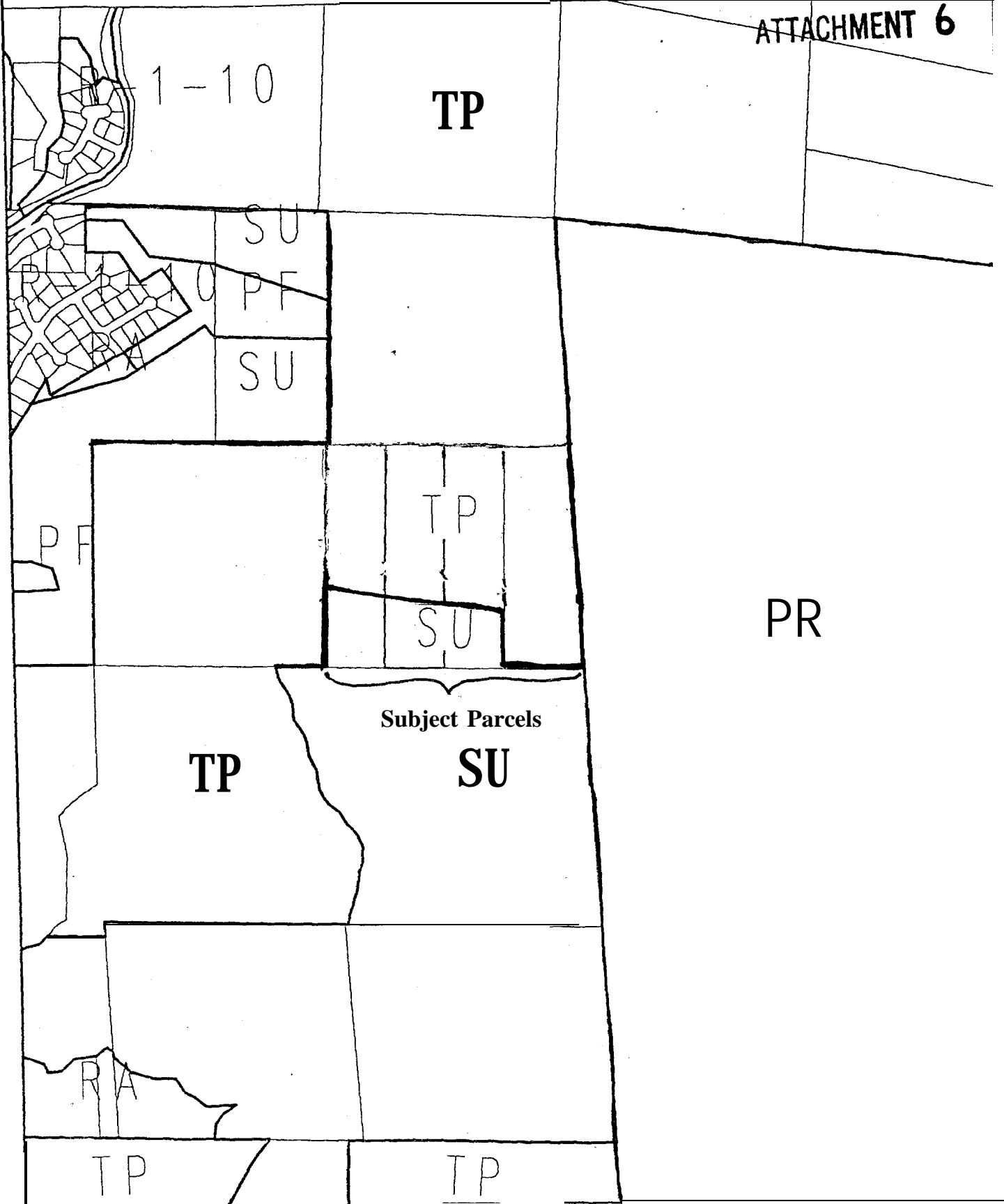


856

SCALE (FT/INCH) = 791
WIDTH IN FEET = 5,638.53
DEPTH IN FEET = 6,996.22

REQUEST ID: 98-0838

ATTACHMENT 6



183 ASSESSOR PARCELS
183 PLANNING ZONES

PROPOSED ZONING



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EXHIBIT E

BAZDARICH PROPERTY
TIMBER MANAGEMENT PLAN
OCTOBER 26, 1998

PORTIONS OF
TOWNSHIE' 9 SOUTH, RANGE 2 WEST, SECTION 21
SANTA CRUZ COUNTY, CALIFORNIA

PREPARED BY



GARY PAUL
Registered Professional Forester #1829

5521 Scotts Valley Drive, Suite 235, Scotts Valley, CA 95066 (831) 438-8968

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INTRODUCTION

This management plan is for the Deakove/Bazdarich property located near Ben Lomond. his plan is required by Santa Cruz County in connection with the landowners application to have the property placed in Timberland Production Zoning (TPZ). Gary Paul, Forestry Consultant, was contacted by the landowners to complete this plan. Jim Hildreth (assistant to RPF) assisted Mr. Paul in the development of this plan.

This timber management plan is designed to assist the landowners in the management of the natural resources on their property. The plan describes the property and management goals, identifies problems and opportunities, and outlines management activities needed to meet the landowner's objectives.

The property contains four parcels. They are:

Beverley Bazdarich	APN # 089-121-70	10.1 acres
	APN # 089-121-71	10.0 acres
James Bazdarich	APN # 089-121-68	12.5 acres
	APN # 089-121-69	10.2 acres

The parcels are currently zoned as Special Use. Portions of the parcels are within, and portions are not within, the Timber Resource Overlay Maps.

FOREST MANAGEMENT OBJECTIVES

The owners desire to manage this forest land for the long term production of merchantable timber. This goal is to be achieved without degrading the quality of other forest resources such as soils, watershed, wildlife, and recreation. In addition, all future activities will recognize the need to protect the visual quality of the forest near the homesite, and reduce the potential of wildfire.

The immediate objective is to obtain Timber Production Zoning, which will allow management of the property consistent with these objectives. Timber management objectives are to convert the even-aged timber stands into an uneven-aged condition using a level of harvest that may be sustained over time. These management objectives are consistent with the Forest Practice Rules.

GENERAL DESCRIPTION

This property is located approximately three miles north of Ben Lomond in portions of Township 9 South, Range 2 West, Section 21, M.M. of Santa Cruz County, California. The property contains a total of approximately 43 acres, of which 15 acres contain merchantable timber. The remaining acreage consists of chaparral (primarily manzanita) and one homesite.

The property is accessible from the south on Love Creek Road, and a private rocked road system. A dirt logging road that follows the ridge line provides further access to the timber on the property. There is also potential access from Bear Creek Road through neighboring properties on old logging roads.

The merchantable timber consists of well stocked stands of redwood trees mixed with areas of hardwoods. There are also some large, very scattered Douglas-fir trees. The timber is located on the north end of the property, which is primarily a northwest facing slope. A small area of timber is also found east of the ridge line on a east facing slope. The southern portion of the property contains chaparral and scattered non-commercial tree growing on a south facing slope. Slopes range from moderately steep to very steep over much of the property. Elevation

ranges from approximately 1,000 to 1,300 feet.

Two Class 3 watercourses (ephemeral streams which run in response to heavy rainfall) are found in the stand of timber at the northwest end of the property. These small watercourses eventually drain into Bear Creek, which is located almost ½ mile to the west,

HISTORY

The property is presumed to have been clearcut harvested during the late 1800's or early 1900's. This is evidenced by the large old growth redwood stumps found in the middle of the clumps of merchantable redwood trees.

One timber harvest has occurred under the Forest Practice Act. This selection harvest (5-85-40SCR) was conducted in 1986. It appears that about 40 percent of the larger trees over 18 inches were selectively harvested. Several stands within the harvest boundary were not thinned.

No historical or archaeological sites are known to exist on the property.

RESOURCES

Soils

According to the Soil Survey of Santa Cruz County (USDA, Soil Conservation Service) there are three soils that are found on this property. These soils are **Maymen** stony loam, **Ben Lomond** sandy loam, and the **Ben Lomond-Felton** complex.

The southern half of the property (chaparral) contains **Maymen** stony loam. This shallow, somewhat excessively drained soil is found on the upper part of south facing slopes. Typically, a 1 inch mat of undecomposed leaves and twigs covers the surface. The surface layer is pale brown, slightly acid stony loam about 6 inches thick. The subsoil is pale brown, medium acid shale loam about 8 inches thick. Unweathered, fractured shale is at 14 inches. Permeability is moderate, runoff is rapid or very rapid, and the hazard of erosion is high or very high. The soil is typically used for recreation and watershed.

The merchantable timber is growing in the northern portion of the property. Most of this is on a northwest facing slope which contains **Ben Lomond** sandy loam. This is a deep well

drained soil on a long side slope. The soil is covered by a 2 inch mat of partially decomposed needles and twigs. The surface layer is dark greyish brown, slightly acid and neutral sandy loam about 19 inches thick. The subsoil is brown, medium acid sandy loam about 11 inches thick. The substratum is pale brown, medium acid sandy loam about 16 inches thick. Weathered sandstone is at a depth of 46 inches. Permeability is moderately rapid, runoff is rapid, and the hazard of erosion is moderate to high. Effective rooting depth is 40 to 60 inches. The soil is used mainly for timber production, recreation, wildlife, and watershed.

Ben **Lomond-Felton** soils are found at the northeast end on the property that contains timber. This complex is about 35 percent Ben Lomond sandy loam (described above), and 35 percent **Felton** sandy loam. The **Felton** soil is deep and well drained. The surface layer is dark greyish brown and brown, slightly acid sandy loam about 11 inches thick. The subsoil is brown and yellowish red, slightly acid sandy clay loam and clay loam about 32 inches thick. The substratum is light brownish grey and light olive brown, strongly acid loam and sandy loam about 20 inches thick. Weathered sandstone is at a depth of 63 inches. Permeability is moderately slow, runoff is very rapid, and the hazard of erosion is very high. Effective rooting depth is 40 to 70 inches. The soil is used mainly for timber production, recreation, wildlife, and watershed.

Geology

The south half of the property is underlain with unweathered shale. The northern portion of the property with the merchantable timber is entirely underlain by the Vaqueros Sandstone. In the Santa Cruz Mountains, the Vaqueros Sandstone is primarily thick-bedded to massive, and has medium-to-fine grained sandstone that is imbedded with mudstone and conglomerates. The dominant rock type is moderately to well-consolidated massive sandstone. The sandstone exhibits low hardness (can easily be gouged with a rock pick) and is moderately weathered to a poorly cohesive loam soil. The Cooper Clark Landslide Map shows several potential or questionable landslide areas mostly to the south of this property. However, several old small landslides were noted during the course of field work. The largest (less than 1/5 acre) slide observed was on the northwest facing slope that contains timber. The 1985 Timber Harvest Plan contains a Geologic Review prepared by Thomas Spittler (Department of Conservation, Division of Mines and

Geology). According to this review, several landslides occurred both within the THP boundary and on slopes in the near vicinity as a result of the January 1982 storms. Most of these slides occurred on slopes in excess of 50% within broad swales. These slides are generally classified as debris flows where loose soil and colluvium became saturated and “blew out” over bedrock during high intensity rainfall events. The slurry and debris generated by the debris flow resulted in a muddy debris torrent down draws and watercourses. Spittler noted two debris flows within the THP area. One was a 100-120 foot by 50-60 foot debris flow failed from a swale on 65-70% slopes (the 1/5 acre slide noted above). The other was smaller, consisting of a 50 foot wide by 50 foot long debris flow that failed down a 65% slope from the **headwall** portion of a U-shaped swale.

The THP proposed that an outsloped skid trail be constructed across the swale at the toe of the larger slide. Spittler stated that the “minimum width skid trail as proposed by the RPF should not adversely affect the stability of the swales where it is flagged to cross”. During the recent field work (12 years after harvesting occurred), the skid trail was stable and no additional slides were noted. Although small landslides may occur in this area during rare large event storms, timber harvesting may be conducted in a manner that does not increase the likelihood of a slide.

Watershed

The property is uniquely situated on a ridge top that drains into three separate watersheds. The southern portion of the property drains into the Love Creek watershed. This area contains chaparral, so no harvesting will occur in this area. The northeast portion of the property drains into an unnamed tributary of Loch Lomond. This small area will have limited harvest operations. This area consists of a wide swale, but there is no defined watercourse. Two watercourses on the property are located at the northwest portion of the property that drains into Bear Creek. This is where most of the merchantable timber that will be harvested in the future is located.

The Bear Creek watershed contains a total of approximately 9,000 acres. Over the last 10 years, approximately 1,236 acres (14%) of the watershed has been selectively harvested. Most of this harvesting has been conducted with ground based equipment. The watershed area is primarily

used for timber production, home sites, and recreation

Neither of the Class 3 watercourses have a yearlong flow. These are first order drainages that begin about 500 feet below the ridge. They are well defined, and deeply gorged in some sections. Each travels northwest for a distance of about 200 feet before leaving the property. The drainages continue northwest for almost ½ mile to Bear Creek.

Wildlife

Wildlife found on this property is typical of the Santa Cruz Mountains. Deer and many species of bird (including **raptor**) were observed. The wildlife habitat relationship (WHR) classification for the tree dominated habitat is 4D, meaning the average tree size is between 11-24" DBH, and the canopy closure is dense, between 60-100%. Characteristics of late succession stands are not present. There are few snags throughout the stand, and occasional down logs from the turn of the century logging.

Timber harvesting in 1986 used the selection system. This was the first step in creating an uneven-aged forest, with several age classes and canopy levels. The residual stand of trees have grown rapidly, and begun to limit sunlight to the understory. Future timber harvesting using the selection system (thinning) will open the forest canopy and allow sunlight to penetrate to the forest floor. This will generally improve forage a variety of small and large mammals. Resulting prey base will increase **raptor** use.

Rare, Threatened and Endangered Species

Animal

The nearest known sighting of the frog is near Ben Lomond, in the Love Creek drainage.. No perennial water is found on the property. No suitable habitat was observed

No rare, threatened and endangered species are know to exist within the immediate vicinity of the property.

Habitat for Species of Special Concern in the County, as listed in the County General Plan, should not be affected by selective harvesting as allowed in the local area.

845

Fish:

The property is located at the top of three separate watersheds. Love Creek and Bear Creek both lead to the San Lorenzo River, which is about 3 miles away. The San Lorenzo River has an artificial run of Coho salmon. Current requirements for timber harvest address mitigation measures for the benefit of Coho habitat and for Steelhead trout also found in the San Lorenzo River. The third watershed leads to Loch Lomond about 1.5 miles away. Mitigation measures for fish on the property would strictly be related to generation of sediment in the Class 3 watercourses.

Plant:

This property is not within the range of any RTE species and none were noted on the site.

Ancient Trees

No ancient trees were left on the site from the turn of the century logging.

Recreation

Recreation on the property includes observing wildlife and hiking. The homesite provides an outstanding vista. Future harvesting will be selective, and should be designed to enhance or maintain the aesthetics of the homesite.

Cultural

The presence of archeological or historical sites was not observed. An intensive survey was not conducted. If any sites are found in the future, they will be preserved.

Timber Description

The merchantable timber on this property is primarily coast redwood. The redwood occurs in well stocked clumps, intermixed with scattered Douglas-fir, tan oak, and a few madrone. Many openings with shrubs and forbs are also present. The average site index is site III.

The age of the stand is 95-100 years old, a result of clearcutting which took place at the turn of the century. The second growth stand which resulted appears to have grown vigorously for approximately 30-40 years. Growth slowed as the trees grew larger and closer together, and began competing for available water, nutrients, and sunlight. 864

The timbered area of the property was selectively harvested in 1986, utilizing tractor logging. Approximately 40% of the total timber volume was removed from about 40% of the trees over 18" DBH. Volume and spacing were the primary considerations in tree removal. This selective harvest increased the available nutrients and light to individual stems.

The 1986 harvest is the beginning of the creation of an uneven age stand. The stump sprouts from this harvest have begun to create a new age class of **future** timber. Subsequent harvests, as discussed below, will create further age classes in the stand, resulting in more younger, smaller trees than currently exists. Distribution of larger tree sizes (18"+ DBH) is expected to remain in the same relative proportions as currently exists (See Stand Data below) under the proposed harvest regime. The goal of future selective harvests will be to produce adequate light for vigorous stump sprouting, to promote growth on residual trees, to promote continued production of high quality redwood timber by maintaining good spacing and good distribution of diameter classes, and to maintain an aesthetically pleasing forest.

TIMBER INVENTORY**Sampling Method**

An inventory of the 15 acres of merchantable timber was conducted in October of 1998. This cruise consisted of the tallying of 30 variable radius, graded cruise plots. Half of the plots were measure plots and half were count plots.

Plot locations were made to insure representative sampling. Variable radius, graded cruise plots were installed on a grid of 200 feet by 200 feet, with count cruise plots measured between graded plots. Each plot represents approximately ½ acre. The data was entered onto plot cards and the results calculated with a timber inventory computer program.

Diameters (dbh) were measured or estimated at breast height. The form factor was measured with a Releskop or estimated on all sample trees. This form factor is the diameter at 16 feet above the stump (form point) divided by the dbh. All measurements are taken outside the bark.

Bole height was measured with a Releskop or estimated on all sample trees to height which is equivalent to 40 percent of the diameter at form point. Logs were cruised in variable log lengths to optimize recovery. Although log grades are not typically used in the market area, logs were graded (using Douglas-fir rules) to provide information on quality. Defect was estimated with cull segments or as a scaling deduction from a log. Minimum log size used is 6 inches by 12 feet. Minimum dbh cruised was 12 inches. All volumes are presented as Scribner short log (16') scale.

Growth rate information was collected by boring the outer 25% of selected trees and measuring radial growth and age.

Results

The redwood averages 22.1" dbh, with a net merchantable volume of 21.9 thousand board feet (MBF) per acre. The Douglas-fir averages 39.4" dbh and 2.9 MBF per acre. The total net merchantable volume of both species is 24.4 MBF per acre for a total of 366 MBF.

868

TIMBER STAND SUMMARY

REDWOOD

	Diameter Class (inches)				
	12-16	18-24	26-34	36+	Total
Trees per Acre	11	21	6	2	40
Net Volume/Acre(BdFt)	1512	9986	7187	3199	21884

Limitation: All cruise data presented in this report is intended to be used as a guide for management purposes only, and should not be extended or taken out of context for any other purposes.

MANAGEMENT PRACTICES

869

Roads

This property has a good system of roads and skid trails that were used in the 1986 timber harvest. No new road construction is anticipated for the future management of the property. There is a dirt road on the **ridgetop** that provides access to the timber. This road connects to a road system to the north over an adjacent property. This heads northwest to Bear Creek over this neighbor's road system. This is the route that appears to have been used during the 1986 harvest operation. This access would require a road use agreement and fees.

The ridge road also connects with the owner's driveway, and continues south down Love Creek Road. This road is in good condition, and has been used recently by log trucks working on neighboring properties. This access would require a road use agreement and fees. This agreement may be more difficult to negotiate than the other option due to the number of parties involved. However, any money spent by the landowner will be going towards the maintenance of a road used daily by the owner.

The primary potential urban interface consideration is that of log truck traffic on this narrow road which also is used for residential access for a number of homes. Since the operation is small and can be done within 2 weeks, noise and dust impacts are not long lasting. The 15 years between harvesting will help to reduce neighborhood impacts.

Fire Protection

The location at the head of three watersheds, and the large areas of chaparral, make fire protection a serious concern. The home is located on a wide **ridetop** with chaparral to the south and redwood forest to north.

Future harvesting should establish a Special Treatment Area near the residence. All slash should be removed within 100 feet of the residence, and lopped to 12 inches of the ground within 200 feet. Outside of the STA, all slash should be lopped to within 30 inches of the ground. Hardwoods damaged during logging should be removed and lopped on the landing.

The driveway is in good condition, and is suitable for trucks. It crosses the chaparral

covered hillside below the homesite. In an emergency, this road is essential for fire equipment access and evacuation. It is recommended that brush within 100 feet of this road be cleared to provide a firebreak. 673

The owners have cleared large areas around the house. However, there are several redwood trees growing next to the house that should be removed. These trees are a fire hazard, but are also a danger to the residence during high winds.

This homesite will continue to be kept clear of flammable vegetation in the future. A typical fire-defense plan will use a non-flammable landscape (lawns, flowers, vegetable garden) within 50 feet of the home. From 50-100 feet, low-growing, widely spaced fire resistant greenbelt plants (ice plant, periwinkle) should be used. From 100 -200 feet, cut back native woody chaparral, and keep clear or plant fire resistant trees (coast live oak).

Information regarding fire safe practices and fire resistant plants/trees can be found at your local California Department of Forestry and Fire Protection (CDF) office. CDF recommends several fire safe practices. This includes:

- maintaining a “defensible” space around your home by clearing all flammable vegetation a minimum of 30 feet around the structure.
- clean all leaves and needles from roof and gutters.
- trim tree limbs within 10' of chimney and trim dead limbs over home.
- make sure your address is clearly visible for easy identification in an emergency.
- a water storage supply of at least 2,500 gallons if no fire hydrant.
- stack woodpiles at least 30 feet from buildings, fences and combustible materials.
- use a spark arrestor on your chimney.

The dirt logging road on the ridgetop provides a good firebreak. This road should be cleared of all slash and debris after logging. All landing slash should be either lopped to within 30 inches of the ground, or removed.

Recreation

No recreational enhancements of the property are planned. The visual aesthetics of the property will be preserved through careful planning and supervision of timber harvesting operations. The view of the forest from the residence and condition of the ridgetop road for hiking are the major concerns.

Wildlife

Management activities are directed at protecting and enhancing wildlife diversity. The uneven-aged management of the forest begun with the 1986 harvest. The selective cutting practices then, and in the future, have the goal of creating several age classes and canopy layers. This will create habitat for a wider range of species.

Redwood and Douglas-fir snags will be retained during harvest operations where they do not present a safety or fire hazard. Downed logs (16" by 20' minimum) will also be retained. Several large Douglas-fir trees were observed to have poor health and vigor. These trees should be recruited for future snags and downed logs. These leave trees should be left where they will not compete for sunlight with other trees.

Timber Management**Harvest**

The stand of timber has regenerated from clearcut logging at the turn of the century. The 1986 harvest selectively removed about 40% of the volume by concentrating on cutting the larger trees in the stand. This was the first step towards developing an uneven-aged stand. The increased light and growing space that is provided by the removal of harvested trees increases the growth of residual trees and initiates the sprouting of a new generation of redwood trees.

The average site index for the stand is site III. The average growth rate of the stand is approximately 3% percent per year. The trees grew rapidly after the last harvest, but now that 12 years have passed, the trees are competing with each other, and the growth rate has slowed.

Based upon this information, a selective harvest is recommended for next year (1999). The goal is to create a healthy uneven-aged stand where harvests are sustainable (harvest does not

exceed growth). The current stand of redwood has approximately 22 thousand board feet (MBF) per acre. The harvest should remove about 8 MBF per acre (120 MBF total), leaving a residual stand of 14 MBF per acre. This residual stand, growing at an average growth rate of 3%, will reach approximately 22 MBF per acre in 15 years. Approximately 40% of the trees 18" in diameter or more should be harvested. In order to move towards an optimal uneven-aged size class distribution, trees in the 18-24" diameter range should account for a large proportion of harvested trees.

Future selective harvests are recommended on roughly a 15 year cutting cycle. These should harvest in the range of 40-50% of the trees 18"+ dbh. Over the long term, overall growth on the property will improve as sprouts and inter-planted trees reach maturity and contribute to the harvest. Growth should be re-evaluated in the future to see if the allowable cut may be increased.

Logging Practices

Past logging was conducted using ground based equipment. This is still appropriate over much of the 15 acre harvest area. There are several stands that are on steep (65%) terrain that were not harvested in 1986. These stands will require line pulling or a small yarder to retrieve logs. There is also a skid trail at the northwest end of the property that requires crossing a neighboring property. This trail also traverses across the toe of the larger slide. This may be used again if approved by the neighbor and CDF. A yarder could access this area if necessary.

Two Class 3 watercourses are located at the northwest end of the harvest unit. These watercourses should not be crossed. Skid trails provide access to both sides, or a yarder can be used.

Soil Stabilization

Most of the harvest area is located in the Bear Creek Watershed. A small area on the east side of the ridge is in the watershed of an unnamed tributary of Loch Lomond. In addition, the entire harvest area is underlain by Vaqueros sandstone, and there are two significant landslides. These issues require that special consideration be given to soil stabilization measures.

Skid trails and landings were constructed for the previous harvest. They appear well placed and stable. Further entries into the stand will utilize the existing system to avoid further impact. The exception to this would be the skid trail at the toe of the slide. Erosion control methods installed in 1986 have stabilized this trail, which requires crossing the neighbor's property. Alternatives to this trail should be investigated. 873

The harvest unit consists of wide swales on each side of a ridge. No skid trails should be constructed across these swales due to slide concerns. All skid trails should have proper waterbreaks installed, and slash packed (or grass seeded/straw mulched) as much as feasible. Line pulling from existing skid trails (or the use of a small yarder) on the ridgetop will eliminate the need for new skid trail construction.

Timber Stand Improvement

Past harvesting has left openings between the stands of redwood. In order to achieve a fully stocked stand for the future, tree planting and sprout thinning is recommended. The objective is to achieve a fully stocked stand of redwoods with an average spacing of 10-14 feet. This stand improvement will be conducted in areas that have supported redwood in the past.

Multiple stump sprouts resulting from harvesting should be thinned to an average of 2-3 healthy sprouts per stump. This practice should be completed between 3 to 5 years after harvest. This will produce healthier and more vigorous young trees in the understory. Dead and unhealthy small trees and sprouts should be removed to reduce competition and reduce fire hazard. All thinnings will be lopped to within 30 inches of the ground.

Tree planting should be limited to those areas that are open enough for a good chance of establishment and growth. Areas for planting trees should be cleared of brush and logging slash during the clean up after logging. It is recommended that 2-O (2 year old) redwood seedlings from the appropriate seed zone be planted on a 10' by 10' spacing. The removal of competing vegetation around each seedling for the first 3 years will likely be necessary for seedling survival. Protection such as tubing seedlings may be necessary due to deer browsing.

Due to the poor soils and growing site, no improvement recommendations are made for the non-timbered areas of the property.

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EXHIBIT J#

APPENDIX

Maps

- Vicinity Map
- Plat Map
- Topographic Map
- Vegetative Type Map
- Soil Type Map
- Geology Map
- Cooper Clark Landslide Map

Timber Cruise Data

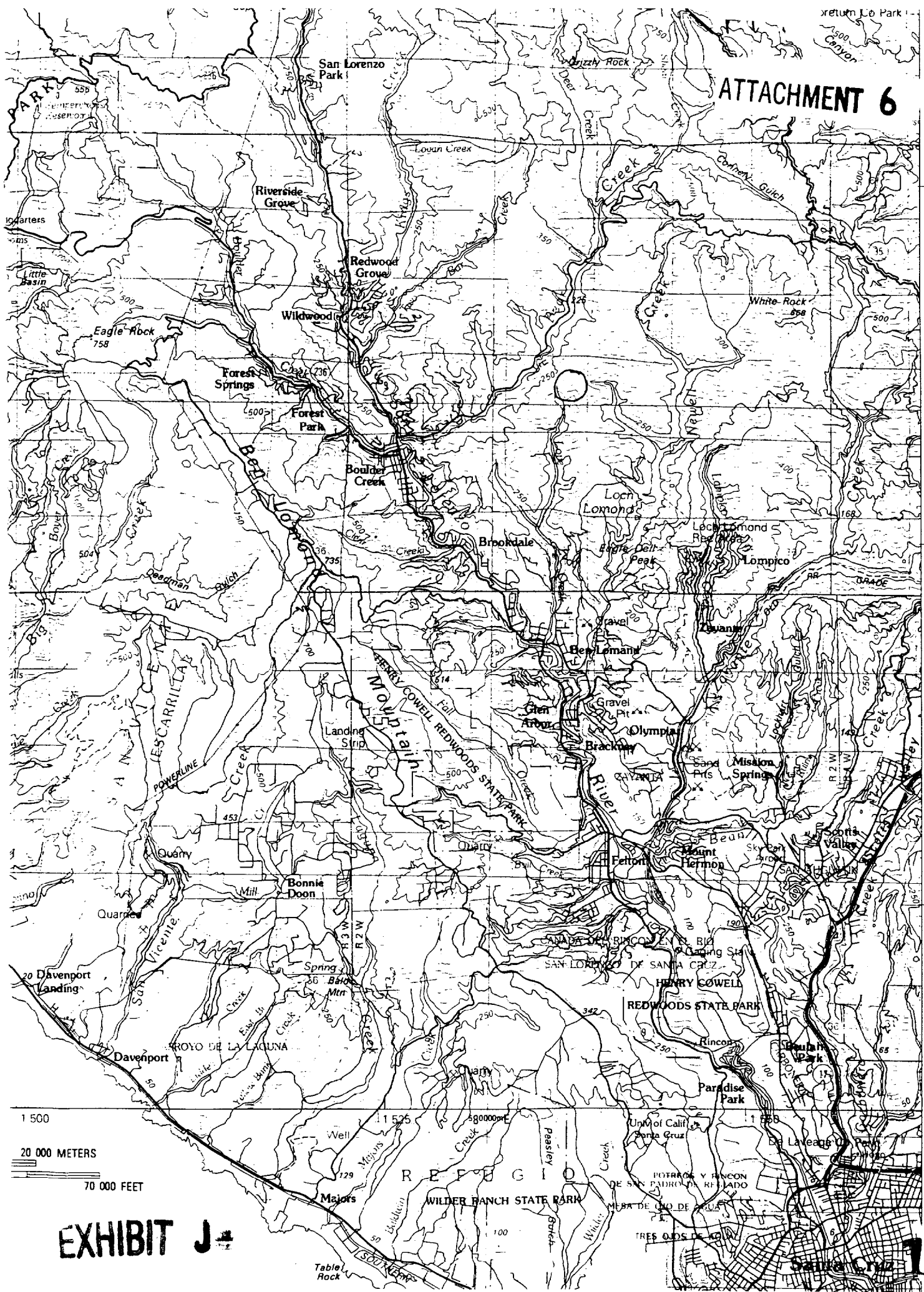
- Catalog
- Volume by Species, Sort, and Grade
- Stand Table by Dbh Class
- Statistical Summary

Timber Harvest Plan (5-85-40SCR)

- Geologic Review

ATTACHMENT 6

875



250

T 9 S

411

225

T 10 S

4100000m N

200

37°00'

T 11 S

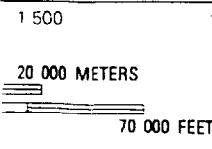


EXHIBIT J

103

9 S., R. 2 W., M.D.B. & M.

PUBLIC
Tax Area Code
90-050 90-053
90-101 90-103
90-109

89-1
874

REVISED

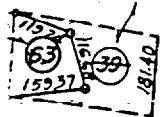
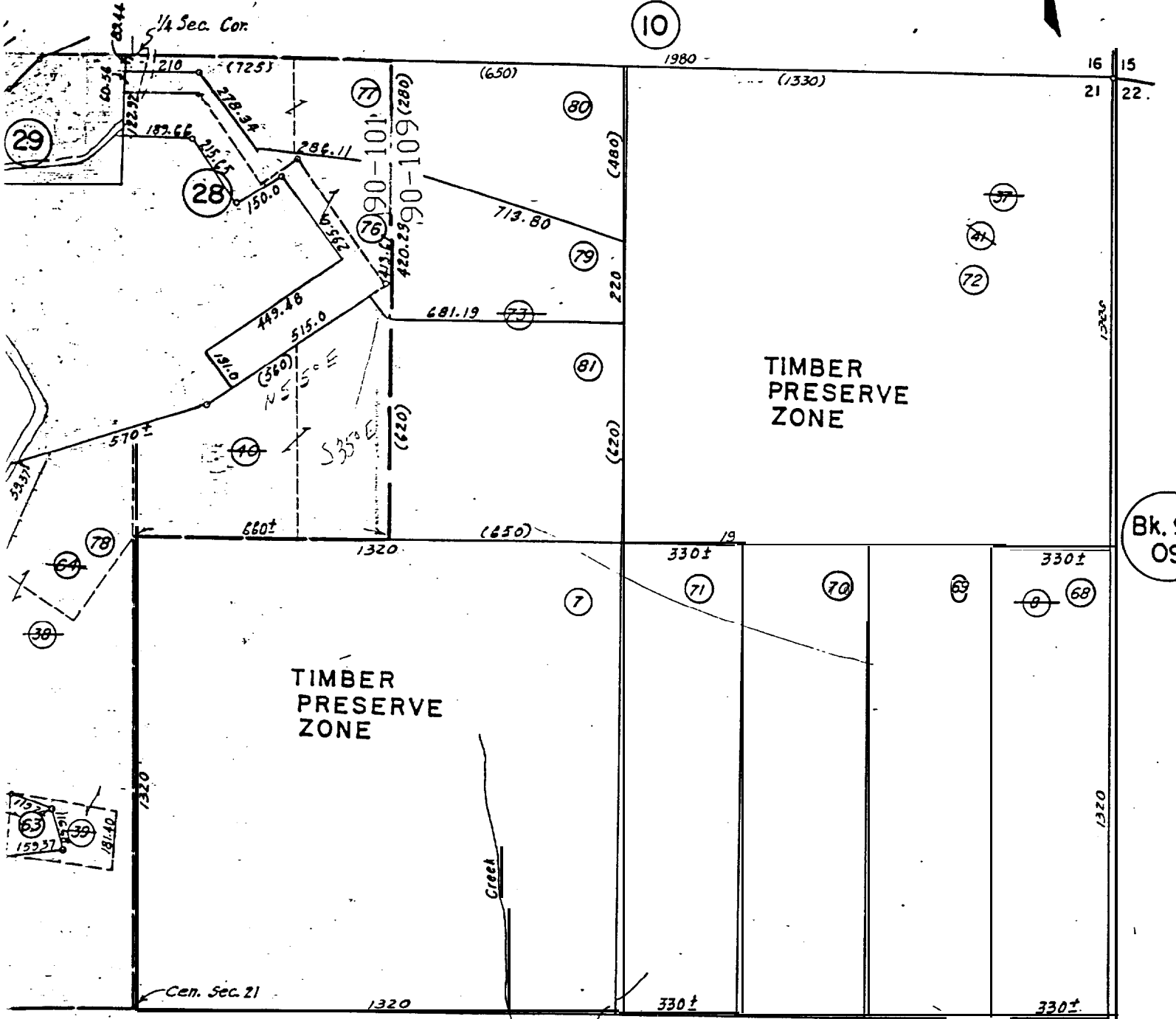
DATE 6-2-98

OLD MAP NO. 89-12



(12)

(10)



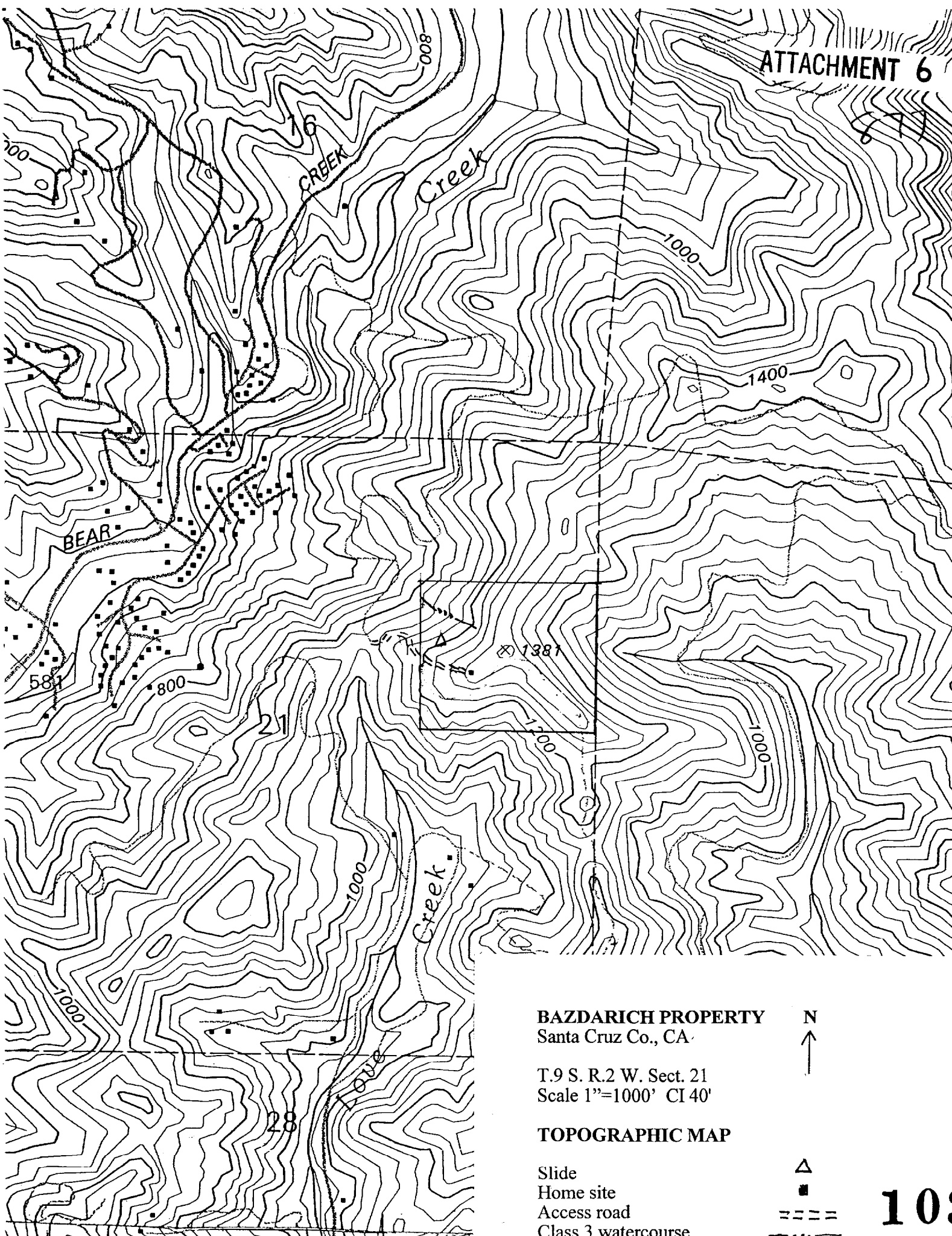
(23)

103

Note - Assessor's Parcel Block B

EXHIBIT J

Assessor's Map No. 89-12







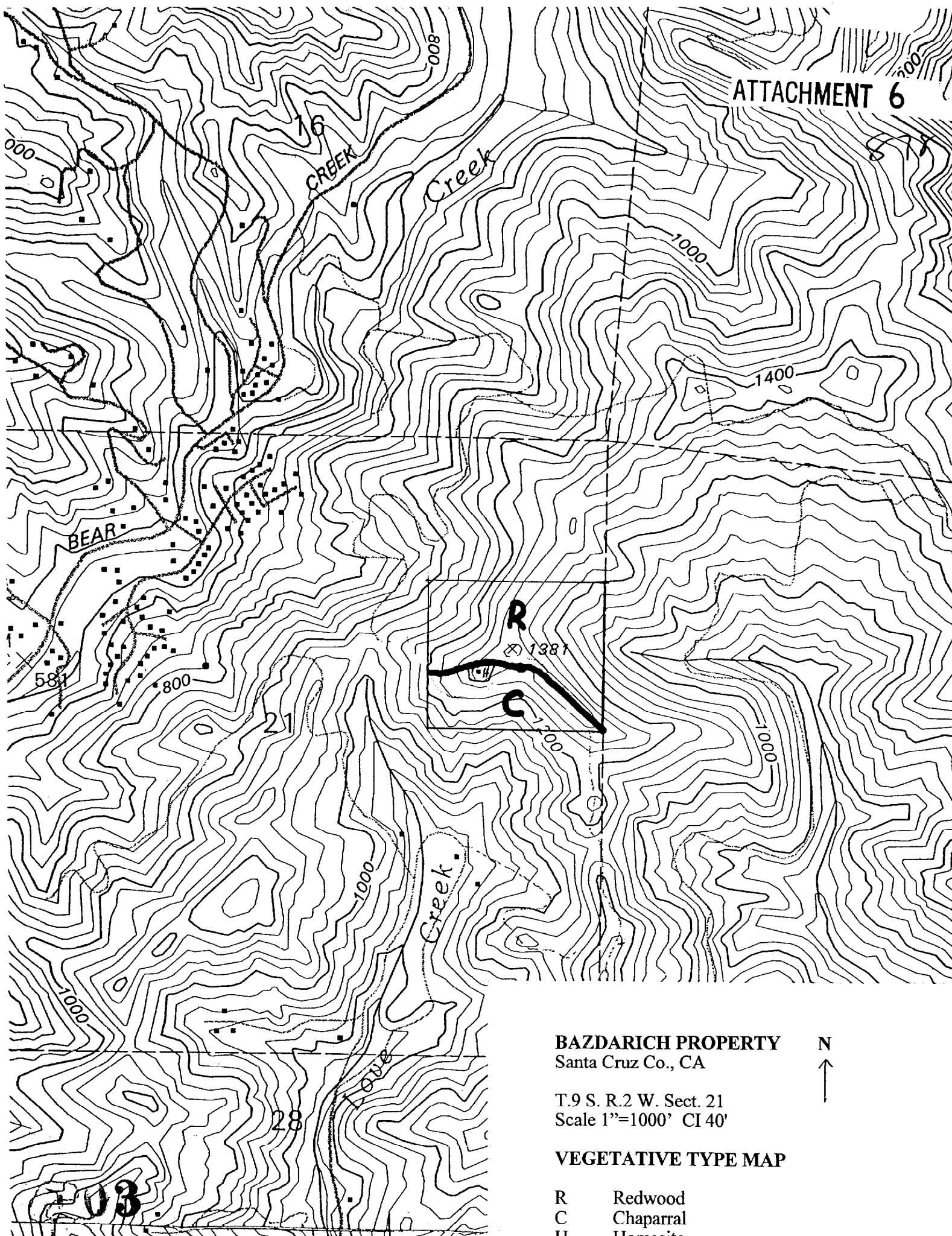
BAZDARICH PROPERTY
 Santa Cruz Co., CA



T.9 S. R.2 W. Sect. 21
 Scale 1"=1000' CI 40'

TOPOGRAPHIC MAP

- Slide 
- Home site 
- Access road 
- Class 3 watercourse 



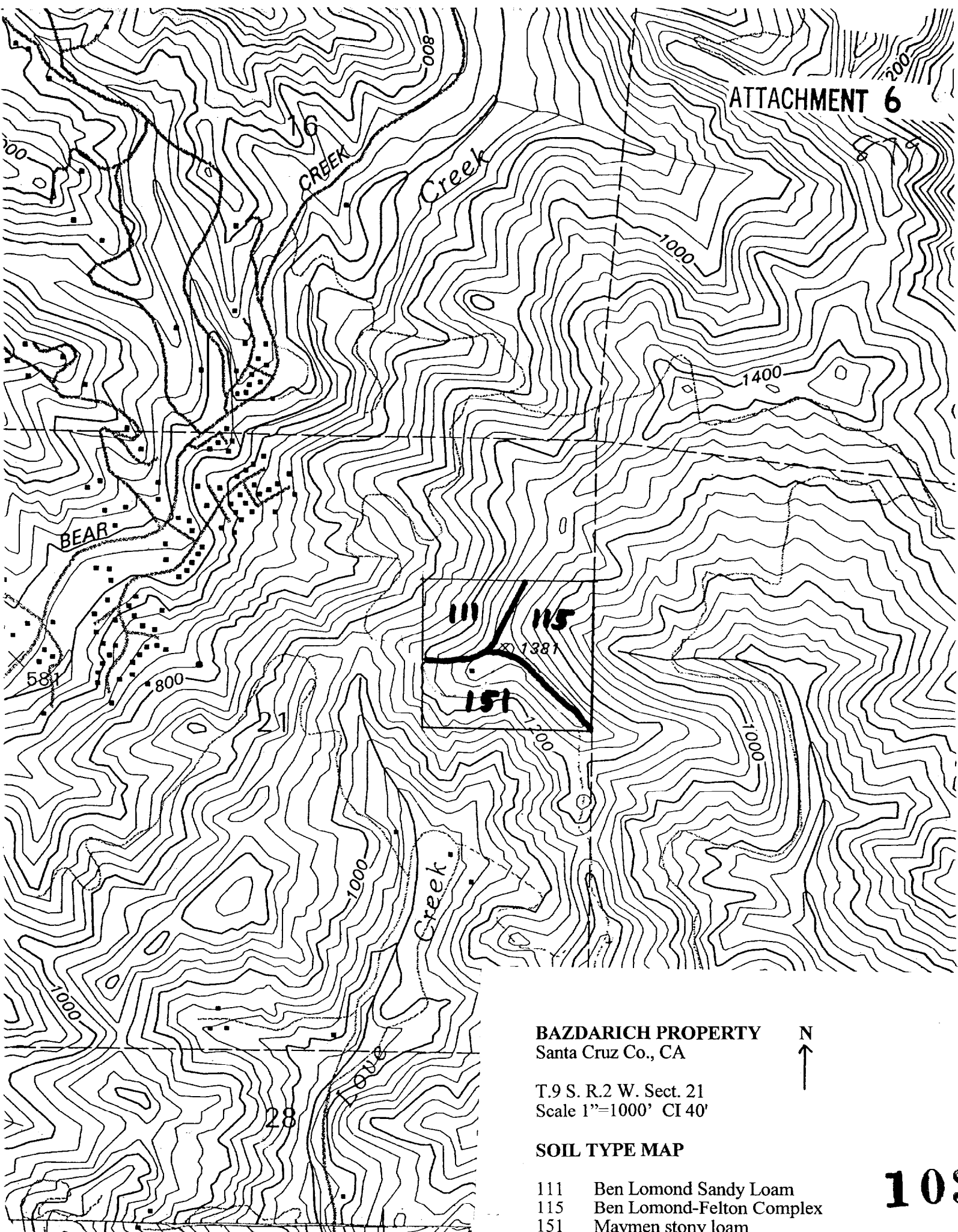
BAZDARICH PROPERTY
Santa Cruz Co., CA



T.9 S. R.2 W. Sect. 21
Scale 1"=1000' CI 40'

VEGETATIVE TYPE MAP

- R Redwood
- C Chaparral
- H Homesite



BAZDARICH PROPERTY
Santa Cruz Co., CA



T.9 S. R.2 W. Sect. 21
Scale 1"=1000' CI 40'

SOIL TYPE MAP

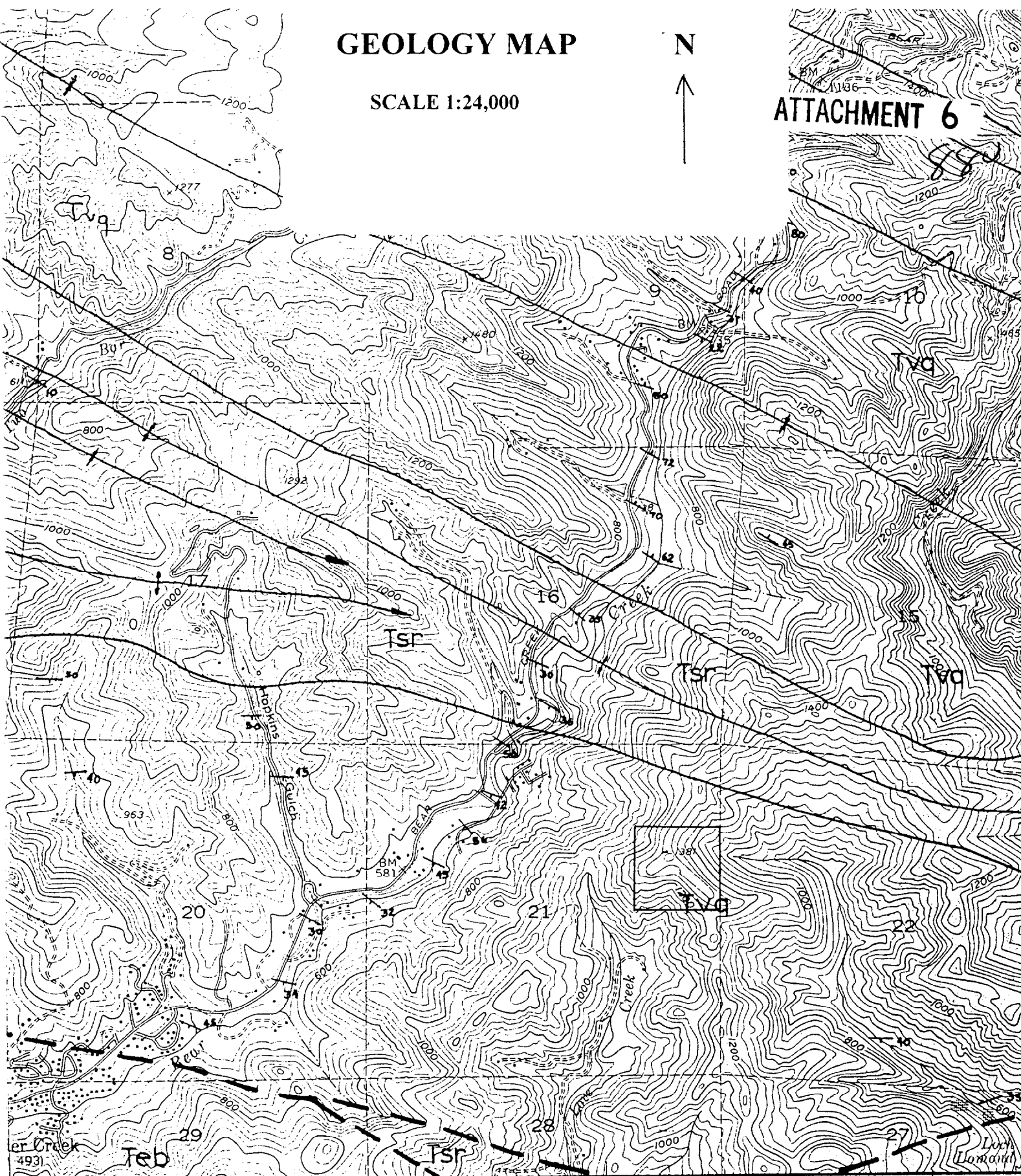
- 111 Ben Lomond Sandy Loam
- 115 Ben Lomond-Felton Complex
- 151 Maymen stony loam

GEOLOGY MAP

SCALE 1:24,000



ATTACHMENT 6



3.6 MI. 1:500 000 FEET

Published by the Geological Survey

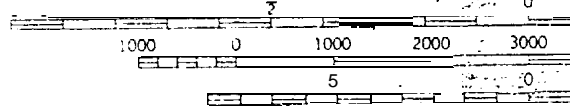
USGS, and USCE

Photographs by multiple methods
1953. February 1955

27 North American datum

EXHIBIT J

SCALE 1:24,000



0°34' 10" N
10 MILS

PROJECT REPORT(LA)
CATALOG

ATTACHMENT 6 882

PROJECT DEAKOVE
TWP 09S RGE 02W SEC 21

Tract:

PAGE 1
DATE: 10/08/98
TIME: 12:14pm

TYPE	NO	ACRES	SP	YRS	D4H	FF	BOL HGT	BA/A SQFT	TREE /AC	LOGS /AC	AVE CF	LOG BF	-PER CF	ACRE- BF	---TOTAL---	MBF
0001	15.00															
	DF	100	39.4	86	121	8.1	1.0	3	132	758	434	2485	65	37		
	RW	100	22.1	84	82	105.2	39.4	92	45	239	4115	21885	617	328		
	TYPE	22.7	84	83	113.3	40.4	95	48	257	4549	24370	682	366			
PR	15.00															
	DF	39.4	86	121	8.1	1.0	3	132	758	434	2485	65	37			
	RW	22.1	84	82	105.2	39.4	92	45	239	4115	21885	617	328			
	PROJ	40.4	95	48	257	4549	24370	682	366							

TYPE REPORT(FJ)
SPP, SORT, GRADE, LEN % - BDFT

PROJECT DEAKOVE TRACT :
TWP 09S RGE 02W SEC 21 TY 0001 AC 15.00

Plots 30 BFT:C PAGE 1
Trees 76 CUB:1 DATE: 10/08/98
JH TIME: 12:14pm

SP	SORT	GRADE	PCT BDFT	BDFT / GROSS	ACRE NET	TOT MBF	%BDFT/AC 12-19	BY 20-25	GROSS 26-34	LEN. 35-40	AV LN	BDFT/ LOG	LOGS ACRE	
DF	DOMESTIC	2SAWMILL	39	1077	963	14					100	37	1521	1
DF	DOMESTIC	3SAWMILL	51	1402	1265	19					100	38	833	2
DF	DOMESTIC	4SAWMILL	10	344	257	4		77	23		26	228	1	
DF	TOTAL		10	2823	2485	37		8	2	90	34	758	3	
RW	DOMESTIC	2SAWMILL	49	11119	10823	162					100	38	525	21
RW	DOMESTIC	3SAWMILL	44	9770	9692	145		1	8		91	37	228	43
RW	DOMESTIC	4SAWMILL	6	1489	1370	21	19	32	28		20	23	48	28
RW	CULL	0		399										
RW	TOTAL		90	22776	21885	328	1	2	5	91	33	239	92	
TYPE	TOTAL		100	25599	24370	366	1	3	5	91	33	257	95	

884

TYPE REPORT(IA)
STAND TABLE BY D4H CLASS - TOP

PROJECT DEAKOVE TRACT: Plots 3 0 BFT:C PAGE 1
TWP 09S RGE 02W SEC 21 TY 0001 AC 15.00 J-H Trees 76 CUB:1 DATE: 10/08/98
TIME: 12:14pm

-----D 4 H-----
TOTALS REF 00-09 10-13 14-17 18-21 22-25 26-29 30-33 34-37 38+

DOUG FIR

TOT HGT	152						149		154
TREES/AC	1.0						0.3		0.6
BA/AC	8.1						1.9		6.2
CUFT/AC	434						103		330
BDFT/AC	2485						597		1888
BDFT%	10						2		8
LOGS/AC	3						1		2
TONS/AC	12						3		9
POLES/AC									
CR RATIO									

REDWOOD

TOT HGT	99	67	99	110	127	134	145	154
TREES/AC	39.4	10.7	11.5	9.9	3.6	2.5	0.6	0.6
BA/AC	105.2	14.9	23.5	29.3	14.3	13.0	4.3	5.9
CUFT/AC	4115	360	839	1151	625	618	214	308
BDFT/AC	21885	1512	3964	6022	3587	3600	1281	1918
BDFT%	90	6	16	25	15	15	5	8
LOGS/AC	92	16	27	26	11	8	2	2
TONS/AC	103	9	21	29	16	15	5	8
POLES/AC								
CR RATIO								

TYPE

TOT HGT	101	67	99	110	127	135	145	154
TREES/AC	40.4	10.7	11.5	9.9	3.6	2.8	0.6	1.2
BA/AC	113.3	14.9	23.5	29.3	14.3	14.9	4.3	12.1
CUFT/AC	4549	360	839	1151	625	721	214	638
BDFT/AC	24370	1512	3964	6022	3587	4197	1281	3806
BDFT%	100	6	16	25	15	17	5	16
LOGS/AC	95	16	27	26	11	9	2	4
TONS/AC	115	9	21	29	16	18	5	17
POLES/AC								
CR RATIO								

QUAD D4H ON TREES >= 8.00 IS 22.7
BA/AC FOR TREES WITH D4H >= 20.00 IS 53

EXHIBIT J

TYPE REPORT (KC)
STATISTICAL SUMMARY

ATTACHMENT 6

885

PROJECT DEAKOVE TRACT: Plots 30 BFT:C PAGE 1
TWP 09S RGE 02W SEC 21 TY 0001 AC 15.00 Trees 76 CUB:1 DATE: 10/08/98
JH TIME: 12:14pm

	PLOTS	TREES	TREES PER PLOT	ESTIMATED TOTAL TREES	PERCENT SAMPLE TREES
TOTAL	30	122	4.1		
CRUISE	14	76	5.4	606	12.5
COUNT	12	46	3.8		
BLANKS	4				
100%					

STANDSUMMARY										
	SAMPLE TREES	TREES /ACRE	AVE D4H	BOLE LEN	REL DEN	BASAL AREA	GROSS BF/AC	NET BF/AC	GROSS CF/AC	NET CF/AC
REDWOOD	72	39.4	22.1	82		105.2	22776	21885	4191	4115
DOUG FIR	4	1.0	39.4	121	1	8.1	2823	2485	434	434
TOTAL	76	40.4	22.7	83		113.3	25599	24370	4625	4549

SD:1	COEFF.		TREES/ACRE			# OF PLOTS REQ. - INF. POP.		
	VAR. %	S.E. %	LOW	AVE	HIGH	5%	10%	15%
REDWOOD	103.6	18.9	32.0	39.4	46.9			
DOUG FIR	241.0	44.0	0.5	1.0	1.4			
TOTAL	100.7	18.4	33.0	40.4	47.8	406	101	45

SD:1	COEFF.		BASAL AREA/ACRE			# OF PLOTS REQ. - INF. POP.		
	VAR. %	S.E. %	LOW	AVE	HIGH	5%	10%	15%
REDWOOD	90.6	16.6	87.8	105.2	122.6			
DOUG FIR	232.7	42.5	4.7	8.1	11.6			
TOTAL	84.2	15.4	95.9	113.3	130.8	283	71	31

SD:1	COEFF.		NET BF/ACRE			# OF PLOTS REQ. - INF. POP.		
	VAR. %	S.E. %	LOW	AVE	HIGH	5%	10%	15%
REDWOOD	88.9	16.2	18332	21885	25438			
DOUG FIR	233.9	42.7	1423	2485	3546			
TOTAL	81.2	14.8	20756	24370	27983	264	66	29

SD:1	COEFF.		NET CUBIC FT/ACRE			# OF PLOTS REQ. - INF. POP.		
	VAR. %	S.E. %	LOW	AVE	HIGH	5%	10%	15%
REDWOOD	90.0	16.4	3439	4115	4792			
DOUG FIR	233.4	42.6	249	434	619			
TOTAL	82.3	15.0	3865	4549	5233	271	68	30

EXHIBIT 103

THP Number	<u>5-85-4054?</u>
Date Received	<u>11-19-85</u>
Date Filed	<u>12-2-85</u> 884
Date Approved	<u>1-22-86</u>
Copy to RPF	yes <input checked="" type="checkbox"/> no <input type="checkbox"/>
Copy to LTO	yes <input checked="" type="checkbox"/> no <input type="checkbox"/>

TIMBER HARVESTING PLAN

RECEIVED

NOV 19 1985

DEPARTMENT OF FORESTRY
REGION 5

This Timber Harvesting Plan (THP) form, when properly completed, is designed to comply with the Forest Practice Act (FPA) and Board of Forestry rules. See separate instructions for information on completing this form. NOTE: The form must be printed legibly in ink or typewritten.

1. Timber Owner(s): Name James & Beverley Bazdarich

Address P.O.Box 1151

City Ben Lomond State Ca. Zip 95005 Phone 462-2466

2. Timber Landowner(s): Name same as timber owner

Address _____

City _____ State _____ Zip _____ Phone _____

3. Timber Operator(s): Name Karma Logging Co.

Address 26800 Highway 9 License # A 6100

City Boulder Creek State Ca. Zip 95006 Phone 338-6967

4. Plan Submitter(s): Name William E. Carter

Address 26800 Highway 9

City Boulder Creek State Ca. Zip 95006 Phone 338-6967

If the Plan Submitter is different from 1, 2, or 3, explain authority to submit plan:

5. Person to contact on-site who is responsible for the conduct of the operation:

Name William E. Carter

Address see above

City _____ State _____ Zip _____ Phone _____

14. 1 Yes Is any part of the plan within a special treatment area, Tahoe
 2 No Regional Planning Agency jurisdiction, or a county which has special rules
 If yes, identify the special area: Santa Cruz County

SILVICULTURE

15. Check the methods or treatments which are to be applied, and provide any other information required by the rules on an addendum:

- 1 clearcutting
- 2 shelterwood, preparatory cut
- 3 ~~shelterwood~~, seed cut
- 4 shelterwood, removal cut
- 5 seed tree, seed tree cut
- 6 seed tree, seed tree removal cut
- 7 select ion - designate basal area stocking standard(s) to be met:
913.8a - timberland is site class 3.
- 8 commercial thinning - designate basal area stocking standards(s) to be met: _____
- 9 sanitation salvage - when will stocking be met: _____
- 10 special treatment areas
- 11 rehabilitation of understocked areas
- 12 alternative prescription (provide necessary information on an addendum)

(Note : Timberland site(s) must be shown on the map where the level of stocking is based upon timberland site.)

16. 1 Yes Are any exceptions to the standard silvicultural methods or
 2 No treatments permitted in the rules proposed for this plan?
 If yea, explain and justify the exception on an addendum.

17. 1 Yes Are broadleaf or optional species proposed for management?
 2 No See item 18

18. 1 Yes Will-broadleaf or optional species be used to meet stocking
 2 No standards?
 If the answer to items 17 or 18 is yee, list the species and provide the information required by the rules:

888

28. 1 Yes
 2x No
 Are any alternative practices or exceptions to the standard harvesting or erosion control practices permitted in the rules proposed for this plan?
 If yes, explain and justify: _____

29. 1 Yes
 2 No
 Are timber operations proposed for the winter period?
 If yes, provide a winter period operation plan as an addendum, except for cable, helicopter, or balloon yarding.
 *only timber falling

ROADS AND LANDINGS

30. 1 Yes
 2 No
 Will any roads or landings be constructed or reconstructed?
 If yes, check items 31 through 37 that apply:

31. 1 Yes
 2 No
 Will new roads be wider than single lanes with turnouts?

32. 1 Yes
 2 No
 Will any landings exceed the maximum size specified in the rules?

33. 1 Yes
 2 No
 Are logging roads or landings proposed in areas of unstable soils or known slide-prone areas?

34. 1 Yes
 2 No
 Will new roads exceed a grade of 15% or pitches of 20% a distance greater than 500 feet?

35. 1 Yes
 2 No
 Are roads to be constructed, other than crossings, within the watercourse and lake protection zone of Class I or Class 11 watercourses?

36. 1 Yes
 2 No
 Will roads or landings longer than 100 feet in length be located on slopes over 65%, or on slopes over 50% which are within 100 feet of the boundary of a watercourse or lake protection zone?

37. 1 Yes
 2 No
 Are exemptions proposed for flagging or otherwise identifying the location of roads to be constructed?

38. If any of the items 31 through 37 are answered "yes", explain, justify, and give site-specific measures to reduce adverse impacts or, if there is any additional or special information concerning the construction and/or maintenance of roads or landings if required by the rules. Provide necessary information on an addendum.

49. 1 Yes Are residual trees or harvest trees going to be marked within the
2 No watercourse or lake protection zone?

If no, explain: _____

50. Describe the protective measures and zone widths for the **watercourse** and lake protection zones that are in the plan area: The class 3 watercourses will be protected from damage by timber operations. Equipment will not operate in them or cross them.

WILDLIFE

51. 1 Yes Are any known rare or endangered species or species of special
2 No concern including **key** habitat associated with the **THP** area?
If **yes**, identify the species and the provisions to be taken for protection of the species : _____

52. 1 Yea Are there any snags which must be felled for fire protection or
2 No other reasons?
If **yes**, describe which **snags** are going to be felled: _____

53. 1 Yea **Are** any other provisions for wildlife protection required
2 No or recommended by the rules?
If **yes**, describe provisions: _____

ATTACHMENT 6

PESTS

62. 1 Yes Are there any adverse insect, disease, or pest problems of 89 a
 2 No aignif icance in the plan area?

If yes, describe mitigation measures, if any, to improve the health and productivity of the stand: _____

ATTACHMENTS

63. Check if attachment is included with the plan:
- 1 Notice of Stream Bed Alteration to Department of Fish and Game
 - 2 Estimated Surface Soil Erosion Hazard Calculations
 - 3 Addendum for Silviculture Alternative Prescription
 - 4 Addendum- for Winter Period Operations Plan
 - 5 Notice of Intent to Harvest Timber
 - 6 Maps
 - 7 Written Notice of Plans to the timber operator, timberland owner, or timber owner that did not sign the THP
 - 8 Addendum for item 25 of plan, as needed
 - 9 Addendum for item 38 of plan, as needed
 - 10 Addendum for item 61 providing the names and addresses, as needed
 - 11 Other _____

REGISTERED PROFESSIONAL FORESTER

64. I have the following authority, responsibilities, and limitation for preparation or administration of the THP and timber operation: _____

R.P.F. is responsible for preparation and administration of the THP and timber operation.

65. In addition to preparing this plan, I have notified the timber owner and the timberland owner, in writing, of their responsibilities for compliance with the stocking requirements of the rules yes no and for the maintenance of erosion control structures yes no, and of the marking requirements contained in the rules yes no. See addendum

66. I will supply the timber operator with a copy of the approved THP yes no.

61. The following are parcel owners within 300 feet of the exterior boundaries of the parcels to be harvested:

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<u>A.P.N. #</u>	<u>Name and Address of Property Owner</u>
89-121-07	Leeman and Geneva Mansker 1969 Farndon Ave. Los Altos 94022
-72	John and Catherine Fowler c/o Basil Clark Inc. P.O.Box 488 Watsonville 95077 attn:Rex Clark
-81	Nicholas Hustedt P.O.Box 506 Boulder Creek 95006
89-231-02	Rachel Theilman P.O.Box 761 Boulder Creek 95006
03	Robert Quinn 22400 Skyline Blvd. #19 La Honda 94020
90-091-01	City of Santa Cruz 809 Center Street Santa Cruz 95060
The following are parcel owners along the private road to Love Creek RD:	
89-231-05	Stewart Wertkin P.O.Box 985 Ben Lomond 95005
-06	Mable Bowlus 862 E.10th Street Bend Oregon 97701
90-081-01	Nancy James 400 Slobe Ave. Sacramento 95815
-02	Barbara Hoepner 46 Crane Ct. Alameda 94501
-09	William&AnnetteLong845Laverne Way LosAltos94022
-10	Donald&Anne Long Box 728 Ben Lomond 95005
-04	Donald&Anne Long
-14	Stanley&Florence Bellow 1740 Silverwood Drive San Jose 95124
90-151-03	Donald&Anne Long
-10	Redwood Preservation Property 101 Ltd. c/o California Conservation Corp. 22971 Sutro St. Hayward 94541
-08	David&Lenore Brown 2 Country Ridge Road Pomona 91766
-07	Corinne Love 1720 Terrace Drive Belmont 94022
-09	Kenneth&Joanne Jones 11621 Love Creek Rd. Ben Lomond 95005

The R.P.F. certifies that the noticing procedure specified in Section 926.3 of the C.A.C. has been complied with. This included sending Notices of Intent to Supervisor Joe Cucchiara, the S.L.V. Water District, and the S.L. Unified School District.

65. The R.P.F. will be responsible for compliance with stocking and marking requirements of the rules. The L.T.O. will be responsible for maintenance of erosion control structures.

70.

5-85-40.SCR



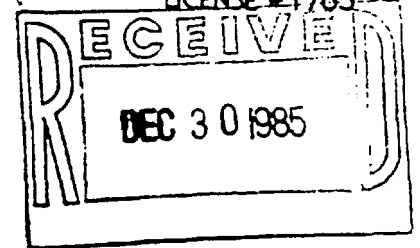
ATTACHMENT 6

892

9920 MONROE AVENUE
APTOS, CALIFORNIA 95003
408-688-3760

ROY WEBSTER

REGISTERED PROFESSIONAL FORESTER
LICENSE #1765



Mr. Dave Soko
California Dept. of Forestry
P.O. Drawer F-2
Felton, Ca. 95018

Dear Mr. Soko:

I hereby accept the Review Team
Chairperson's Recommendations for THP#
5-85-40 SCR, lands of Baydavisch.

Sincerely,
Roy W. Webster

RECEIVED

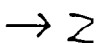
JAN 22 1986

DEPARTMENT OF FORESTRY
REGION 5

103

EXHIBIT J

11.



Sec. 21 T9S R2W

Santa Cruz County

Scale 1"=400'

Contour Interval 20'

Prepared by R.W. Webster

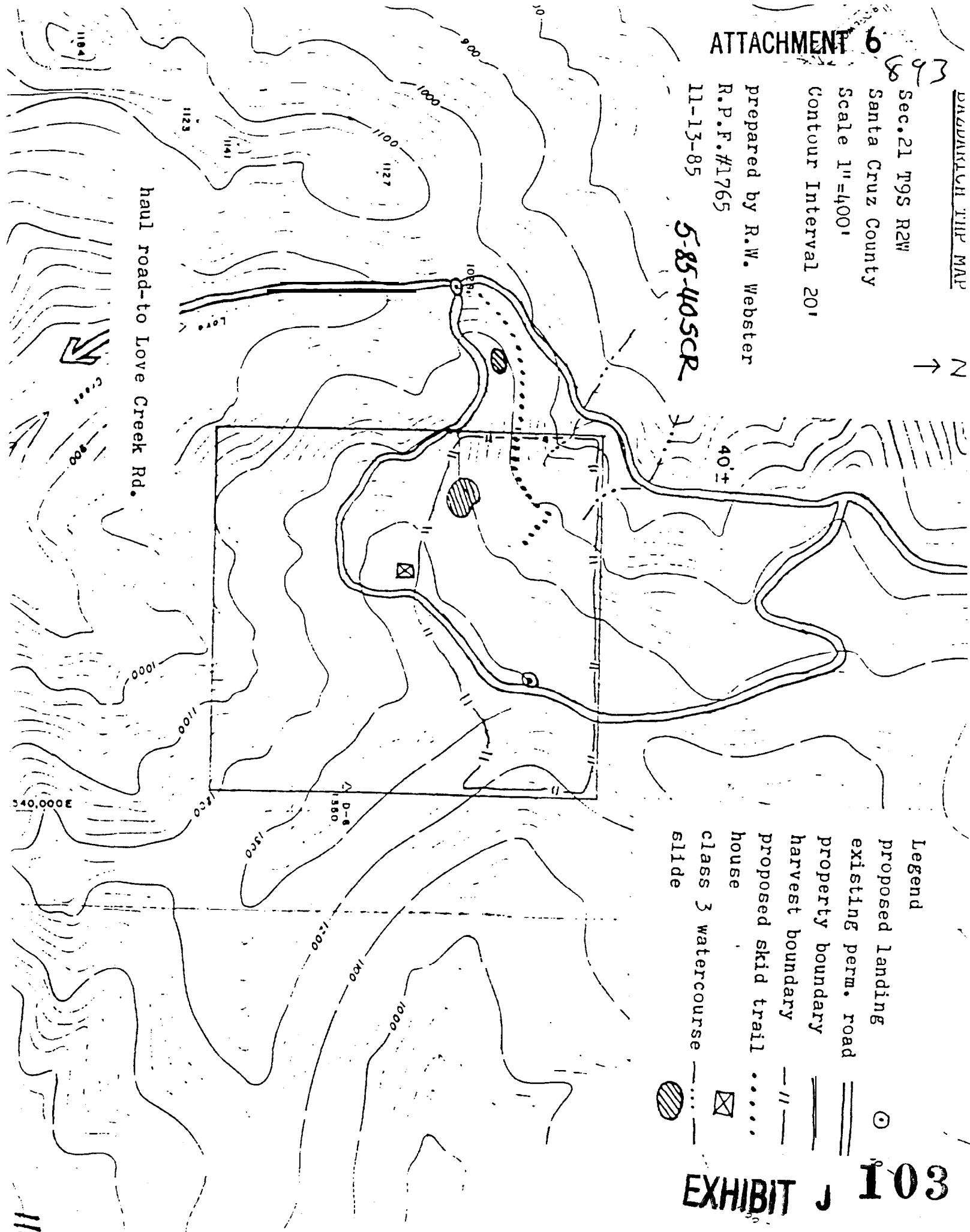
R.P.F. #1765

11-13-85

5-85-4405CR

ATTACHMENT 6

- Legend
- Proposed landing
 - existing perm. road
 - property boundary
 - harvest boundary
 - Proposed skid trail
 - house
 - class 3 watercourse
 - slide



haul road-to Love Creek Rd.

40'±

10th St.

D-6
1580

340,000E

DF TB ~~Drinkard~~ Spittler 12/16/85

State of California

The Resources Agency

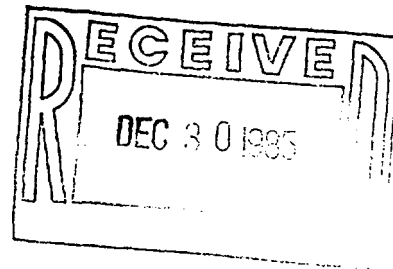
Memorandum

ATTACHMENT 6

897

To : John Hastings, Chief, Region V
California Department of Forestry
2221 Garden Road
Monterey, CA 93940

Date : December 19, 1985



From : Department of Conservation
Division of Mines and Geology
P.O. Box 670, Santa Rosa 95402

Subject: GEOLOGIC REVIEW OF TIMBER HARVESTING PLAN S-85-40 SCR

Inspection Date: 12/16/85

Participants - Affiliation:

Time Spent on Review:

3 Field, 3 Office, 6 Travel

Roy Webster - RPF
Nancy Drinkard - CDF
Dennis Eimoto - DFG
Ed Jankauski - CRWQCB
Mark Alpert - Santa Cruz
Dan Hagens - Redwood National Park
Tom Spittler - DMG

County: Santa Cruz

Quadrangle: Castle Rock Ridge 7.5'

Watershed:

Bear Creek, Unnamed
Tributary to Loch Lomand

Area : 15 acres

Silvicultural Method: Selection

Lagging System: Tractor

Township Range Section(s)

EHR: High

9s 2W 21

Slopes: 25 to 65 Observed

Geologic Concerns:

Landslides
Skid Trail Construction

References:

Brabb, E.E. and T. W. Dibblee, Jr., 1979, Preliminary Geologic Map of The
Castle Rock Ridge Quadrangle, Santa Cruz and Santa Clara counties,
California U. S. Geological Survey, Open-File Report 79-659.

895

John Hastings, Chief, Region V
 TH? 5-85-40 SCR
 Geologic Review

Page 2

December 19, 1985

References: (Continued)

Clark, J. C., 1981, Stratigraphy, Paleontology, and Geology of the Central Santa Cruz Mountains, California Coast Ranges: U. S. Geological Survey Professional Paper 1168.

Pulver, B. S., 1979, Castle Ridge Rock 7.5' Quadrangle: California Department of Forestry, Title II Geologic Data Compilation Project, Unpublished, scale: 1:24,000.

Roth, R. A., 1983, Factors Affecting Landslide Susceptibility in San Mateo County, California: Association of Engineering Geologist, Bulletin, Vol. XX, No. 4, p. 353-372.

GEOLOGIC CONDITIONS

The Timber Harvest Plan area is entirely underlain by the Vaqueros Sandstone (Pulver, 1979; Brabb and Dibblee, 1979). In the Santa Cruz Mountains, the Vaqueros Sandstone is primarily a thick-bedded to massive, medium-to-fine grained sandstone with interbeds of mudstone (Clark, 1381) and conglomerate (Roth, 1983). Moderately to well-consolidated massive sandstone is the dominant rock type on the site. The sandstone exhibits low hardness (can be easily gouged with a rock pick) and is moderately weathered to a poorly cohesive loam soil.

Massive-to-thick beds of sandstone and thin-bedded mudstone are inclined to the south-southwest at 30° to 50° (35% to 120%) as mapped by Brabb and Dibblee (1979). Slopes in the Timber Harvesting Plan area have aspects to the north-west and southeast, therefore there are not areas where the bedding is inclined parallel to the slope as was the case south of the site at the Love Creek landslide.

Several landslides occurred both within the THP boundary and on slopes in the near vicinity as a result of the January 1982 storms. Most of these slides occurred on slopes in excess of 50% within broad swales. As with most of the landslides in the Santa Cruz Mountains resulting from the 1982 storms, these slides are generally classified as debris flows where loose soil and colluvium became saturated and "blew out" over bedrock during high intensity rainfall events. The slurry and debris generated by the debris flows resulted in a muddy debris torrent down draws and watercourses. Splash marks from this event can still be seen on trees in the area.

EXHIBIT 103

John Hastings, Chief, REgion V
THP 5-85-40 SCR
Geologic Review

Page 3

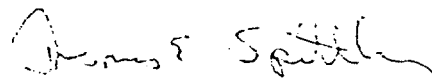
December 19, 1985

OBSERVATIONS (Keyed to the Map)

1. A 50-foot wide, 50-foot long debris flow failed down a 65% slope from the headwall portion of a U-shaped swale as a result of the January 1982 storm. The failure removed five to six feet of soil and colluvium, exposing fresh bedrock in the scar. The RPF has flagged a proposed constructed skid trail across a relatively flat area beneath the bare slide scar.
2. A 100 to 120-foot high, 50 to 60-foot wide debris flow failed from a swale on 65% to 70% slopes. The resulting material traveled down a 40% slope as a viscous flood, leaving a bare rock scarp inclined at about 100%. As with the constructed skid trail discussed in Observation 1, the trail has been flagged across relatively flat slopes beneath the slide scar.
3. The RPF proposes to skid down the bottom of a draw above the transition to a Class XII watercourse. No blade work would be required in the draw and the area disrupted by skidding would be mulched with tractor packed slash.

RECOMMENDATIONS

- 1 and 2. None. The minimum width outsloped skid trail as proposed by the RPF should not adversely affect the stability of the swales where it is flagged to cross. This assumes that water will not be diverted toward or concentrated within the swale.
3. To further reduce the chance of transporting fines to the Class III watercourse, straw should be spread over the disrupted areas prior to placing the slash mulch. The RPF has agreed to construct a simple sediment catchment basin in the draw above the transition to the Class III. This would utilize staked-in straw bales to filter out any potential sediment. The sediment basin will also determine the effectiveness of the mulch in stabilizing the soil.



THOMAS E. SPITTLER
RG 3592, CEG 1078
Santa Rosa

Reviewed and Approved By:

12-23-85 Trinda L. Bedrossian
Date TRINDA L. BEDRGSSIBN, CEG 1064
Senior Geologist and Program Manager

Mar; Attached

897

GARY PAUL
Forestry Consultant

5521 Scotts Valley Drive, Suite 235
Scotts Valley, CA 95066
831-438-8968 FAX 831-438-8329

February 24, 1999

Cathleen Carr
Planning Dept.
County of Santa Cruz
701 Ocean St.
Santa Cruz, CA 95062

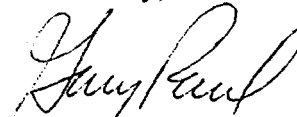
RE: Application No. 980838, Bazardrich rezone to TPZ

Dear Ms. Carr:

This is in response to your letter of February 19, 1999, regarding the issue of the timber production capability of the area predominated by chaparral. As indicated by the small, scattered redwoods throughout the area, it is capable of producing 15 cubic feet of timber per acre per year.

As far as the potential for long term conversion to timberland, the area could be prepared for planting of conifer seedlings, preferably Douglas fir and ponderosa pine. These species are recommended due to the lower moisture holding capability of the soils. Site preparation on the steeper slopes where the chaparral area is located would be limited to either reasonable use of herbicides to kill the shrubs, hand removal of shrubs to provide planting sites, or after a wildfire had killed the shrubs. The most cost effective method, barring waiting for a fire, would be use of herbicide. However, I am not sure of whether this could be done considering the regulatory situation.

Yours truly,



Gary Paul

COUNTY OF SANTA CRUZ

INTER-OFFICE CORRESPONDENCE

ATTACHMENT 6

898

DATE: **June 4, 1999**

TO: **Cathleen Carr, Project Planner**

FROM: **Dave Hope, Senior Resource Planner**



SUBJECT: **Proposal to Rezone Bazdarich (SU) parcels to TPZ APP# 98-0838**

The Timber Management Plan (TMP) submitted for this application meets the minimum standards for management plans set by the County of Santa Cruz.

This property meets the growing standards for timber of at least 15 cubic feet per acre per year on the northern half. Recommend split zoning on the parcels of TP on timbered half and SU on chaparral portions.

JEANNE HELMTS: Not sure what you are asking about the oak. Larger trees will be retained and an arborist's report will verify this. Wants to remove the walnut tree and wish the Commission would find a way to allow its removal.

COMMISSIONER SHEPHERD: The walnut tree is not before us.

JEANNE HELMTS: Wants approval of the project.

CLOSED HEARING

MOTION

COMMISSIONER RUTH MOVED TO APPROVE STAFF RECOMMENDATION. SECONDED BY COMMISSIONER SKILLICORN.

VOICE VOTE 5-0

MOTION CARRIED AND SO ORDERED.

ITEM H-3

PROPOSAL TO REZONE A PORTION OF ASSESSOR'S PARCEL NUMBERS 089- 121-68, -69, -70, -71 FROM THE "SU" SPECIAL USE ZONE DISTRICT TO THE "TP" TIMBER PRODUCTION ZONE DISTRICT, RESULTING IN FOUR PARCELS WITH A SPLIT ZONING OF SU AND TP. REQUIRES A REZONING. PARCELS ARE LOCATED AT THE NORTH END OF LOVE CREEK ROAD APPROXIMATELY 2.5 MILES NORTHEAST FROM THE INTERSECTION OF LOVE CREEK AND FRITCH ROADS.

OWNER: BAZDARICH JAMES L U/M
APPLICANT: GARY PAUL
SUPERVISORIAL DIST: 5
PROJECT PLANNER: CATHLEEN CARR, 454-3225

CATHLEEN CARR: Described the physical characteristics of the property, the timber management plan, nearby water courses, discussed past timber harvesting on the property, noted the reason for the recommended split zoning of the properties, General Plan designation of the lands, showed slides of the properties, and gave recommendation for action.

COMMISSIONER SHEPHERD: Have the adjacent properties been logged?

CATHLEEN CARR: Yes, within the last ten years.

COMMISSIONER HOLBERT: Did the City of Santa Cruz get noticed?

CATHLEEN CARR: Yes, notice was sent directly to the City Water Department.

COMMISSIONER HOLBERT: Parcels should be merged.

COMMISSIONER SHEPHERD: Agrees, parcels should be merged.

CATHLEEN CARR: Probably not a nexus between the rezoning and a requirement for merger.

COMMISSIONER SHEPHERD: Can we require that the parcels be merged as a condition of the rezoning?

RAHN GARCIA: I could do the research but no answer at this time.

COMMISSIONER HOLBERT: Thinks there is a nexus; shouldn't allow construction of 4 houses. We don't have to rezone it; creates land use conflicts.

COMMISSIONER SHEPHERD: Can't see any benefit from the rezoning and allowing 4 new homes. We may direct Counsel to do the research.

OPEN HEARING

BEVERLY BAZDARICH (OWNER): When people buy a parcel zoned TPZ they should be aware of future logging.

CLOSED HEARING

COMMISSIONER RUTH: Asked about the split zoning, how will this be determined?

CATHLEEN CARR: Not a metes and bounds description. Based on the timber harvest limits. Real clear when viewed on site.

COMMISSIONER HOLBERT: Would like to continue to see if we can merge the parcels.

COMMISSIONER SHEPHERD: Would support continuance.

COMMISSIONER BREMNER: Referred to the proposed conditions and protection of timber lands.

RAHN GARCIA: In the past, we've advised your Commission that a merger condition is not advisable and not provided for in state law.

COMMISSIONER SHEPHERD: Asked about the haul route.

CATHLEEN CARR: Love Creek Road is the primary route.

COMMISSIONER SHEPHERD: Will reluctantly support this project.

MOTION

COMMISSIONER SHEPHERD MOVED TO APPROVE STAFF RECOMMENDATION.
SECONDED BY COMMISSIONER RUTH.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

ITEM H-4

PUBLIC HEARING TO CONSIDER A REQUEST FOR A PLANNING COMMISSION POLICY
DETERMINATION RELATING TO LAND DIVISIONS AND APPROPRIATE DENSITY ON
LANDS DESIGNATED IN THE GENERAL PLAN FOR NON-COMMERCIAL AGRICULTURE.
PROJECT PLANNER: CATHY GRAVES, 454-3 14 1

CATHY GRAVES: Gave staff presentation including the details of the application that brought about this question. This is not a parcel specific determination but would affect properties in similar circumstances throughout the County. Noted apparent inconsistencies in the General Plan and implementing ordinances. Described alternatives to interpreting the specific policies. Gave recommendation for action.

COMMISSIONER HOLBERT: Has this gone to APAC? Would like this to go to APAC for their review. Would be helpful to us in making a decision.

CATHY GRAVES: No, has not gone to APAC.

COMMISSIONER SKILLICORN: Agrees, should be reviewed by APAC. Some of the General Plan polices, who were developed by people who have never farmed, are unrealistic,

COMMISSIONER HOLBERT: Maybe the General Plan designation should be changed on this parcel.

COMMISSIONER SHEPHERD: We should hear from APAC. Some small parcels are very viable. The basis that a larger parcel is necessary may not be correct.