



County of Santa Cruz 018-

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

October 21, 1999

Agenda: November 2, 1999

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

SUBJECT: Rescheduling Public Hearing on Timber Policies

Members of the Board:

On August 24, we presented a report to your Board on the status of timber harvesting regulations. In our report, we discussed the actions of the California Coastal Commission regarding the County's policy and ordinance amendments regarding timber harvesting; various issues associated with the implementation of Ordinance 4529, which prohibits timber harvesting within specified riparian areas; the status of the County's 1998 and 1999 Forest Practice Rules submittals; and an analysis of a Rules package that was being considered by the Board of Forestry which had been jointly prepared by the California Environmental Protection Agency and the Resources Agency to protect watersheds and improve aquatic habitats.

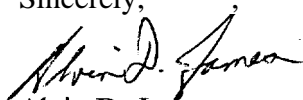
It was the stated goal of the Resources Agency to have new Rules in place by January 1, 2000. Testimony by Agency staff and representatives of the National Marine Fisheries Service (NMFS) emphasized the importance of a January 1 effective date. Ordinance 4529, which was adopted by your Board in January of this year, was intended to provide interim protection for riparian corridors in Santa Cruz County until the Agency's Rules took effect. Ordinance 4529 expires on December 31, 1999. As discussed in our August 24 report, it was our belief that the Board of Forestry would adopt the Agency Rules, or a modified version, which would take effect on January 1, 2000, resulting in no lapse in the protection of our riparian corridors. In addition, the policy package returning from the California Coastal Commission also includes restrictions regarding timber harvesting near riparian corridors, which could take effect by January 1 if your Board accepted the Coastal Commission's amendments to our submittal package. Finally, on August 24, your Board directed Planning to continue to pursue Board of Forestry approval of our 1999 Forest Practice Rules which included "no-cut" buffer areas along riparian corridors. In short, there were least three regulatory proposals under review that provided increased protection for our riparian corridors- the Agency's Rules, the Coastal Commission approved ordinance, and the County's Rules-any one of which could conceivably take effect on January 1, 2000.

For these reasons, we did not recommend that your Board consider extending ordinance 4529 by re-adopting it with a new expiration date. However, it now appears that your Board may wish to consider taking such an action. The State Board of Forestry has not yet acted on the Agency's Rules. A January 1 effective date is therefore not possible. These Rules have been referred to their Forest Practices Committee for further review. The County's 1999 Rules package was denied on September 14, 1999, so the riparian protections in that package are not under consideration at this time. Finally, while the ordinance returning to your Board from the Coastal Commission does include riparian restrictions, staff will be recommending some amendments which will necessitate subsequent review by the Coastal Commission, once again making a January 1 start up date unlikely. For these reasons, we are recommending that your Board expand the scope of your upcoming policy discussions on timber regulations to include the extension of an ordinance establishing restrictions on timber harvesting in riparian corridors. This will necessitate the rescheduling of your November 9 hearing to November 16 to allow sufficient time for the required public noticing.

It is therefore, RECOMMENDED, that your Board:

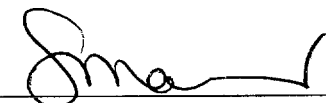
1. Cancel the public hearing scheduled for November 9 to consider the set of policy/ordinance amendments, including the modifications, approved by the California Coastal Commission and the second(less restrictive) set of policy/ordinance amendments related to timber harvesting; and
2. Schedule a public hearing for November 16, 1999 on the afternoon agenda beginning at 1:30 p.m. to consider the set of policy/ordinance amendments, including the modifications, approved by the California Coastal Commission; the second(less restrictive) set of policy/ordinance amendments related to timber harvesting; and the re-adoption of Ordinance 4529, an ordinance adding Section 13.10.695 to the Santa Cruz County Code which restricts timber harvesting in riparian corridors, including amendments recommended by staff, and direct the Clerk of the Board to provide the required noticing for the public hearing.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED: _____



SUSAN A. MAURIELLO
County Administrative Officer

Attachments: Public Hearing Notice

cc: County Counsel
California Department of Forestry, Central Coast Ranger Unit
California Department of Forestry, Coast-Cascade Region
Santa Cruz Farm Bureau
Big Creek Lumber

0189

Mark Morganthaler
Steven M. Butler
Citizens for Responsible Forest Management
Sierra Club
Summit Watershed Protection League
Valley Women's Club
J. E. Greig, Inc.
City of Santa Cruz Water Department
Redwood Empire
Roy Webster
Central Coast Forest Association
Cathleen Carr