



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: February 15, 2000

January 26, 2000

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

Subject: Proposal to rezone Assessor's Parcel Numbers 107-052-06 and 07 from the Residential Agriculture ("RA") zone district to the Timber Production ("TP") zone district. Requires a Rezoning.

APPLICATION NUMBER: 98-0814

APNs: 107-052-06 and 07

APPLICANT: Gary Paul

OWNER: Ron Beeson

LOCATION: The property is located on the south side of Browns Valley Road about 1/4 mile before (south of) the intersection of Browns Valley and Hazel Dell 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 November 19, 1998, the County Planning Department accepted this application for rezoning two parcels totaling about 10.9 acres currently zoned Residential Agriculture (RA) to Timber Production (TP). This rezoning has been applied for under the California State Government Code Section 5 1113.5 "Petition by owner to add to timberland production zone". Under Section 5 1113.5, an owner with timberlands in a timberland production zone may petition the Board to add to his or her timberland production lands that meet the criteria of subdivisions (f) and (g) of Section 5 1104 and that are contiguous to the timberland already zoned as timberland production. Furthermore, Section 5 1113.5 states that Section 5 1113 shall not apply to these lands. Subdivisions (f) and (g) of State

Government Code Section 51104 state (f) “Timberland” means land which is devoted to and used for growing and harvesting timber, or for timber production and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre, and (g) “Timberland production zone” means an area which has been zoned pursuant to Section 5 1112 or 5 1113 of the Government Code and is devoted to and used for growing and harvesting timber, or for timber production and compatible uses.

As a “petition by owner to add to timberland production zone”, the criteria specified under County Code Section 13.10.375 (c) zoning to the TP district do not apply to this rezoning application. 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). The project meets the two aforementioned criteria for rezoning to Timber Production:

1. The properties are timberlands being devoted to and used for growing and harvesting timber and compatible uses and is capable of producing 15 cubic feet of fiber per acre per year; and
2. The properties are adjacent to Timberland Production property zoned pursuant to section 5 1112 or 51113 of the Government Code and are in the ownership of one person, as defined in Section 3 8 106 of the Revenue and Taxation Code (Exhibit G and H, Attachment 6).

In addition, the 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 December 8, 1999, the Planning Commission heard this application at a noticed public hearing. The Planning Commission adopted Resolution 18-99 (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.

DISCUSSION

Project Setting:

The project site is located in the Eureka Canyon planning area with access via a private driveway off of Browns Valley Road located on the adjacent Timber Production parcel - APN 107-052-08 (Exhibit H, Attachment 6). The subject parcels are slightly over 5 acres each and are currently undeveloped. The topography of these properties varies with slopes of 20 to over 75% with the steepest areas immediately adjacent to Brown’s Creek. The subject parcels both drain towards the creek via sheet flow. Brown’s Creek is located along the northern end of the subject properties roughly parallel to Browns Valley Road. Brown’s Creek, historically, provided spawning and rearing habitat for both Coho salmon (*Oncorhynchus kisutch*) and Southern steelhead trout (*Oncorhynchus mykiss irideus*). Southern steelhead trout are a Federally listed endangered species and a California Department of Fish and Game (CDFG) Species of Special Concern. Coho salmon is listed as a Federally threatened and State endangered species as well as a CDFG Species of Special Concern. The Coho population,

however, has been extirpated in Brown’s Valley Creek, and has not listed by the State as a Coho salmon recovery stream.

Assessor’s Parcel Number 107-052-08 is an approximately 122 acre, Timber Production zoned parcel. Both of the subject parcels are contiguous to this TP zoned property along their southern property line. These three parcels are under the ownership of one person, as defined in Section 3 8 106 of the Revenue and Taxation Code, and together these properties encompass about 133 acres. Exhibit G of Attachment 6 shows the physical relationship of these parcels.

Parcel 107-052-07 and 107-052-08 received a Santa Cruz County Timber Harvest Permit (79-772 TH) in 1979 for a selective harvest of 90 acres, This permit was renewed through 1982, but it is not clear whether or not this permit was ever exercised. Timber Harvest Permit 79-772 (Exhibit L, Attachment 6) showed two landings and a small section of permanent road on parcel 07. This road has become overgrown and is no longer apparent. Approximately 82 acres of the Timber Production parcel (08) was selectively harvested under Timber Harvest Permit 1-98-063 SCR (Exhibit M, Attachment 6) in 1998-99. This timber harvest plan also indicated that a portion of this property was lightly harvested in 1986. These properties were clear cut in the early 1900’s and no old growth trees were evident on the subject parcels.

A Registered Professional Forester has prepared a letter for the property owner stating that the subject properties are contiguous to Timber Production zoned lands and that the subject properties qualify as timberlands pursuant to Section 5 1104 of the Government Code (Exhibit O, Attachment 6). As demonstrated in the 1979 Timber Harvest Plan and as verified in the field and by a Registered Professional Forester, the subject parcels are capable of producing at least 15 cubic feet of timber per acre annually, thereby meeting the definition of timberland.

APNs 107-052-06 and 07 are zoned RA. Parcel 07 is bordered by TP zoned property (in the same ownership) on the east and south and by RA properties on the west (parcel 06 which also proposed for rezoning) and north. Parcel 107-052-06 is adjacent to TP zoned property (same ownership) on the south and by RA on the west, north and east (parcel 07). The Zoning Map for the subject parcels and the surrounding properties is included as Exhibit H of Attachment 6.

General Plan & Zoning Consistency

Both subject parcels have a 1994 General Plan land use designation of Mountain Residential and are located entirely within a mapped Timber Resource designated area (Exhibit J, Attachment 6). Parcels 107-052-06 and 07 are currently zoned Residential Agriculture. The Residential Agriculture and Timber Production zoning districts implement the Mountain Residential General Plan designation, as specified in Section 13.10.170 of the County Code.

Portions of the subject lands are visible from a 1994 General Plan designated scenic road - Browns Valley Road. The County’s General Plan policy 5.10.3 on Visual Resources states that significant public vistas shall be protected “by minimizing disruption of **landform** and aesthetic character caused by grading operations, **timber harvests**, utility wires and poles, signs, inappropriate landscaping and structure design” (emphasis added). Moreover, policy 5.10.10 Designation of Scenic Roads states

“the following roads and highways are valued for their vistas. The public vistas from these roads shall be afforded the highest level of protection”. Due to the proximity of the subject properties to Browns Valley Road, as well as their steepness, only the lower elevations of this property are visible to travelers along Brown’s Valley Road. Protecting the scenic portions of these properties can be accomplished through rezoning each parcel with a condition requiring a “No Cut” zone within 50 feet of the south side of Brown’s Creek and between Brown’s Creek and Browns Valley Road (Exhibit N, Attachment 6). About 1.25 to 1.5 acres of each parcel are located within this “No Cut” zone. A condition requiring a “No Cut Zone” adjacent to the Brown’s Creek and Browns Valley Road shall ensure that the visual aesthetics of the property as could be readily viewed from Browns Valley Road, a designated scenic road, shall be preserved. The “No Cut Zone” will minimize the potential impacts of any future timber harvesting on the public view shed, which is consistent with the County’s General Plan policies.

Brown’s Creek meets the definition of Sensitive Habitat under General Plan policy 5.1.2(c) through (f), (i) and (j), primarily due to the presence of the Southern steelhead trout population. General Plan policy 5.1.4 states “implement the protection of sensitive habitats by maintaining the existing Sensitive Habitat Protection ordinance” (Chapter 16.32 of the County Code). In addition, General Plan policy 5.1.6 states that sensitive habitats shall be protected against any significant disruption of habitat values; any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Projects must be reduced in scale, redesigned, mitigated or, if no alternative exists, denied. General Plan policy also states that sensitive habitats shall be protected against any significant disruption or degradation of habitat values in accordance with the Sensitive Habitat Protection ordinance. The Sensitive Habitat Protection ordinance’s definition of development specifically exempts “timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973”. In other words, timber harvesting under a CDF Timber Harvest Permit is exempt from the regulations of Chapter 16.32. Nevertheless, as timber harvesting is not allowed under the subject parcels’ current zoning, the proposed rezoning must be analyzed with respect to and found in conformance with the County’s General Plan policies for protecting the County’s biological resources. As Brown’s Creek runs parallel to Browns Valley Road, the proposed “No Cut” zone aimed at protecting the properties aesthetic, visual resources will also effectively protect the anadromous fish habitat within Brown’s Creek. The “No Cut” zone will maintain a sufficient tree canopy which, in turn, will provide shade required to maintain optimum water temperatures for steelhead trout eggs and young. This zone will provide a buffer between the creek and timber activities which will inhibit transportation of sediment and turbid runoff to the stream. Therefore, as conditioned, the proposed rezoning will conform with the General Plan’s policies for sensitive habitat protection.

Conclusion

In accordance with Section 5 1113.5 of the State Government Code, the applicant has met all of the criteria to have the property rezoned. As these properties are 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.

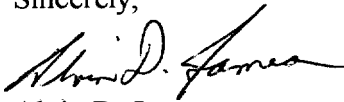
All required findings can be made to approve this application and the rezoning is consistent with the General Plan policies and land use designations, subject to the attached conditions of approval.

RECOMMENDATION

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

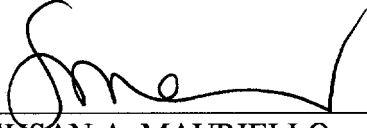
1. Approve the determination that the project is statutorily exempt from the California Environmental Quality Act (Attachment 3); and
2. Adopt the attached Ordinance amending Chapter 13.10 of the Santa Cruz County Code that Conditionally Rezones Assessor's Parcel Numbers 107-052-06 and 07 from the Residential Agriculture (RA) zone district to the Timber Production (TP) zone district (Attachment 5).

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

cc: Ron Beeson, 1006 Iris Redwood City, CA 94061
Gary Paul, 5521 Scotts Valley Dr. Suite 235 Scotts Valley, CA 95066

- Attachments:
1. Findings
 2. Conditions of Approval
 3. CEQA Exemption
 4. Planning Commission Resolution No. 18-99
 5. Ordinance Amending Chapter 13.10 of the County Code changing properties from one zone district to another
 6. Planning Commission Staff Report of December 8, 1999
 7. Planning Commission Minutes of December 8, 1999

REZONING FINDINGS:

1.

AND TYPES OF USES WHICH ARE CONSISTENT WITH THE OBJECTIVES AND LAND-USE DESIGNATIONS OF THE ADOPTED GENERAL PLAN; AND,

consistent with the objectives and the land use designations of Mountain Residential. The parcels which lies within a Timber Resource designation, which contain timber resources meeting the timber stocking requirements and which are contiguous to a Timber Production Revenue and Taxation Code.

Subject to the concurrent approval of the attached conditions limiting the location of 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 any new roads, as defined in Chapter 16.22, 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, provides an appropriate separation between potential future residential uses and for falling trees, as well as the access, staging and use of heavy equipment associated with logging and the stockpiling of logs for transportation.

General Plan Policy 5.10.1 defines visual resources as areas having regional public importance for their natural beauty or rural agricultural character, including vistas from designated scenic roads, Coastal Special Scenic Areas, and other unique features. In addition, General Plan Policy 5.10.2 recognizes that the visual resources of Santa Cruz County possess diverse characteristics and that the resources worthy of protection include wooded forests and mountain hillside views. Moreover, General Plan Policy 5.10.3 states that public vistas as described in policy 5.10.2 shall be protected by minimizing disruption of landform and aesthetic character caused by timber harvests.

parcel which are adjacent to Browns Valley Road are visible to travelers on Browns Valley Road, which the County's General Plan designates as a scenic road. Designated scenic 5.10.10

vistas from a designated scenic road be afforded the highest level of protection. Under the parcel's current zoning (RA), the property cannot be harvested. However, only a limited

Plan policy to "encourage timberland owners to apply for Timber Production Zoning where

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appropriate”. In order to provide the highest level of protection of the scenic portion of the property, but still allow a timber harvesting use on the property, staff proposes rezoning the subject parcels to the Timber Production zone district with a condition requiring a “No Cut” zone within 50 feet of the Brown’s Creek on the south side and between Brown’s Creek and Browns Valley Road. This condition will limit tree cutting to areas which are not visible to the public traveling along Browns Valley Road.

In addition, Brown’s Creek provides spawning and rearing habitat for Southern steelhead trout, a Federally listed endangered species and California Department of Fish and Game Special Species of Concern. This habitat meets the definition of a Sensitive Habitat under General Plan policy 5.1.2(b) through (f), (i) and (j). General Plan policy 5.1.4 states “implement the protection of sensitive habitats by maintaining the existing Sensitive Habitat Protection ordinance”. In addition, General Plan policy 5.1.6 states that sensitive habitats shall be protected against an); significant disruption of habitat values; any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Projects must be reduced in scale, redesigned, mitigated or, if no alternative exists, denied. Policy 5.1.7 includes the following language, “Protect sensitive habitats against any significant disruption or degradation of habitat values in accordance with the Sensitive Habitat Protection ordinance.” The Sensitive Habitat Protection ordinance’s (Chapter 16.32) defines development as including the following “the removal or harvesting of major vegetation other than for... timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973; the disturbance of any rare, endangered, or locally unique plant or animal or its habitat”. Thus, timber harvesting under a CDF Timber Harvest Permit is specifically exempted from the regulations of Chapter 16.32. Although timber harvesting is not allowed under the subject parcels’ current zoning and timber harvesting through CDF permits would not need to comply with the County’s Sensitive Habitat ordinance, the proposed rezoning, subject to the previously discussed “No Cut” zone condition, is in conformance with the County’s General Plan policies for protecting the County’s biological resources and sensitive habitats. Specifically, Brown’s Creek runs parallel to Browns Valley Road and the proposed “No Cut” zone aimed at protecting the properties aesthetic, visual resources will also effectively protect the anadromous fish habitat within Brown’s Creek. The “No Cut” zone will maintain a sufficient tree canopy which, in turn, will provide shade required to maintain optimum water temperatures for steelhead trout eggs and young. This zone will provide a buffer between the creek and timber activities which will inhibit transportation of sediment and turbid runoff to the stream. Therefore, as conditioned, the proposed rezoning will conform with the General Plan’s policies for sensitive habitat protection.

Subject to these conditions, the uses will more closely conform with the General Plan as a result of the rezoning of these parcels which contain timber resources meeting the timber stocking requirements, which are contiguous with Timber Production zoned parcels within the same ownership and have a continuous timber growing and harvesting use, which may no longer be pursued under the current zoning designation.

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- 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 services available to the parcel. The subject parcel is accessed via an adjacent Timber Production parcel within the same ownership as the subject parcels. The access to the adjacent TP property is off of a publicly maintained road. The parcels are 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 RA zone districts in the past in certain circumstances under the jurisdiction of the County and later under the sole authority of the California Department of Forestry, and in fact a timber harvest permit was issued for one of the parcels 107-052-07 in 1979 by the County of Santa Cruz. Interim Zoning Ordinances 4476 and 4469 adopted in August 1997 no longer allow timber related uses within the Residential Agriculture zone district. The subject parcels contain timber stands meeting the timber stocking standards and lies entirely within a designated Timber Resource area. The rezoning will allow the continuation of harvesting and management of the timberlands on the subject parcels and the adjacent Timber Production lands.

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CONDITIONS OF APPROVAL

Approval No. 98-0814

Applicant: Gary Paul

Property Owner: Ron Beeson

Assessor's Parcel Nos. 107-052-06 and 07

Property location and address: The property is located on the south side of Browns Valley Road about 1/4 mile before (south of) the intersection of Browns Valley and Hazel Dell Roads. No situs.

Eureka Canyon Planning Area

Exhibits: N of the December 8, 1999 Planning Commission Staff Report - No Cut Zone Map

- I. This approval authorizes the rezoning of parcels 107-052-06 and 07 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.

- II. Site Conditions.
 - A. Any future logging road constructed under a timber harvest permit is a "new road" as defined in Chapter 16.22.030 of the County Code. Any use of a new logging road, constructed under the terms of a State timber harvest permit, for a purpose connected in any way with subsequent "development", as defined by Section 13.10.700-D of the County Code, is strictly prohibited unless all required County permits are first obtained.
 - B. 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.

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Zoning Approval No. 98-08 14
Assessor's Parcel Nos: 107-052-06 and 07
Applicant: Gary Paul for Ron Beeson

- 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.
- C. Timber stands meeting minimum stocking standards shall be maintained as required by Section 13.10.375(c)3.
- D. Timber harvesting and/or tree removal is prohibited within 50 feet of the south side of Brown's Creek and between Brown's Creek and Browns Valley Road with the following exceptions:
- Removal of trees for the construction and maintenance of the roadbed along Browns Valley Road or to remove tree which pose an imminent hazard to public health and safety.
- 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, 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

Zoning Approval No. 98-0814
Assessor's Parcel Nos: 107-052-06 and 07
Applicant: Gary Paul for Ron Beeson

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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. ⁰⁵²⁶

Application No. 98-08 14

Assessor Parcel Nos. 107-052-06 and 07

Project Location: The property is located on the south side of Browns Valley Road about 1/4 mile before (south of) the intersection of Browns Valley and Hazel Dell Roads.

Project Description: Proposal to rezone Assessor's Parcel Numbers 107-052-06 and 07 from the Residential Agriculture ("RA") zone district to the Timber Production ("TP") zone district.

Requires a Rezoning

Person or Agency Proposing Project: Gary Paul for Ron Beeson

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, Project Planner

Date: 1-26-00

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

RESOLUTION NO. 18-99

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On the motion of Commissioner : RUTH
duly seconded by Commissioner : BREMNER
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. 98-08 14, involving property located on the south side of Browns Valley Road about 1/4 mile before (south of) the intersection of Browns Valley and Hazel Dell 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 conditionally changing property from the "RA" Residential Agriculture zone district to the "TP" Timber Production zone district.

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

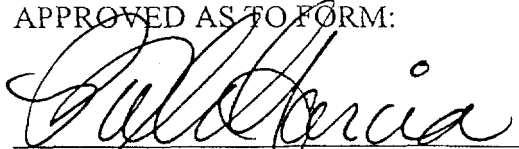
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 8th day of December, 1999, by the following vote:

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


RENEE SHEPHERD, Chairperson

ATTEST: 
MARTIN JACOBSON, Secretary

APPROVED AS TO FORM:


COUNTY COUNSEL

ORDINANCE NO. _____

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**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 at the south side of Browns Valley Road about 1/4 mile before (south of) the intersection of Browns Valley and Hazel Dell 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 16.01 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 properties 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>
107-052-06	"RA"	"TP"
107-052-07	"RA"	"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. Any future logging road constructed under a timber harvest permit is a "new road" as defined in Chapter 16.22.030 of the County Code. Any use of a new logging road, constructed under the terms of a State timber harvest permit, for a purpose connected in any way with subsequent "development", as defined by Section 13.10.700-D of the County Code, is strictly prohibited unless all required County permits are first obtained.
- B. 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.
- C. Timber stands meeting minimum stocking standards shall be maintained as required by Section 13.10.375(c)3.
- D. Timber harvesting and/or tree removal is prohibited within 50 feet of the south side of Brown's Creek and between Brown's Creek and Browns Valley Road with the following exceptions:

Removal of trees for the construction and maintenance of the roadbed along Browns Valley Road or to remove tree which pose an imminent hazard to public health and safety.

- 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.

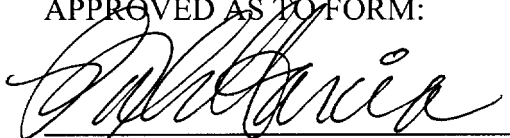
PASSED AND ADOPTED this 15th day of February, 2000, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

MARDI WORMHOUDT
 Chairperson of the Board of Supervisors

ATTEST: _____
 Clerk of the Board

APPROVED AS TO FORM:

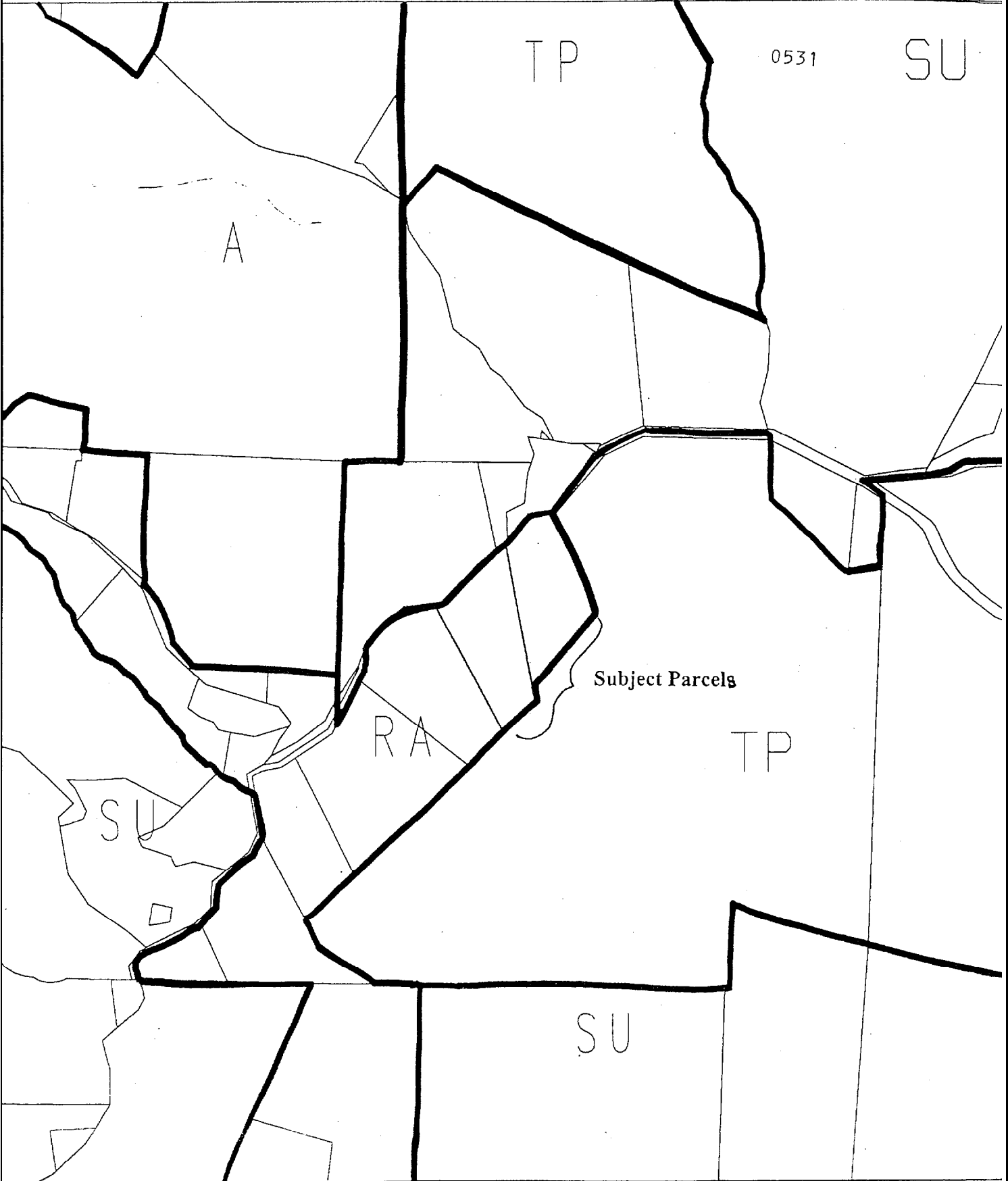


Assistant County Counsel

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

SCALE (FT/INCH) = 665
10TH IN FEET = 5,083.00
EPTH IN FEET = 5,881.00

REQUEST ID: 98-0814
ATTACHMENT 5



33 ASSESSOR PARCELS
33 PLANNING ZONES

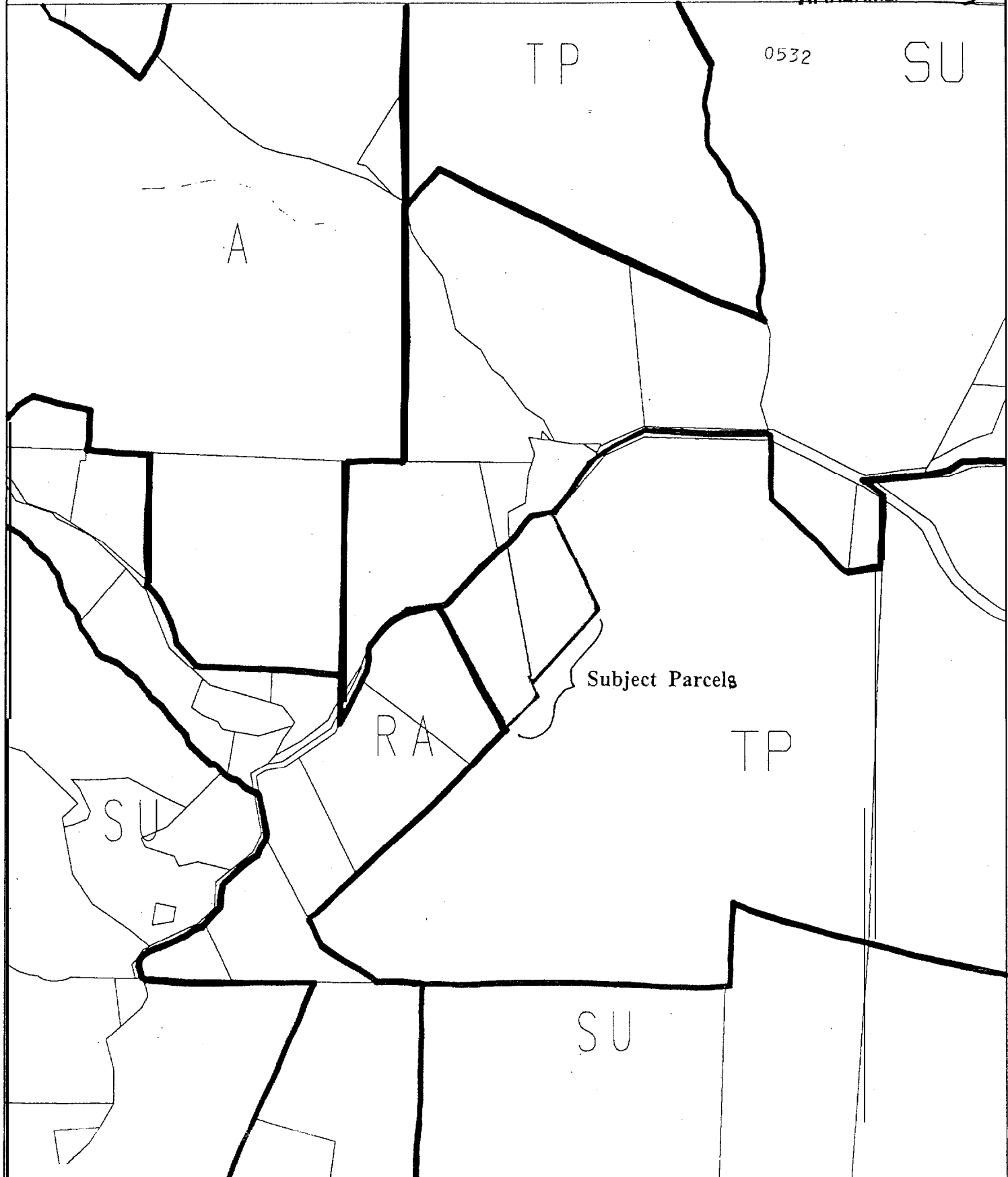
EXISTING ZONING



SCALE (FT/INCH) = 665
WIDTH IN FEET = 5,083.00
DEPTH IN FEET = 5,881.00

REQUEST ID: 98-0814

ATTACHMENT 5



Subject Parcels

83ASSESSOR PARCELS
83PLANNING ZONES

PROPOSED ZONING

N ↑

STAFF REPORT TO **THE** PLANNING COMMISSION

APPLICATION NO. : 98-08 14

APNS: 107-052-06 and 07

APPLICANT: Gary Paul

OWNER: Ron Beeson

PROJECT DESCRIPTION: Proposal to rezone Assessor's Parcel Numbers 107-052-06 and 07 from the Residential Agriculture ("RA") zone district to the Timber Production ("TP") zone district. Requires a Rezoning.

LOCATION: The property is located on the south side of Browns Valley Road about 1/4 mile before (south of) the intersection of Browns Valley and Hazel Dell 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 XXno ~~APPEALABLE TO CCCX~~ n o

PARCEL INFORMATION

PARCEL SIZE: 107-052-06 5.6 acres

 107-052-07 5.3 acres

EXISTING LAND USE: PARCEL: Vacant rural and timber production

SURROUNDING: Timber production, vacant rural and rural residential

PROJECT ACCESS: Hazel Dell Road

PLANNING AREA: Eureka Canyon Planning Area

LAND USE DESIGNATION: "R-M" Mountain Residential

ZONING DISTRICT: 107-052-06 "RA" Residential Agriculture

 107-052-07 "RA" Residential Agriculture

SUPERVISORIAL DISTRICT: Second

ENVIRONMENTAL INFORMATION

<u>Item</u>	<u>Comments</u>
a. Geologic Hazards	a. APN 107-052-07 is located within a fault zone
b. Soils	b. Ben Lomond-Felton complex
c. Fire Hazard	c. None mapped
d. Slopes	d. 20 to 75+ %
e. Env. Sen. Habitat	e. Riparian and Salmonid Habitat - Brown's Creek
f. Grading	f. New skid trails, possibly timber landings required
g. Tree Removal	g. Future Timber Harvest Proposed
h. Scenic	h. Portions adjacent to Brown's Creek are visible from Browns Valley Road - a County General Plan designated scenic road.
i. Drainage	i. N/A
j. Traffic	j. N/A

-
- | | |
|-----------------------|---|
| k. Roads | k. Access via adjacent TP property 107-052-08 |
| l. Parks | l. N/A |
| m. Sewer Availability | m. N/A |
| n. Water Availability | n. N/A |
| o. Archeology | o. None mapped |

SERVICES INFORMATION

W/in Urban Services Line: n yes XX o

Water Supply:	Private Well - currently undeveloped
Sewage Disposal:	Septic - currently undeveloped
Fire District:	California Department of Forestry Fire District
Drainage District:	Zone 7

ANALYSIS & DISCUSSION

Background

On November 19, 1998, the County Planning Department accepted this application for rezoning two parcels totaling about 10.9 acres from the Residential Agriculture (RA) zone district to Timber Production (TP). This rezoning has been applied for under the California State Government Code Section 5 1113.5 "Petition by owner to add to timberland production zone". Under Section 51113.5, an owner with timberlands in a timberland production zone may petition the Board to add to his or her timberland production lands that meet the criteria of subdivisions (f) and (g) of Section 5 1104 and that are contiguous to the timberland already zoned as timberland production. Furthermore, Section 51113.5 states that Section 51113 shall not apply to these lands. The criteria for rezoning to timberland production in subdivisions are (f) "Timberland" means land which is devoted to and used for growing and harvesting timber, or for timber production and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre, and (g) "Timberland production zone" means an area which has been zoned pursuant to Section 5 1112 or 51113 of the Government Code and is devoted to and used for growing and harvesting timber, or for timber production and compatible uses. The pertinent sections of the California Government Code are included as Exhibit K. 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 under Section 5 1113. These criteria, however, do not apply to this rezoning application. This project qualifies for a statutory exemption (Exhibit C) in accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 17, Section 1703).

Project Setting

The project site is located in the Eureka Canyon planning area with access via a private driveway off of Browns Valley Road (Exhibit E). This driveway is located on the adjacent Timber Production parcel - APN 107-052-08. The subject parcels are slightly over 5 acres each and are currently undeveloped. The topography of the properties varies with slopes of 20 to over 75 % with the steepest areas immediately adjacent to Brown's Creek. The subject parcels both drain towards the creek watershed via sheet flow. Brown's Creek is located along the northern end of the subject properties roughly parallel to Browns Valley Road. Brown's Creek, historically, provided spawning and rearing habitat for both Coho salmon (*Oncorhynchus kisutch*) and Southern steelhead trout (*Oncorhynchus mykiss irideus*). Southern steelhead trout are a Federally listed endangered species and a California Department of Fish and Game (CDFG) Species of Special Concern. Coho salmon is listed as a Federally threatened and State endangered species as well as a CDFG Species of Special Concern. The Coho population, however, has been extirpated in Brown's Valley Creek, and it is not listed by the State as a Coho salmon recovery stream.

Assessor's Parcel Number 107-052-08 is an approximately 122 acre, Timber Production zoned parcel. Both of the subject parcels are contiguous to this TP zoned property along their southern property line. These three parcels are under the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and together these properties encompass about 133 acres. Exhibit G shows the physical relationship of these parcels.

Parcel 107-052-07 and 107-052-08 received a Santa Cruz County Timber Harvest Permit (79-772 TH) in 1979 for a selective harvest of 90 acres. This permit was renewed through 1982, but it is not clear whether or not this permit was ever exercised. Timber Harvest Permit 79-772 (Exhibit L) showed two landings and a small section of permanent road on parcel 07. This small section of road has become overgrown and is no longer apparent. Approximately 82 acres of the Timber Production parcel (08) was selectively harvested under Timber Harvest Permit 1-98-063 SCR (Exhibit M) in 1998-99. This timber harvest plan also indicated that a portion of this property was lightly harvested in 1986. These properties were clear cut in the early 1900's and no old growth trees were evident on the subject parcels.

A Registered Professional Forester has prepared a letter for the property owner stating that the subject properties are contiguous to Timber Production zoned lands and that the subject properties qualify as timberlands pursuant to Section 5 1104 of the Government Code (Exhibit O). As demonstrated in the 1979 Timber Harvest Plan, and as verified in the field and by a Registered Professional Forester, the subject parcels are capable of producing at least 15 cubic feet of timber per acre annually, thereby meeting the definition of timberland.

APNs 107-052-06 and 07 are zoned RA. Parcel 07 is bordered by TP zoned property (in the

same ownership) on the east and south and by RA properties on the west (parcel 06 which also proposed for rezoning) and north. Parcel 107-052-06 is adjacent to TP zoned property (same ownership) on the south and by RA on the west, north and east (parcel 07). The Zoning Map for the subject parcels and the surrounding properties is included as Exhibit H.

General Plan & Zoning Consistency

Both subject parcels have a 1994 General Plan land use designation of Mountain Residential and are located entirely within a mapped Timber Resource designated area (Exhibit J). Parcels 107-052-06 and 07 are currently zoned Residential Agriculture. The Residential Agriculture and Timber Production zoning districts implement the Mountain Residential General Plan designation, as specified in Section 13.10.170 of the County Code.

Portions of the subject lands are visible from a 1994 General Plan designated scenic road - Browns Valley Road. The County's General Plan policy 5.10.3 on Visual Resources states that significant public vistas shall be protected "by minimizing disruption of landform and aesthetic character caused by grading operations, **timber harvests**, utility wires and poles, signs, inappropriate landscaping and structure design" (emphasis added). Moreover, policy 5.10.10 Designation of Scenic Roads states "the following roads and highways are valued for their vistas. The public vistas from these roads shall be afforded the highest level of protection". Due to the proximity of the subject properties to Browns Valley Road, as well as their steepness, only the lower elevations of this property are visible to travelers along Brown's Valley Road. Protecting the scenic portions of these properties can be accomplished through either a split zoning of RA and TP or through rezoning each parcel with a condition requiring a "No Cut" zone. As the uses within the RA zone district could potentially change to allow timber harvesting, it is staff's professional opinion that a "NO Cut" zone will provide the highest level of protection of these alternatives. Thus, staff proposes rezoning the subject parcels to the Timber Production zone district with a condition requiring a "No Cut" zone within 50 feet of the south side of Brown's Creek and between Brown's Creek and Browns Valley Road (Exhibit N). About 1.25 to 1.5 acres of each parcel are located within this "No Cut" zone. A condition requiring a "No Cut Zone" adjacent to the Brown's Creek and Browns Valley Road shall ensure that the visual aesthetics of the property as could be readily viewed from Browns Valley Road, a designated scenic road, shall be preserved. The "No Cut Zone" will minimize the potential impacts of any future timber harvesting on the public view shed, which is consistent with the County's General Plan policies.

Brown's Creek meets the definition of Sensitive Habitat under General Plan policy 5.1.2(c) through (f), (i) and (j). The key definitions are (c) Areas adjacent to essential habitats of rare, endangered or threatened species as defined in (e) and (f); (d) Areas which provide habitat for Species of Special Concern as listed by the California Department of Fish and Game; (e) Areas which provide habitat for rare or endangered species which meet the definition of Section

15380 of the California Environmental Quality Act guidelines; (f) Areas which provide habitat for rare, endangered or threatened species as designated by the State Fish and Game Commission, United States Fish and Wildlife Service or California Native Plan Society; which all apply to the Southern steelhead trout population in Brown's Creek. General Plan policy 5.1.4 states "implement the protection of sensitive habitats by maintaining the existing Sensitive Habitat Protection ordinance" (this ordinance is Chapter 16.32 of the County Code). In addition, General Plan policy 5.1.6 states that sensitive habitats shall be protected against any significant disruption of habitat values; any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Projects must be reduced in scale, redesigned, mitigated or, if no alternative exists, denied. Policy 5.1.7 includes the following language, "Protect sensitive habitats against any significant disruption or degradation of habitat values in accordance with the Sensitive Habitat Protection ordinance." The Sensitive Habitat Protection ordinance's definition of development includes the following "the removal or harvesting of major vegetation other than for . . . timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973; the disturbance of any rare, endangered, or locally unique plant or animal or its habitat". Thus, timber harvesting under a CDF Timber Harvest Permit is specifically exempted from the regulations of Chapter 16.32. Nevertheless, as timber harvesting is not allowed under the subject parcels' current zoning, the proposed rezoning must be analyzed with respect to and found in conformance with the County's General Plan policies' for protecting the County's biological resources. As Brown's Creek runs parallel to Browns Valley Road, the proposed "No Cut" zone aimed at protecting the properties aesthetic, visual resources will also effectively protect the anadromous fish habitat within Brown's Creek. The "No Cut" zone will maintain a sufficient tree canopy which, in turn, will provide shade required to maintain optimum water temperatures for steelhead trout eggs and young. This zone will provide a buffer between the creek and timber activities which will inhibit transportation of sediment and turbid runoff to the stream. Therefore, as conditioned, the proposed rezoning will conform with the General Plan's policies for sensitive habitat protection.

The conditions (Exhibit B) proposed for this approval will also assure 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 logging roads, which are allowed under and consistent with the County's ordinances and General Plan policies.

In accordance with Section 51113.5 of the State Government Code, the project meets the following criteria for rezoning to Timber Production:

1. The properties are contiguous with Timber Production zoned property under the ownership of one person, as defined in Section 38106 of the Revenue and Taxation

Code, (Exhibit G).

2. The properties are timberland, as they are capable of producing an average of 15 cubic feet of timber per acre annually.

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

Conclusion

All of the criteria have been met for rezoning the subject parcels 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 B). Please see Exhibit A ("Findings") for a complete listing of findings and evidence related to the above discussion.


RECOMMENDATION:

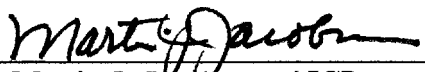
Staff recommends that your Commission adopt the attached Resolution (Exhibit D), sending a recommendation to the Board of Supervisors for approval of Application No. 98-0814 based on the attached findings (Exhibit A) and subject to the attached conditions (Exhibit B), and the approval of the determination that the project is statutorily exempt from CEQA (Exhibit C).

EXHIBITS

- A. Findings
- B. Conditions of Approval
- C. Notice of Exemption from CEQA
- D. Planning Commission Resolution
- E. Location Map
- F. Assessor's Parcel Map
- G. Map of Beeson Properties
- H. Zoning Map
- I. General Plan Map
- J. Timber Resource Map
- K. State Government Code Sections 51104, 51112, 51113 and 51113.5
- L. Timber Harvest Permit 79-772 TH
- M. Timber Harvest Plan by Gary. Paul dated 1998
- N. Proposed No Cut Zone
- O. Letter by Gary Paul, dated November 2, 1998

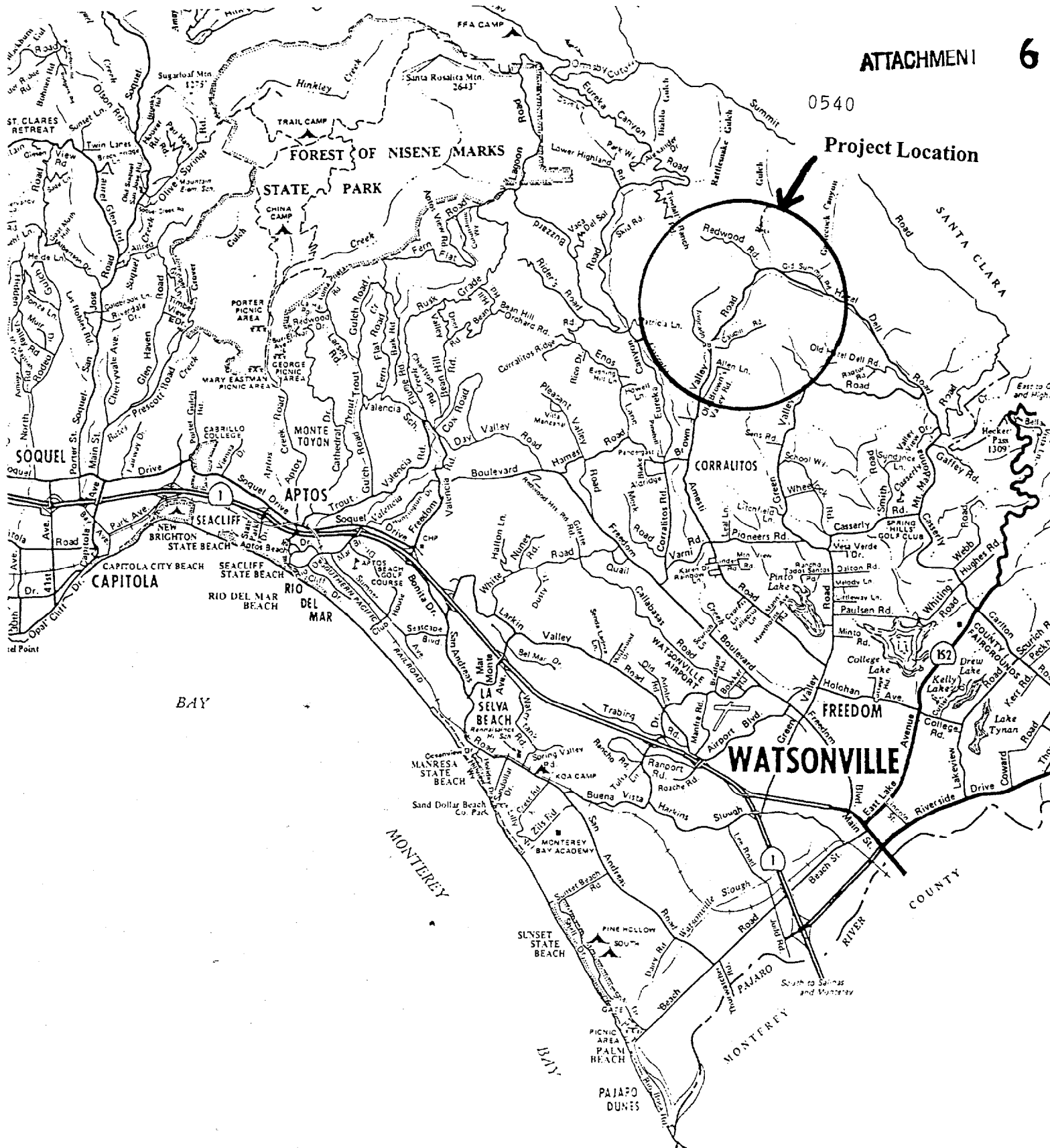
SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: 
Cathleen Carr
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, AICP
Principal Planner
*Development Review

0540

Project Location



LOCATION MAP

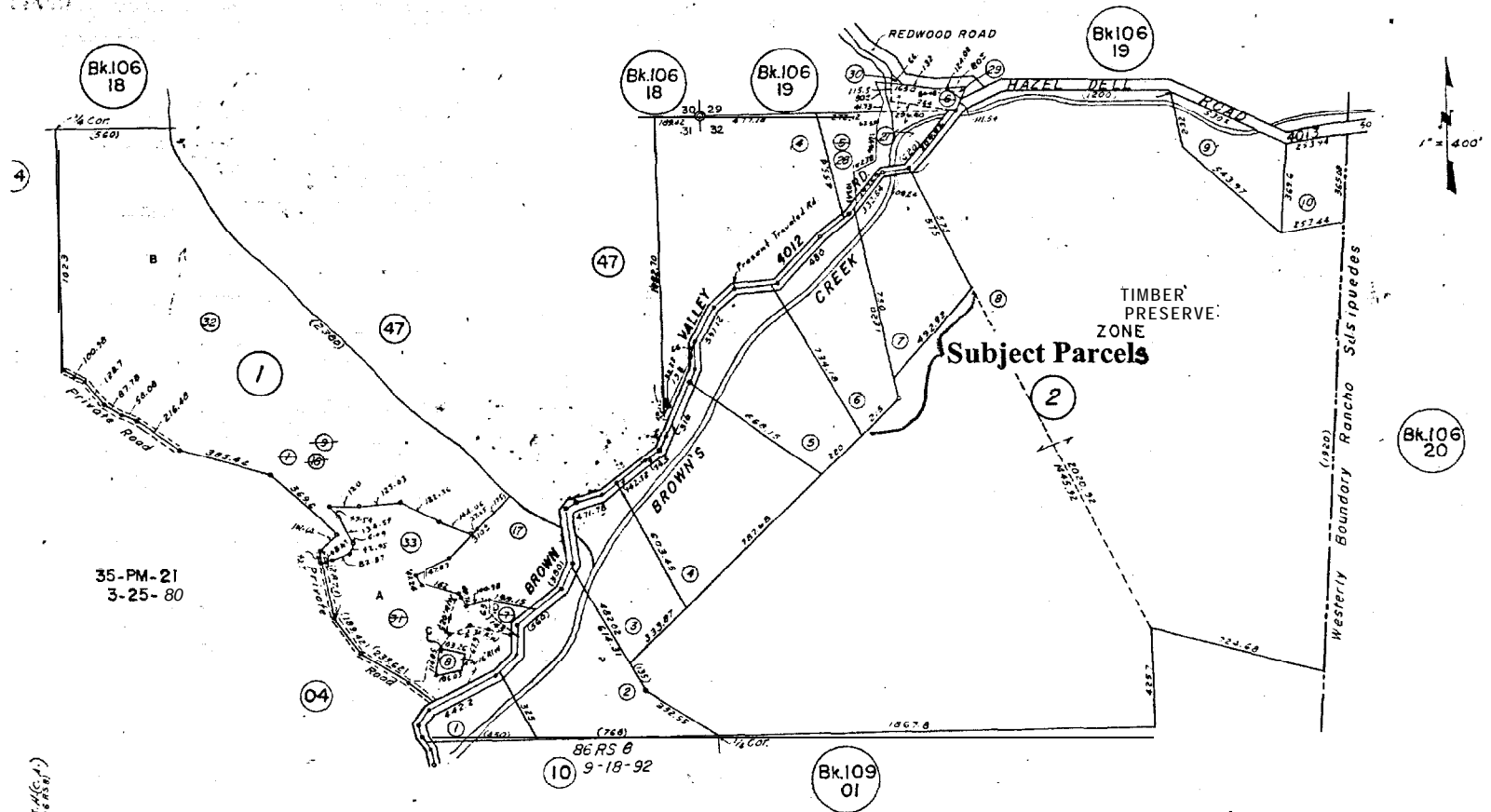
EXHIBIT E

0541

TAX PURPOSES ONLY

POR. SEC. 29, 30, 31 & 32, T.10 S., R.2 E., M.D.B. & M.

Tax Area Code 107-05
69-143



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

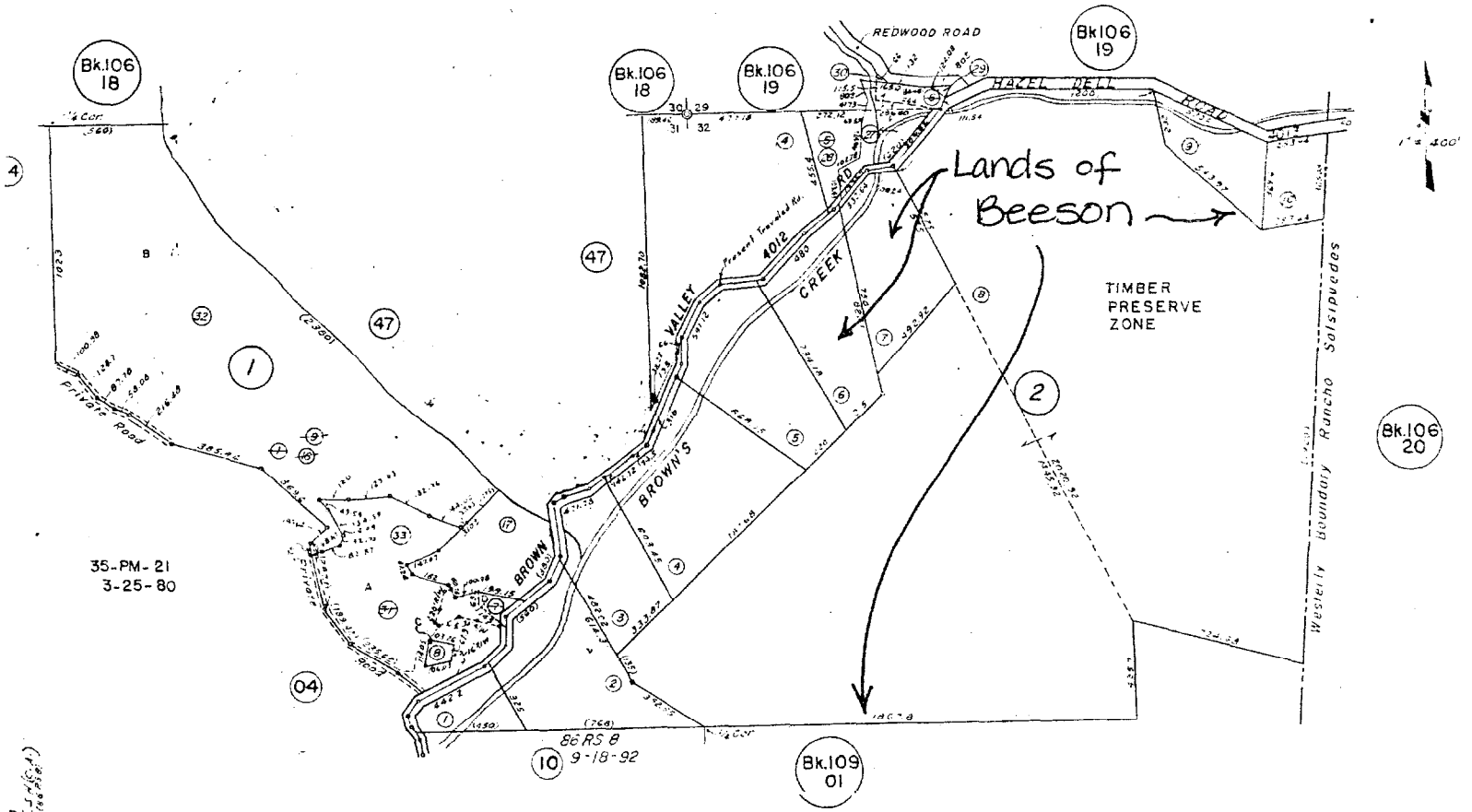
Assessor's Map No. 107-05
County of Santa Cruz, California
Mar. 1954

0542

TAX PURPOSES ONLY

POR. SEC. 29, 30, 31 & 32, T.10 S., R.2 E., M. D. B. & M.

Tax Area Code 107-05
63-143



35-PM-21
3-25-80

86 RS B
9-18-92

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

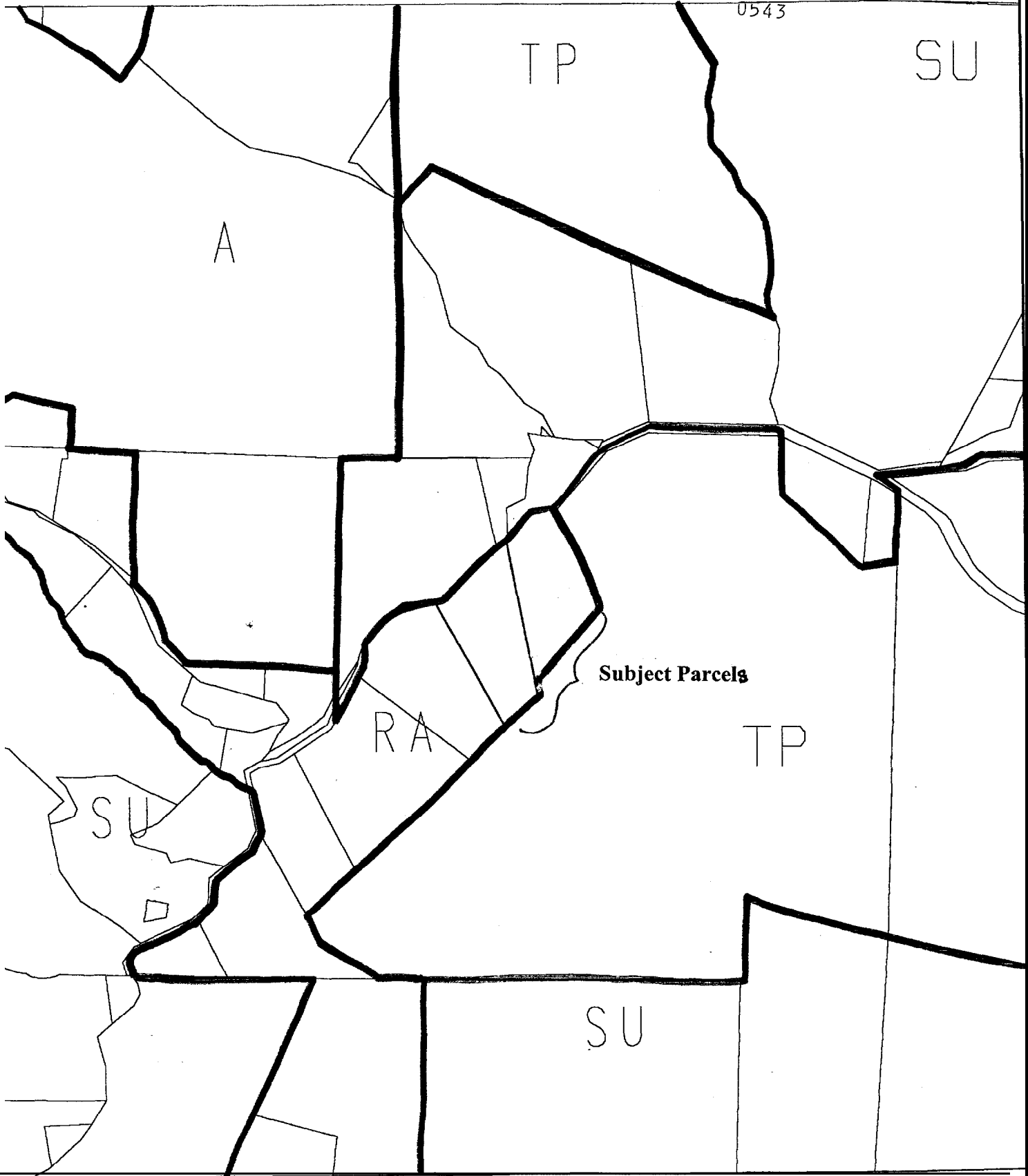
Assessor's Map No. 107-05
County of Santa Cruz, Calif.
Mar. 1954

Map of Beeson Properties

REQUEST ID: 98-0814

SCALE (FT/MIN) = 665
1" = 5,083.00 FEET
1" = 5,881.00 FEET

0543



Subject Parcels

B3 ASSESSOR PARCELS
B3 PLANNING ZONES

ZONING MAP

N ↑

REQUEST ID: 98-0814

SCALE (FT/INCH) = 665
WIDTH IN FEET = 5,083.00
DEPTH IN FEET = 5,881.00

054

AG

R-M

Subject Parcels

NB3 ASSESSOR PARCELS
NB3 G P BASE LAYER

GENERAL PLAN MAP



SCALE (FT/INCH) = 689
WIDTH IN FEET = 5,468.96
DEPTH IN FEET = 5,884.68

REQUEST ID: 98-0814

0545



NB3 ASSESSOR PARCELS
NB3R & C TIMBER RESOU

N ↑

the locality of those operations.

Added Stats 1982 ch 1489 §4.

0546

Collateral References:

Witkin Summary (9th ed) Taxation §184.

§ 51103. Legislative intent

It is the intent of the Legislature to implement the policies of this chapter by including all qualifying timberland in timberland production zones.

Added Stats 1982 ch 1489 §5.

Cross References:

“Timberland”: Gov C §51104(f).

“Timberland production zone”: Gov C §51104(g).

§ 51104. Definitions

AS used in this chapter, unless otherwise apparent from the context:

- (a) “Board” means the board of supervisors of a county or city and county, whether general law or chartered, which establishes or proposes to establish a timberland production zone pursuant to this chapter.
 - (b) “Contiguous” means two or more parcels of land that are adjoining or neighboring or are sufficiently near to each other, as determined by the board or council, that they are manageable as a single forest unit.
 - (c) “Council” means the city council of a city, whether general law or chartered, which establishes or proposes to establish a timberland production zone pursuant to this chapter.
 - (d) “County” or “city” means the county or city having jurisdiction over the land.
 - (e) “Timber” means trees of any species maintained for eventual harvest for forest products’ purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, including Christmas trees, but does not mean nursery stock.
 - (f) “Timberland” means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.
 - (g) “Timberland production zone” or “TPZ” means an area which has been zoned pursuant to Section 5 1112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).
- With respect to the general plans of cities and counties, “timberland preserve zone” means “timberland production zone.”

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

§ 51110.3. Landowner's nonreceipt of notice listing parcels not assessed for growing and harvesting timber; Petition to board to have parcel included in list; Board's action

In the event that a landowner does not receive notice pursuant to subdivision (b) of Section 5 1110.1, such owner may prior to January 1, 1978, petition directly to the board or council to have a parcel owned by such person included on list "B." Such owner must be able to demonstrate that on each such parcel a plan for forest management has been prepared, or approved as to content, by a registered professional forester prior to October 15, 1977. Such plan shall provide for the harvest of timber within a reasonable period of time, as determined by the preparer of the plan.

In the event that the board or council finds that the parcel does in fact have plans for forest management signed by a registered professional forester prior to October 15, 1977, the board or council shall include the parcel listed in the petition on list "B" without respect to acreage or size and shall consider these parcels under subdivision (c) of Section 51112.

Added Stats 1977 ch 853 §5.5, effective September 17, 1977.

Collateral References:

Law Review Articles:

Review of Selected 1977 California Legislation.. 9 Pacific LJ 563.

§ 51111. Compatible uses

On or before October 1, 1976, the board or council shall adopt a list and a detailed description of additional compatible uses for parcels zoned as timberland production.

Added Stats 1976 ch 176 §4.5, effective May 24, 1976; Amended Stats 1984 ch 678 §2.

Amendments:

1984 Amendment: Substituted "production" for "preserve" at the end of the section.

Cross References:

"Compatible use": Gov C §5 1104(h).

§ 51112. Zoning of parcels by board or council

(a) On or before March 1, 1977, the board or council by ordinance, after the advice of the planning commission pursuant to Section 5 1110.2, and after public hearing, shall zone as timberland production all parcels appearing on list A submitted by the assessor pursuant to subdivision (d) of Section 5 1110 which are not designated as "contest," unless it finds by a majority vote of the full body that a parcel or parcels are not devoted to and used for growing and harvesting timber or for growing and harvesting timber and compatible uses.

The basis for such a finding is limited to either of the following:

- (1) The parcel is not in fact capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre;
- (2) The use of the parcel has changed subsequent to the lien date in 1976, and that such use no longer meets the definition of timberland, or of compatible uses as defined and as adopted by the board or council pursuant to Section 5 1111.

(b) On or before March 1, 1977, the board or council by ordinance, after the advice of the

planning commission pursuant to Section 5 1110.2, and after public hearing, shall zone as timberland production all parcels appearing on list A which are designated as "contested" pursuant to subdivision (c) of Section 51110, except those parcels which it finds by a majority vote of the full body to be in the public interest to exclude from such a zone.

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(C) On or before March 1, 1978, the board or council by ordinance, after the advice of the planning commission pursuant to Section 5 1110.2, and after public hearing, shall zone as timberland production all parcels appearing on list B submitted by the assessor pursuant to subdivision (c) of Section 51110.1, except those parcels which it finds by a majority vote of the full body to be in the public interest to exclude from such a zone.

(d) On parcels excluded from the timberland production zone under this section, the board or council shall apply an alternate zone which is in conformance with the county general plan and whose primary use is other than timberland, if no such appropriate zone currently applies to such parcels.

(e) The owner of the land shall be given written notice at least 20 days prior to the hearing of the board or council, and notice of hearing shall be published pursuant to Section 6061 of this code, and shall include a legal description, or the assessor's parcel number, of the land which is proposed to be included within the timberland production zone.

Added Stats 1976 ch 176 §4.5, effective May 24, 1976; Amended Stats 1984 ch 678 §3.

Amendments:

1984 Amendment: Substituted "timberland production" for "timberland preserve" wherever it appears.

Cross References:

"Board": Gov C §5 1104(a).

"Council": Gov C §5 1104(c).

Cancellation of contract: Gov C §51282.5.

Collateral References:

Ehrman & Flavin, Taxing California Property (3d ed) §19:03.

§ 51113. Zoning of land as timberland production upon petition of owner

(a)(1) After November 1, 1977, an owner may petition the board or council to zone his or her land as timberland production. The board or council by ordinance, after the advice of the planning commission pursuant to Section 5 1110.2, and after public hearing, shall zone as timberland production all parcels submitted to it by petition pursuant to this section, which meet all of the criteria adopted pursuant to subdivision (c). Any owner who has so petitioned and whose land is not zoned as timberland production may petition the board or council for a rehearing on the zoning.

(2) This section shall not be construed as limiting the ability of the board or council to zone as timberland production any parcel submitted upon petition, which is timberland, defined pursuant to subdivision (f) of Section 5 1104, and which is in compliance with the compatible use ordinance adopted by the board or council pursuant to Section 5 1111.

(b) The board or council, on or before March 1, 1977, by resolution, shall adopt procedures for initiating, filing, and processing petitions for timberland production zoning and for rezoning. The rules shall be applied uniformly throughout the county or city.

(c) On or before March 1, 1977, the board or council by ordinance shall adopt a list of criteria required to be met by parcels being considered for zoning as timberland

production under this section. The criteria shall not impose any requirements in addition to those listed in this subdivision and in subdivision (d). The following shall be included in the criteria:

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(1) A map shall be prepared showing the legal description or the assessor's parcel number of the property desired to be zoned.

(2) A plan for forest management shall be prepared or approved as to content, for the property by a registered professional forester. The plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.

(3) The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located, or the owner must sign an agreement with the board or council to meet those stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. If the parcel is subsequently zoned as timberland production under subdivision (a), then failure to meet the stocking standards and forest practice rules within this time period provides the board or council with a ground for rezoning of the parcel pursuant to Section 5 1121.

Upon the fifth anniversary of the signing of an agreement, the board shall determine whether the parcel meets the timber stocking standards in effect on the date the agreement was signed. Notwithstanding the provisions of Article 4 (commencing with Section 51130), if the parcel fails to meet the timber stocking standards, the board or council shall immediately rezone the parcel and specify a new zone for the parcel which is in conformance with the county general plan and whose primary use is other than timberland;

(4) The parcel shall be timberland, as defined in subdivision (f) of Section 51104; and

(5) The parcel shall be in compliance with the compatible use ordinance adopted by the board or council pursuant to Section 5 1111.

(d) The criteria required by subdivision (c) may also include any or all of the following:

(1) The land area concerned shall be in the ownership of one person, as defined in Section 38 106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels of a certain number of acres, provided, that such number required may not exceed 80 acres.

(2) The land shall be a certain site quality class or higher under Section 434 of the Revenue and Taxation Code; provided, that the parcel shall not be required to be of the two highest site quality classes.

Added Stats 1976 ch 176 94.5, effective May 24, 1976; Amended Stats 1977 ch 853 §6, effective September 17, 1977; Stats 1982 ch 1489 §6.

Amendments:

1977 Amendment: (1) Redesignated former subd (a) to be subd (a)(1); (2) added subd (a)(2); (3) added the second paragraph in subd (c)(3); and (4) added subds (c)(4) and (c)(5).

1982 Amendment: In addition to making technical changes, (1) substituted "production" for "preserve" after "timberland" wherever it appears in subds

(a)(1), **(a)(2)**, (b), the first sentence of subd (c), and subd (c)(3); (2) substituted "Section 5 1104" for "Section 5 1100" **in** subds (a)(2) and (c)(4); (3) deleted "below" after "subdivision (d)" in the second sentence of subd (c); (4) substituted "(commencing with Section 5 1130)" for "of this chapter" in the second paragraph of subd (c)(3); and (5) substituted "80 acres" for "160 acres or one quarter section" at the end of subd (d)(1). ATTACHMENT 0550

Cross References:

"Board": Gov C §5 1104(a).

"Council": Gov C §5 1104(c).

Procedure on filing of owner's written notice of desire to rezone: **Gov C** §51120.

Collateral References:

Ehrman & Flavin, Taxing California Property (3d ed) §19:03.

Law Review Articles:

Review of Selected 1977 California Legislation. 9 Pacific LJ 563.

NOTES OF DECISION

A county ordinance requiring an owner of timberland to obtain a county use permit to commercially harvest the timber as a prerequisite for zoning the timberland property as a "timberland preserve zone" (TPZ) under the Forest Taxation Reform Act of 1976 (FTRA) (Gov. Code, §5 1110 et seq.), was in conflict with the FTRA and thus invalid. Nowhere in the list (Gov. Code, §5 1113) of the sole criteria required to be met by parcels to be considered for timberland preserve zoning is there a requirement that the owner must obtain a use permit for timber harvesting before qualifying for a TPZ, nor is the local government granted authority by the statute to demand one. Further, the Legislature intended property owners to enjoy the tax benefits of timberland preserve zoning during the long growing phase when they are unable to realize income on their timber. State of California v County of Santa Clara (1983, 1st Dist) 142 Cal App 3d 608, 191 Cal Rptr 204.

§ 51113.5. Petition by owner to add to timberland production zone; Land exchanges

(a) After March 1, 1977, an owner with timberlands in a timberland production zone pursuant to Section 5 1112 or 5 1113 may petition the board or council to add to his or her timberland production lands that meet the criteria of subdivisions (f) and (g) of Section 5 1104 and that are contiguous to the timberland already zoned as timberland production. Section 5 1113 shall not apply to these lands.

(b) In the event of land exchanges with, or acquisitions from, a public agency in which the size of an owner's parcel or parcels zoned as timberland production pursuant to Section 51112 or 5 1113 is reduced, the timberland production shall not be removed from the parcel except pursuant to Section 5 1121 and except for a cause other than the smaller parcel size.

Added Stats 1976 ch 176 94.5, effective May 24, 1976; Amended Stats 1977 ch 853 §7, effective September 17, 1977; Stats 1982 ch 1489 §7.

Amendments:

1977 Amendment: (1) Amended subd (a) by (a) deleting "recently acquired" after "his timberland preserve"; and (b) substituting "subdivisions (f) and (g) of Section 51100 and that are contiguous to the timberland already

COUNTY OF SANTA CRUZ
 TIMBER HARVEST
- PERMIT -

NUMBER 79-772-TH

ISSUED TO Francisco Coll (owner) and
Gary Urdahl (operator)

PARCEL NO.(S) 107-052-07, -08
109-021-01

LOCATION OF USE Property located between Browns Valley Road and Hazel Dell Road.

PERMITTED USE Selective harvest of 90 acres and 750,000 Board Feet in conformance with Ordinance 2353 and the following permit conditions:

1. Sureties
 - A. Timber Operator \$3,000
 - B. Timberland Owner \$1,000
2. All conditions and recommendations of the State Timber Harvest Review Team shall be met.
3. Applicant shall post signs warning of log trucks.
4. Additional erosion control measures shall be installed as deemed necessary by the County Forester.
5. No cutting shall be allowed north of Browns Creek.
6. No constructed tractor roads shall be allowed between landings 1, 2, and Browns Creek.

RW:gh

THIS PERMIT WILL EXPIRE ON April 1, 1981 IF IT HAS NOT BEEN EXERCISED.

NOTE: APPLICANT MUST SIGN, ACCEPTING CONDITION, OR PERMIT BECOMES NULL & VOID.

Gary J. Urdahl

SIGNATURE OF APPLICANT

SANTA CRUZ COUNTY ZONING -ADMINISTRATOR

BY Robert Williams DATE 8/17/79
ROBERT WILLIAMS
COUNTY FORESTER

TIMBER HARVESTING PERMIT APPLICATION

Application No. 79-772-TH

Date Received

Application is hereby made for a Timber Harvesting Permit as provided in Title 14, Chapter 14.04, Section 14.04.050 of the Santa Cruz County Code. All information contained in the Timber Harvesting Permit Application and not in conflict with Chapter 14.04 shall become part of the Permit. A 17 ***050.00 ***050.00

The Timber Harvesting Permit Application shall be prepared by a Registered Professional Forester and filed jointly by the, timberland owner, timber owner and, if known, timber operator.

At the discretion of the Planning Director, application for smaller timber harvesting operations described in Section 14.04.070 (a) need not be prepared by a Registered Professional Forester. Is application being made under this Section? Yes No x

1. Timberland Owner(s)

Name Francisco Coll
Address: 948 Brown's Valley Road Zip 95076
Phone (408) 724-3483

2. Timber Owner(s)

Name Same
Address Zip
Phone:

3. Registered Professional Forester

Name Gary L. Urdahl License No. 1731
Address P.O. Box 448 Felton, CA Zip 95018
Phone (408) 335-2645

4. Timber Operator

Name Gary L. Urdahl
Address P.O. Box 448 Felton, CA Zip 95018
Phone (408) 335-2645

5. Legal description of Proposed Timber Operation.

Sub.	Sec.	Section	Township	Range	Acreage
Por. W	$\frac{1}{2}$	32	10 S	2 E	70
Por. NE	$\frac{1}{4}$	31	10 S	2 E	5
Por. NW	$\frac{1}{4}$	5	11 S	2 E	15

Total Acreage 90

6. Tax Assessor's parcel numbers upon which timber operations will take place.

107-052-07; 107-052-08; 109-011-01

7. Type(s) of Forest Products to be harvested., Sawlogs Fuelwood Salvage

8. Acreage in Harvest Area by Type.

Old Growth	_____	Acres
Prior Cut	<u>90</u>	Acres
Hardwood	_____	Acres
Total	_____	Acres

9. Volume of Forest Products to be harvested by type.

Old Growth	_____	M.b.f.
Prior Cut	<u>750</u>	M.b.f.
Hardwood	_____	cords or tons

10. Silvicultura? Method(s). to be used. . _____

Selection

11. Anticipated Period of Operation

Starting Date June 1, 1979

Completion Date June 1, 1980

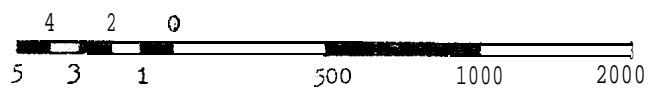
0554

Map Legend for Francisco Coll Unit

Legend:

-  Property Line
 -  Harvest Boundary
 -  Existing Permanent Road
 -  Existing Temporary Road
 -  Proposed Permanent Road
 -  Proposed Landings
 -  Existing Landings
 -  Equipment Exclusion and Stream Protection Zone
- Contour Interval 40 Feet
- Approximate Acreage 90

0555



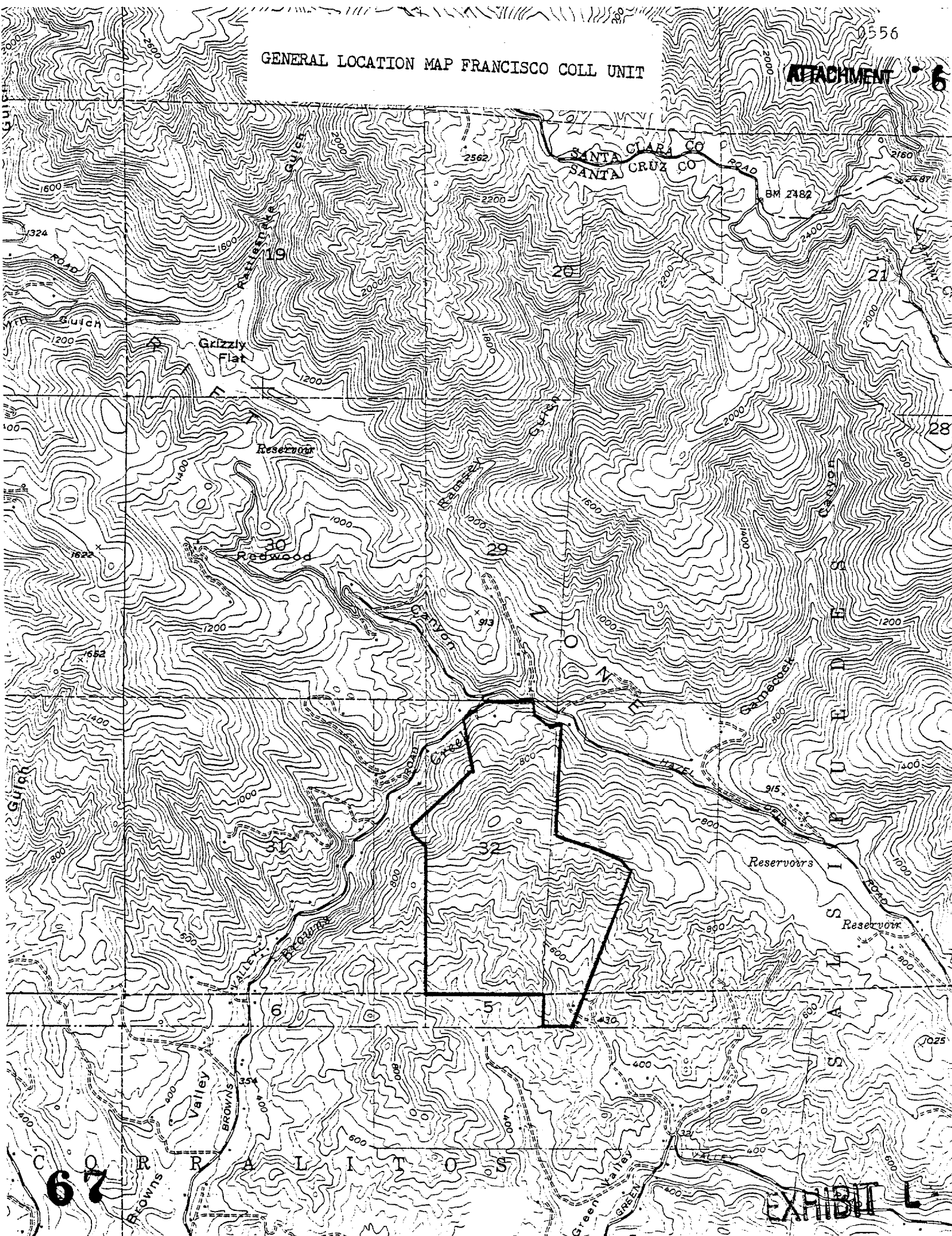
SCALE: 1" to 500'

67
EXHIBIT L

GENERAL LOCATION MAP FRANCISCO COLL UNIT

ATTACHMENT 6

0556



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EXHIBIT L

FOR ADMIN. USE ONLY
Amendments-date & S or M

- 1. _____ 7. _____
- 2. _____ 8. _____
- 3. _____ 9. _____
- 4. _____ 10. _____
- 5. _____ 11. _____
- 6. _____ 12. _____

TIMBER HARVESTING PLAN
STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY
AND FIRE PROTECTION
RM-63 (9/94)

If this is a Modified THP, check box

[]

FOR ADMIN. USE ONLY

THP No. 1-98-063 SCR
 Dates Rec'd FEB 23 1998
ATTACHMENT 6
 Date Filed _____
 Date Approved _____
 Date Expires _____
 Extensions 1) [] 2) []

0557

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. The THP is divided into six sections. If more space is necessary to answer a question, continue the answer at the end of the appropriate section of your THP. If writing an electronic version, insert additional space for your answer. Please distinguish answers from questions by font change, bold or underline.

SECTION I - GENERAL INFORMATION

This THP conforms to my/our plan and upon approval, I/we agree to conduct harvesting in accordance therewith. Consent is hereby given to the Director of Forestry and Fire Protection, and his or her agents and employees, to enter the premises to inspect timber operations for compliance with the Forest Practice Act and Forest Practice Rules.

1. **TIMBER OWNER(S) OF RECORD:** Name Ron Beeson
 Address 1121 Edgewood Dr.
 City Redwood City State CA Zip 94062 Phone 415-358-9297
 Signature Ron Beeson Date 2-18-98

NCTE: The timber owner is responsible for payment of a yield tax. Timber Yield Tax information may be obtained at the Timber Tax Division, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0001.

2. **TIMBERLAND OWNER(S) OF RECORD:** Name Same as #1
 Address _____
 City _____ State _____ Zip _____ Phone _____
 Signature _____ Date _____

3. **LICENSED TIMBER OPERATOR(S):** Name Unknown at this time Lic. No. _____
 Address _____
 City _____ State _____ Zip _____ Phone _____
 Signature _____ Date _____

4. **PLAN SUBMITTER(S):** Name Same as #1
 Address _____
 City _____ State _____ Zip _____ Phone _____
 If submitter is not 1, 2, or 3 above he/she must sign below and provide explanation of authority.
 Signature _____ Date _____

RECEIVED

FEB 23 1998

COAST AREA OFFICE
RESOURCE MANAGEMENT

67

EXHIBIT M

5. List person to contact on-site who is responsible for the conduct of the operation. If unknown, so state and name must be provided for inclusion in the THP prior to start of timber operations.

Name Unknown at this time.
Address _____
City _____ State _____ Zip _____ Phone _____

ATTACHMENT 6

[x] Yes [] No Will the timber operator be employed for the construction and maintenance of roads and landings during conduct of timber operations? If no, who is responsible?

0558

Who is responsible for erosion control maintenance after timber operations have ceased and until certification of the Work Completion Report?

LTO for first winter. After that, timberland owner.

6. a) Expected date of commencement of timber operations:

[] date of conformance, or [x] 5 days after date of conformance (date)

b) Expected date of completion of timber operations:

[x] 3 years from date of conformance, or [] _____ (date)

7. The timber operation will occur within the:

[x] COAST FOREST DISTRICT
[x] Southern Subdistrict of the Coast F.D.

[] The Tahoe Regional Planning Authority Jurisdiction
[x] A County with Special Regulations, identify:

Santa Cruz County

[] SOUTHERN FOREST DISTRICT
[] High use subdistrict of the Southern F.D.

[] Special Treatment Area(s), identify:

[] NORTHERN FOREST DISTRICT

[] Other _____

8. Location of the timber operation by legal description:

Base and Meridian: [x] Mount Diablo [] Humboldt [] San Bernardino

Section	Township	Range	Acreage	County	Assessor's Parcel Number*
<u>31,32</u>	<u>10s.</u>	<u>2 E.</u>	<u>82</u>	<u>Santa Cruz</u>	<u>107-052-07.08</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

TOTAL ACREAGE 82 (Logging Area Only) * Optional

Planning Watershed(s) (Optional) Browns Creek

9. [] Yes [x] No Has a Timberland Conversion Permit been submitted? If yes, list expected approval date or permit number and expiration date if already approved: _____

10. [] Yes [x] No Is there an approved Sustained Yield Plan for this property? Number D a t e a p p .
[] Yes [x] No Has a Sustained Yield Plan been submitted but not approved? Number : D a t e s u b .

11. Yes No Is there a THP or NTMP on file with CDF for any portion of the plan area for which a report of satisfactory stocking has not been issued by CDF?
If yes, identify the THP or NTMP number(s): 0559

12. Yes No Is a Notice of Intent necessary for this THP?
 Yes No If yes, was the Notice of Intent posted as required by 14 CCR 1032.7(g)? **ATTACHMENT 6**

13. RPF preparing the THP: Name Garv Paul RPFNumber 1829
Address 5521 Scotts Valley Dr. #235
City Scotts Valley State CA Zip 95066 Phone 408-438-8968

- a) Yes No I have notified the plan submitter(s), in writing, of their responsibilities pursuant to Title 14 CCR 1035 of the Forest Practice Rules.
 Yes No I have notified the timber owner and the timberland owner of their responsibilities for compliance with the Forest Practice Act and rules, specifically the stocking requirements of the rules and the maintenance of erosion control structures of the rules.
- b) Yes No I will provide the timber operator with a copy of the portions of the approved THP as listed in 14 CCR 1035(e). If "no", who will provide the LTO a copy of the approved THP?

I or my supervised designee will meet with the LTO prior to commencement of operations to advise of sensitive conditions and provisions of the plan pursuant to Title 14 CCR 1035.2.

c) I have the following authority and responsibilities for preparation and administration of the THP and timber operation. (Include both work completed and work remaining to be done):

Preparation of THP. Marking of timber. Monitor progress of operation. Advise LTO regarding contents of THP and compliance with Rules. Authority to amend THP.

d) Additional required work requiring an RPF which I do not have the authority or responsibility to perform:

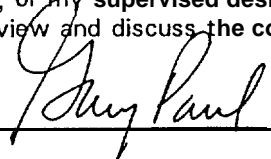
None.

e) After considering the rules of the Board of Forestry and the mitigation measures, I have determined that the timber operation:

will have a significant adverse impact on the environment. (Statement of reasons for overriding considerations contained in Section III)

will not have a significant adverse impact on the environment.

Registered Professional Forester: I certify that I, or my supervised designee, personally inspected the THP area, and the plan complies with the Forest Practice Act, the Forest Practice Rules and the Professional Foresters Law. If this is a Modified THP, I also certify that: 1) the conditions or facts stated in 14 CCR 1051 (a)(1)-(1 6) exist on the THP area at the time of submission, preparation, mitigation, and analysis of the THP and no identified potential significant effects remain undisclosed; and 2) I, or my supervised designee will meet with the LTO at the THP site, before timber operations commence, to review and discuss the contents and implementation of the Modified THP.

Signature 

Date 2-12-98
3-5-98

NOTE: If a provision of this THP is proposed that is different than the standard rule, the explanation and justification required must be included in Section III of the THP.

0560

14. a. Check the Silvicultural methods or treatments allowed by the rules that are to be applied under this THP. Specify the option chosen to demonstrate Maximum Sustained Production (MSP) according to 14 CCR 913.1 1 (933.1 1, 953.1 1). If more than one method or treatment will be used show boundaries on map and list approximate acreage for each.

[] Clearcutting ac. [] Shelterwood Prep. Step ac. [] Seed Tree Seed Step ac.
[] Shelterwood Seed Step a c . [] Seed Tree Removal Step a c .
[] Shelterwood Removal Step a c .

[x] Selection 8 2 913.8(a) [] Group Selection a c . [] Transition a c .

[] Commercial Thinning a c .
[] Fuelbreak
[] Non-timberland area
[] Special Treatment Area a c .
[] Alternative a c .
[] Sanitation salvage a c .
[] Rehabilitation, of Understocked Area ac.
[] Conversion a c .

Total acreage 8 2 MSP Option Chosen (a) [] (b) [] (c) [x]

b. If Selection, Group Selection, Commercial Thinning, Sanitation Salvage, or Alternative methods are selected, the post harvest stocking levels (differentiated by site if applicable) must be stated. Note mapping requirements of 1034(x)(12).

c. [] Yes [] No Will evenage regeneration step units be larger than those specified in the rules (20 acre tractor, 30 acre cable)? If yes, provide substantial evidence that the THP contains measures to accomplish any of subsections (A) - (E) of 14 CCR 913 in Section III of the THP. List below any instructions to the LTO necessary to meet (A) - (E) not found elsewhere in the THP. These units must be designated on map and listed by size.

d. Trees to be harvested or retained must be marked by or marked under the supervision of the RPF. Specify how the trees will be marked.

RPF or designee will mark trees with a horizontal stripe on two sides and a base mark.

[] Yes [x] No Is a waiver of marking by the RPF requirement requested? If yes, how will LTO determine which trees will be harvested or retained? If yes and more than one silvicultural method, or Group Selection is to be used, how will LTO determine boundaries of different methods or groups?

e. Forest Products to be Harvested: sawlogs, fuelwood, burls

f. [] Yes [x] No Are group B species proposed for management?
[] Yes [x] No Are group B or non-indigenous A species to be used to meet stocking standards?
[] Yes [x] No Will group B species need to be reduced to maintain relative site occupancy of A species?
If any answer is yes, list the species and provide the LTO with necessary felling guidance.

g. Other instructions to LTO concerning felling operations. None

h. Yes No Will artificial regeneration be required to meet stocking standards?

i. Yes No Will site preparation be used to meet stocking standards?
If yes, provide the information required for a site preparation addendum.

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j. If the rehabilitation method is chosen, provide a regeneration plan as required by 14 CCR 913.

PESTS

15. a. Yes No Is this THP within an area that the Board of Forestry has declared a zone of infestation or infection pursuant to PRC 4712-4718? If yes, identify feasible measures being taken to mitigate adverse infestation or infection impacts from the timber operation. See 917.

b. Yes No If outside a declared zone, are there any insect, disease, or pest problems of significance in the THP area? If yes, describe the proposed measures to improve the health, vigor and productivity of the stand.

See Attachment to Section II, No.1 5.

HARVESTING PRACTICES

16. Indicate type of yarding system and equipment to be used:

- | GROUND BASED* | | CABLE | | SPECIAL | |
|---------------|--|-------|---|---|--|
| a) | <input checked="" type="checkbox"/> Tractor, including end/long lining | d) | <input type="checkbox"/> Cable, ground lead | g) | |
| b) | <input checked="" type="checkbox"/> Rubber tired skidder, Forwarder | e) | <input type="checkbox"/> Cable, high lead | h) <input type="checkbox"/> Helicopter | |
| c) | <input type="checkbox"/> Feller buncher | f) | <input type="checkbox"/> Cable, Skyline | i) <input type="checkbox"/> Other _____ | |

* All tractor operations restrictions apply to ground based equipment.

17. Erosion Hazard Rating: Indicate Erosion Hazard Ratings present on THP. (Must match EHR worksheets)

Low Moderate High Extreme

If more than one rating is checked, areas must be delineated on map to 20 acres in size (10 acres for high and extreme EHRs in the Coast District).

18. Soil Stabilization:

In addition to the standard waterbreak requirements describe soil stabilization measures or additional erosion control measures to be implemented and the location of their application. See requirements of 916.

See Attachment to Section II, No. 18.

19. Yes No Are tractor or skidder constructed layouts to be used? If yes, specify the location and extent of use:

20. Yes No Will ground based equipment be used within the area(s) designated for cable yarding? If yes, specify the location and for what purpose the equipment will be used?

21. Within the THP area will ground based equipment be used on:

- a) Yes No Unstable soils or slide areas? Only allowed if unavoidable.
- b) Yes No Slopes over 65%?
- c) Yes No Slopes over 50% with high or extreme EHR?
- d) Yes No Slopes between 50% and 65% with moderate EHR where heavy equipment use will not be restricted to the limits described in 14 CCR 914.2(f)(2)(i) or (iii)?

- e) Yes No Slopes over 50% which lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a watercourse or lake? 0582

ATTACHMENT 6

If a) is yes, provide site specific measures to minimize effect of operations on slope stability and provide explanation and justification as required per 14 CCR 914. CDF requests the RPF consider flagging tractor road locations if a) is yes. If b), c), d), or e) is yes: 1) the location of tractor roads must be flagged on the ground prior to the PHI or start of operations if a PHI is not required, and 2) you must clearly explain the proposed exception and justify why the standard rule is not feasible or would not comply with 914. The location of heavy equipment operation on unstable areas or any use beyond the limitations of the standard rule must be shown on the map. List specific instructions to the LTO below.

See Attachment to Section II, No. 21.

22. Yes No Are any alternative practices to the standard harvesting or erosion control rules proposed for this plan? If yes, provide all the information as required by 14 CCR 914 in Section III. List specific instructions to the LTO.

WINTER OPERATIONS

23. a. Yes No Will timber operations occur during the winter period? If yes, complete c) or d). State in space provided if exempt because yarding method will be cable, helicopter, or balloon.
b. Yes No Will mechanical site preparation be conducted during the winter period. If yes complete d).
c. I choose the in-lieu option as allowed in 14 CCR.7(c). Specify below the procedures listed in subsections (1) and (2), and list the site specific measures for operations in the WLPZ and unstable areas as required by subsection (3). If there will be no winter operations in these areas, so state.
d. I choose to prepare a winter operating plan per 14 CCR 914.7(b).

See Attachment to Section II, No. 23.

NOTE: All water breaks and rolling dips must be installed by October 15 or as prescribed above. For the purposes of installing drainage facilities and structures, waterbreaks, and rolling dips, the winter period is from October 15 to May 1.

ROADS AND LANDINGS

24. Will any roads be constructed? Yes No, or reconstructed? Yes No. If yes, check items a through g:
Will any landings be constructed? Yes No, or reconstructed? Yes No. If yes, check items h through k:
- a. Yes No Will new or reconstructed roads be wider than single lane with turnouts?
b. Yes No Are logging roads or landings proposed in areas of unstable soils or known slide-prone areas?
c. Yes No Will new roads exceed a grade of 15% or have pitches of up to 20% for distances greater than 500 feet? Map must identify any new or reconstructed road segments that exceed an average grade for over 200 feet.
d. Yes No Are roads to be constructed or reconstructed, other than crossings, within the WLPZ of a watercourse? If yes, completion of THP item 27 a. will satisfy required documentation.
e. Yes No Will roads be located across more than 100 feet of lineal distance on slopes over 65%, or on slopes over 50% which are within 100 feet of the boundary of a WLPZ?
f. Yes No Will any roads or watercourse crossings be abandoned?
g. Yes No Are exceptions proposed for flagging or otherwise identifying the location or roads to be constructed?
h. Yes No Will any landings exceed one half acre in size? If any landing exceeds one quarter acre in size or requires substantial excavation, the location must be shown on the map.
i. Yes No Are any landings proposed in areas of unstable soils or known slide prone areas?
j. Yes No Will any landings be located on slopes over 65% or on slopes over 50% which are within 100 feet of the boundary of a WLPZ?
k. Yes No Will any landings be abandoned?

25. If any section in item 24 is answered yes, specify site-specific measures to reduce adverse impacts and list any additional or special information concerning the construction, maintenance and/or abandonment of roads or landings, as required by 14 CCR Article 12. Include required explanation and justification in Section III.

EXHIBIT M

- 26. a. Yes No Are there any watercourse or lakes which contain Class I through IV waters on or adjacent to the plan area? If yes, list the class, WLPZ width, and protective measures determined from Table I and/or 14 CCR 916.4 (c) [936.4 (c), 956.4 (c)] of the WLPZ rules for each watercourse.
- b. Yes No Are there any watercourse crossings that require mapping per 14 CCR 1034(x)(7)⁰⁵⁶³
- c. Yes No Will tractor road watercourse crossings involve the use of a culvert? If yes, state minimum diameter for each culvert (may be shown on map).

See Attachment to Section II, No. 26.

- 27. Are site specific practices proposed in-lieu of the following standard WLPZ practices?
 - a. Yes No Prohibition of the construction or reconstruction of roads, construction or use of tractor roads or landings in Class I, II, III, or IV watercourses, WLPZs, marshes, wet meadows, and other wet areas except as follows:
 - (1) At prepared tractor road crossings.
 - (2) Crossings of Class III watercourses which are dry at time of timber operations.
 - (3) At existing road crossings.
 - (4) At new tractor and road crossings approved by Dept. of Fish and Game.
 - b. Yes No Retention of non-commercial vegetation bordering and covering meadows and wet areas?
 - c. Yes No Directional felling of trees within the WLPZ away from the watercourse or lake?
 - d. Yes No Increase or decrease of width(s) of the WLPZ(s)?
 - e. Yes No Protection of watercourses which conduct class IV waters?
 - f. Yes No Exclusion of heavy equipment from the WLPZ, except as follows?
 - (1) At prepared tractor road crossings.
 - (2) Crossings of Class III watercourses which are dry at time of timber operations.
 - (3) At existing road crossings.
 - (4) At new tractor and road crossings approved by Dept. of Fish and Game.
 - g. Yes No Establishment of ELZ for Class III watercourses unless sideslopes are <30% and EHR is low?
 - h. Yes No Retention of 50% of the overstory canopy in the WLPZ?
 - i. Yes No Retention of 50% of the understory in the WLPZ?
 - j. Yes No Are any additional in-lieu or any alternative practices proposed for watercourse or lake protection?

NOTE: A yes answer to any of items a. through j. constitutes an in-lieu practice. If any item is answered yes, refer to 14 CCR 916 and address the following for each item checked yes: 1. The RPF shall state the standard rule; 2. Explain and describe each proposed practice; 3. Explain how the proposed practice differs from the standard practice; 4. The specific location where it shall be applied, see map requirements of 14 CCR 1034(x)(15) and (16); 5. Provide in THP Section III an explanation and justification as to how the protection provided is equal to the standard rule and provides for the protection of the beneficial uses of water per 14 CCR 916. Reference the in-lieu and location to the specific watercourse to which it will be applied.

See Attachment to Section II, No. 27.

- 28. a. Yes No Are there any landowners within 1000 feet downstream of the THP boundary whose ownership adjoins or includes a Class I, II, or IV watercourse(s) which receives surface drainage from the proposed timber operations? If yes, the requirements of 14 CCR 1032.10 apply. Proof of notice by letter and newspaper should be included in THP Section V. If no, 28b. need not be answered.
- b. Yes No Is an exemption requested of the notification requirements of 1032.10? If yes, explanation and justification for the exemption must appear in Section III. Specify if requesting an exemption from the letter, newspaper, or both.
- c. Yes No Was any information received on domestic water supplies that required additional mitigation beyond that required by standard Watercourse and Lake Protection rules? If yes, list site specific measures to be implemented by the LTO.

- 29. Yes No Is any part of the THP area within a Sensitive Watershed as designated by the Board of Forestry? If yes, identify the watershed and list any special rules, operating procedures or mitigation that will be used to protect the resources identified at risk?

- 30. a. Yes No Are there roads or improvements which require slash treatment adjacent to them? If yes, specify the type of improvement, treatment distance, and treatment method.
- b. Yes No Are any alternatives to the rules for slash treatment along roads and within 200 feet of structures requested? If yes, RPF must explain and justify how alternative provides equal fire protection. Include a description of the alternative and where it will be utilized below.

See Attachment to Section II, No.30.

- 31. a. Yes No Will piling and burning be used for hazard reduction? Se 14 CCR 917(1-11) for specific requirements. Note: LTO is responsible for slash disposal. This responsibility cannot be transferred.

BIOLOGICAL AND CULTURAL RESOURCES

- 32. a. Yes No Are any plant or animal species, including their habitat, which are listed as rare, threatened, or endangered under federal or state law, or a sensitive species by the Board, associated with the THP area? If yes, identify the species and the provisions to be taken for the protection of the species.
- b. Yes No Are there any non-listed species which will be significantly impacted by the operation? If yes, identify the species and the provisions to be take for the protection of the species.

See Attachment to Section II and III, No. 32.

- 33. Yes No Are there any snags which must be felled for fire protection or safety reasons? If yes, describe which snags are going to be felled and why.

- 34. Yes No Are any Late Succession Forest Stands proposed for harvest? If yes, describe the measures to be implemented by the LTO that avoid long-term significant adverse effects on fish, wildlife and listed species known to be primarily associated with late succession forests.

- 35. Yes No Are any other provisions for wildlife protection required by the rules? If yes, describe.

- 36. a. Yes No Has an archaeological survey been made of the THP area?
- b. Yes No Has an archaeological records check been conducted for the THP area?
- c. Yes No Are there any archaeological or historical sites located in the THP area? Specific site locations and protection measures are contained in the Confidential Archaeological Addendum in Section VI of the THP, which is not available for public review.

- 37. Yes No Has any inventory or growth and yield information designated "trade secret" been submitted in a separate confidential envelope in Section VI of this THP?

- 38. Describe any special instructions or constraints which are not listed elsewhere in Section II.

See Attachment to Section II, No. 38.

DIRECTOR OF FORESTRY AND FIRE PROTECTION

This Timber Harvesting Plan conforms to the rules and regulations of the Board of Forestry and the Forest Practice Act:

By: _____ (Signature) _____ (Date)

_____ (Printed Name) _____ (Title)

ATTACHMENT TO SECTION II

No. 14: Silviculture

Rule 913.8(a) will be applied. Approximately 50% of the conifer trees 18"+ DBH will be harvested. Only damaged conifer trees under 18" DBH will be cut. Stocking standard to be met is 75 sq. ft. of basal area for Site III lands.

Pursuant to Rule 913.11(c)(2), MSP is met for this THP by complying with Rule 913.1(c)(1)(A), the seed tree retention standards for unevenaged management, and being the retention of at least 8 seed trees per acre 18" DBH+, or 4 seed trees per acre at least 24" DBH +. In addition, MSP is met by complying with the basal area standard for Rule 913.8(a) of 75 sq.ft. for Site III timberland.

Post harvest site occupancy of conifer should equal that of the pre-harvest site occupancy of 70-80%.

No. 15: Pests

Although no pine species are present within the THP boundary, the plan area is within the Zone of Infestation for Pine Pitch Canker. No pines will be removed from the site, so no special measures are needed for treatment of such material

No. 18: Soil stabilization measures

All skid trails located in swales where waterbars will not be effective will be tractor slash packed.

The landings will be seeded with annual rye (25 lbs./acre) and covered with 1" of straw mulch over the entire exposed surface.

Areas of disturbed soil within the WLPZ of 100 sq.ft. or greater will be slash mulched.

See also Nos. 21, 27, and 38.

All stabilization measures to be completed by October 15, except where the soil disturbance occurs after that date. Soil disturbance occurring after that date will be treated before the end of the extended winter period.

No. 21: Operations on steep and unstable areas.

* An exception is proposed to Rule 914.2(f)(1)(I-iii), heavy equipment on slopes over 50% with high EHR, over 65% and slopes over 50% which lead without flattening to sufficiently dissipate water before it reaches a watercourse. The locations designated by an "s" on the Timber' Harvest Plan Map is a location where equipment will operate on steep slopes. The location adjacent to

the Class 4 watercourse at the north end of the THP is where the slope leads without flattening to a watercourse.

Mitigation: No special mitigation measures are necessary except for the point at the north end of the plan near the Class 4 watercourse crossing and within the WLPZ. There the skid trail will be tractor slash packed.

* An exception is proposed to Rule 914.2(d), heavy equipment on unstable areas. These areas are shown at the triangles on the THP map with a corresponding number.

Mitigation: Point 1-Spread slide debris in road. Do not sidecast. Point Z-Small slump. No special mitigation required. Point 3- Small slide. Construct waterbar above. Points 4 & 5-Cutbank failure. Push material in road. Do not sidecast. Point 6-Large 1998 debris flow. Blade open road. Minimal sidecast.

No. 23: Winter Operations

Winter operations **are** proposed for this operation. Timber falling, and equipment operations are proposed. The winter operation plan is as follows:

1. Tractors will be used only during dry, rainless periods where soils are not saturated;
2. Erosion control structures will be installed on all constructed tractor trails ^{at least} prior to the end of the day if the U.S. Weather Service forecast is a 30% or more chance of rain before the next day, and prior to the weekend or other shutdown periods;
3. Winter operations will terminate by November 15, 1997, or 4" of cumulative rainfall (as measured in Corralitos, and as reported in the Santa Cruz Sentinel;
4. No winter operations will occur in the WLPZ or in the unstable area. Timber falling outside the WLPZ will occur throughout the winter period.

No. 26: Watercourses.

Class 1:

The measures proposed for this THP are: 1) The WLPZ width is 150 feet (slopes over 50%); 2) Harvest trees will be marked with a cut and base mark before the preharvest inspection; 3) The WLPZ will be flagged before the preharvest inspection; and 4) Retention of at least 60% of the overstory and understory, and 60% of the overstory conifers. Current shade canopy is approximately 90-95%. Following harvest shade canopy will be approximately 85-90%.

for 1st 25' + 75% for rest of WLPZ

Class 2 pond:

0567

ATTACHMENT

6

The measures proposed for this THP are: 1) The WLPZ width is 50 feet (slopes under 30%); 2) No harvesting or equipment operations will occur within the WLPZ; and 3) The WLPZ will be flagged before the preharvest inspection.

Class 3 and 4:

The measures proposed for this THP are: 1) the removal or stabilization of any woody debris deposited in the watercourse before October 15, 2) removal of temporary crossings and deposited soil before October 15, and 3) A 50 foot equipment limitation zone (ELZ) is established. Equipment will only operate on existing trails within the ELZ.

No. 27: In Lieu Practices to General Limitations for Watercourse Protection

An in lieu practice to Rule 916.3(c) is proposed to operate heavy equipment on two existing landings and a skid trail with the WLPZ of the Class 1 watercourse.

Mitigation: The landings will be seeded with annual rye (25 lbs./acre) and covered with 2" of straw mulch over the entire exposed surface.

No. 30: Hazard reduction

There is a fire protection zone for several residences on the property and for Hazel Dell Rd. Slash within 200 feet of the residence and Hazel Dell Rd. will be crushed or lopped to within 12" of the ground. Slash within 50 feet of Hazel Dell Rd. will be removed.

No. 32: Listed Species

Coho salmon, steelhead trout, and red-legged frog are listed species in the THP area. Measures for protection of Coho are found in the 2090 agreement. These measures will provide protection for steelhead as well.

The following 2090 rules are implicated and followed by this THP: 4.1-85% canopy retention standards within 25 feet of the Class 1 watercourse, 75% in the rest of the WLPZ; 4.2.1-No new landing or road construction in the WLPZ; 4.2.2-The existing road in the WLPZ is hard surfaced; 4.2.3-WLPZ trails will be covered with tractor packed slash; 4.2.4-100 sq.ft. bare soil in WLPZ to be slashed; 4.2.5-WLPZ trees to be marked before PHI; 4.2.6-LWD recruitment to be provided by leaving leaning trees over the watercourse, and large trees immediately adjacent to the stream bank; 4.2.7-Maintenance period is 3 years; 4.4.1-An ELZ is established for the Class 3 watercourse. No equipment will

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operate in the ELZ, and a tractor crossing has been flagged for a Class 4 watercourse; 4.4.2-Operations will avoid disturbance to LWD in the Class 3 watercourse.

There are no special measures required for the frog, as there are no frogs known within reasonable distance of the THP area.

No. 38: Other Special Instructions




















1. The watercourse crossing of the Class 4 watercourse will be a dip crossing and will be slash mulched.

2. "Caution-Log Truck" signs will be placed in both directions on Hazel Dell Rd. at the intersection with the entrance to the property.

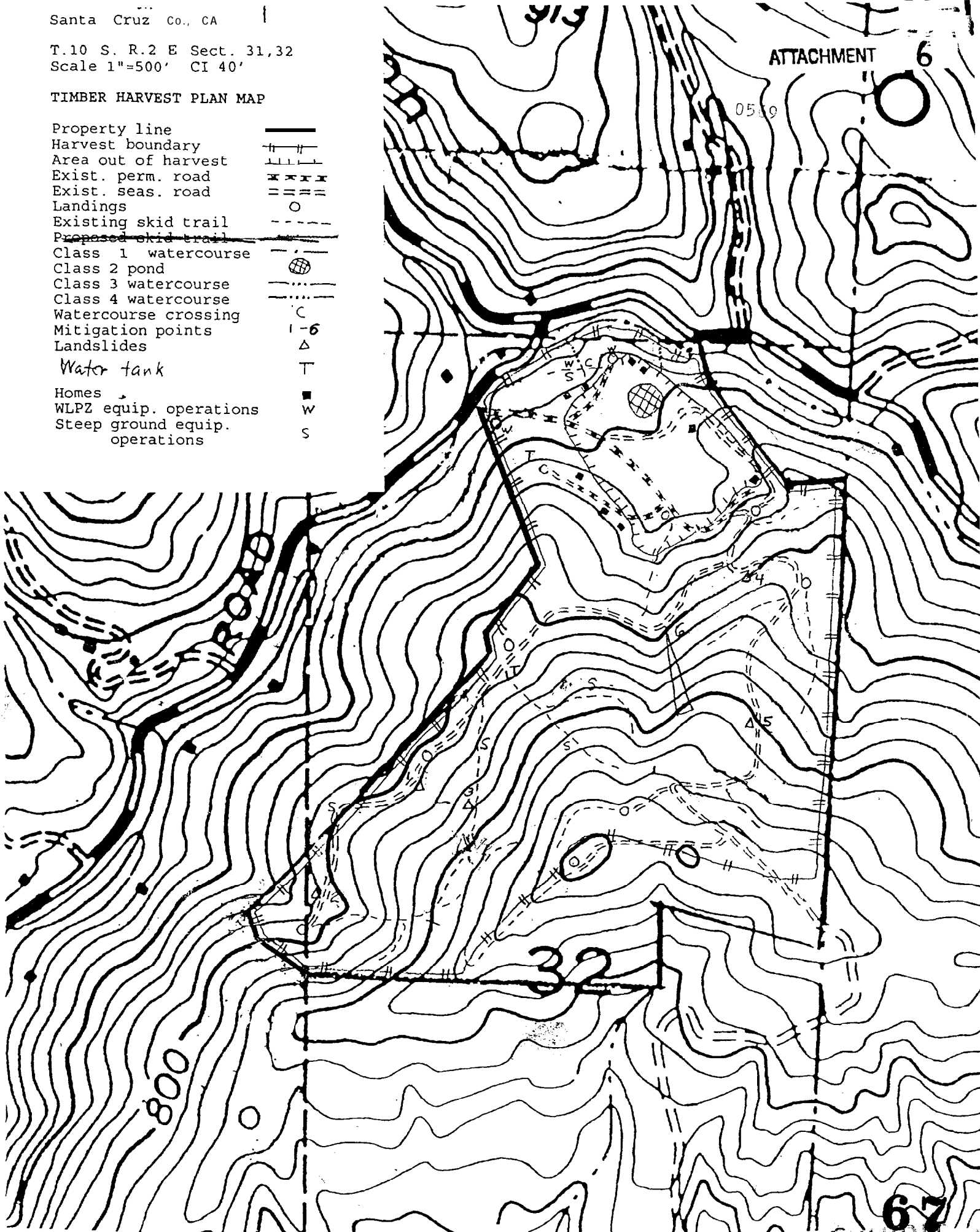
Santa Cruz Co., CA

T.10 S. R.2 E Sect. 31,32
Scale 1"=500' CI 40'

TIMBER HARVEST PLAN MAP

- Property line 
- Harvest boundary 
- Area out of harvest 
- Exist. perm. road 
- Exist. seas. road 
- Landings 
- Existing skid trail 
- Proposed skid trail 
- Class 1 watercourse 
- Class 2 pond 
- Class 3 watercourse 
- Class 4 watercourse 
- Watercourse crossing 
- Mitigation points 
- Landslides 
- Water tank 
- Homes 
- WLPZ equip. operations 
- Steep ground equip. operations 

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EXHIBIT

SECTION III

General Description of the THP Project Area and Watershed 0570

The 92 acre THP project site is a well stocked second growth forest, composed of predominately redwood in the overstory, with a component of Douglas fir, and associated tanoak, madrone, and live oak. Undergrowth species are typical. Riparian vegetation, such as maple and willow, is present along Browns Creek.

The second growth conifer forest appears to be approximately 90-100 years old, a result of the clearcutting in the early 1900's. There was a light selective harvest on the property in 1986. Conifer stocking is 70-80% of the total crown canopy and the growing site is Site III.

Soil types on the site are the Ben Lomond-Felton and Nisene-Aptos complexes, with sandy loam surface soils, and are moderately deep and fairly well drained. Bedrock is at about 52 inches in depth. These soils are well suited to the production of timber according to the Soil Survey of Santa Cruz County.

The site is located in the Browns Creek drainage, which supports anadromous fish populations. This watercourse is adjacent to the harvest area. Browns Creek has been periodically subjected to mass wasting. The Browns Creek watershed consists of mostly timbered areas with scattered residential development in the upper reaches, and heavier development and agricultural uses in the lower reaches near Corralitos. A City of Watsonville water intake is located on Browns Creek approximately ½ mile below the project site.

The project site is generally stable. A few recent debris flows were noted and mapped. The terrain is moderate to steep.

Elevations in the harvest area range from 1200 feet at the top of the ridge at the southern harvest boundary to 500 feet near Browns Creek, at the southern harvest boundary.

The project site is accessed by Browns Valley Rd., a 2 lane County road, except where there has been slide damage which has reduced-it to one lane.

No. 21: Operations on steep and unstable areas.

- An exception is proposed to Rule 914.2(f)(1)(I-iii), heavy equipment on slopes over 50% with high EHR, over 65% and slopes over 50% which lead without flattening to sufficiently dissipate water before it reaches a watercourse. The locations designated by an "s" on the Timber Harvest Plan Map is a location where equipment will operate on steep slopes. The location adjacent to the Class 4 watercourse at the north end of the THP is where the slope leads without flattening to a watercourse

Mitigation: No special mitigation measures are necessary except for the point at the north end of the plan near the Class '4 watercourse crossing and within the WLPZ. There the skid trail will be tractor slash packed. 0571

Explanation and justification: The proposed locations are well away from any watercourse, except for the area within the WLPZ. All locations are on existing roads or trails which are stable and in good condition.

Use of the standard rule would require construction of new roads for cable logging, to get above the steep spots. Cable logging results in more tree removal for corridors, which also are areas of ground disturbance. Damage to the residual stand is greater with cable logging. Overall disturbance would be greater. With the proposed mitigation measures, the use of the exception will provide better protection than the standard rule.

* An exception is proposed to Rule 914.2(d), heavy equipment on unstable areas. These areas are shown at the triangles on the THP map with a corresponding number.

Mitigation: Point 1-Spread slide debris in road. Do not sidecast. Point 2-Small slump. No special mitigation required. Point 3- Small slide. Construct waterbar above. Points 4 & 5-Cutbank failure. Push material in road. Do not sidecast. Point 6-Large 1998 debris flow. Blade open road. Minimal sidecast.

Explanation and justification: The proposed locations are well away from any watercourse. All locations are on existing roads or trails which are stable and in good condition. Except for the 1998 debris flow, the other slides took place some time after the 1986 harvest. These slides are minor, as they ended with slide material being deposited in the road. Blading over the material will not cause impacts to watercourses, or increase future slide potential. One larger slide is believed to have occurred in 1996-1997. There the existing trail is not to be re-opened. The 1998 slide is approximately one acre in extent. At the road, material flowed across the road down to the meadow below.. Blading this material will not cause increase in slide potential.

These areas are unavoidable in order to use the existing roads and trails. To avoid them, and to use the standard rule, would require new construction to go around the slides, causing more disturbance and creating new potential unstable areas. With the proposed mitigation measures, the use of the exception will provide better protection than the standard rule.

No. 27: In Lieu Practices to General Limitations for Watercourse Protection

* An in lieu practice. to Rule 916.3(c) is proposed to operate heavy equipment on two existing landings and a skid trail with the

WLPZ of the Class 1 watercourse.

Mitigation: The landings will be seeded with annual ryegrass (25 lbs./acre) and covered with 2" of straw mulch over the entire exposed surface.

Explanation and justification: The landings and skid trail are existing. No construction is necessary. No current erosion **problems** are evident. Use of the standard rule would require new construction of two landings, resulting in more disturbance than the in lieu practice. The area service by the existing skid trail would be unavailable, as there are two buildings between it and the road above, eliminating the cable option. With the proposed mitigation measures, the in lieu practice will provide equal or better protection than the standard rule.

No. 32: Listed Species

The Natural Diversity Database maps at Roy Webster's office and biotic resources maps at the CDF Felton office were examined for RTE species and County General Plan species of special concern. No other source consulted indicated any plant species of concern to be found in the project area.

Coho salmon now listed, are associated with the Pajaro River drainage, as a potential recovery stream. Steelhead trout are found in Browns Creek. The harvest area is also within the range of the red-legged frog. See discussion below under "Watershed Resources". No other animal species of concern is associated or found in the THP area.

There is no known marbled murrelet use of the area and no on-site nor nearby suitable habitat. All seven questions on the marbled murrelet pre-filing consultation checklist are negative. No trees with limbs large enough to be suitable murrelet habitat have been identified in the field.

The purpose of the project is to achieve an economic return from the property and to thin the forest for health and fire hazard reduction reasons.

The need for the project from a societal perspective, includes maintaining a flow of high quality redwood timber products to the economy, maintaining the forest products industry, providing a source of employment, avoiding waste of timber resources, contributing to a base for sustainable resources for the economy and maintaining forest health.

0573

Possible alternatives to the project include:

1. The Project as Proposed. The THP presents the project as proposed.
2. No Project. The site would remain as is, but the opportunity for harvest would be lost at this time. Redwood clumps are overly dense, and are declining in growth rate due to this condition. Buildup in fuels will continue, increasing the fire hazard. Wildlife habitat values for birds and small mammals are decreasing as the forest becomes overly dense.
3. Alternative Land Uses. Subdivision, in place of timber production, is not a feasible alternative for producing income to the owner, as the property is zoned TPZ, and the owner does not wish to subdivide. Subdivision, in any event, would cause greater environmental impacts in terms of more population in the forest, more removal of productive timber areas, and potential water and air pollution from human uses of wildlands. A further impact from subdivision would be the loss of green belts around urban areas.
4. Timing of the Project. Carrying out the project at a different time within the decade would not be feasible as the owner desires economic return at the present time: Fuel buildup will continue, and growth rate declines.
5. Alternative Site. The owner has another TPZ zoned property, which was last logged in 1987. This property was last logged in 1986. Thus, this site is the preferable alternative for logging this year.
6. Public Acquisition. Public acquisition is not a likely alternative. A sale of conservation easements would be feasible if adequate sums were available. There has been no expressed interest on the part of any agency for acquisition of the site or for conservation easements. The property is currently being used for several residences.

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FEB 26 1998

COAST AREA OFFICE
RESOURCE MANAGEMENT

On balance, the THP as proposed is the most reasonable alternative to achieve the purpose of the project, and continue the maintenance of the land as residential and timberland. This reduces the level of human impact in the forest which would be increased through subdivision. Potential environmental impacts are reduced to a less than significant level by the Forest Practice Rules, and mitigation measures incorporated into the THP.

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SECTION IV
CUMULATIVE IMPACTS ANALYSIS

0574

Cumulative Impacts Checklist

1. Do the assessment areas of resources that may be affected by the proposed project contain any past, present, or reasonably foreseeable future projects? Yes.

CDF Felton office records indicate the following timber harvest projects completed, occurring, or proposed within the past 10 years in the watershed assessment area, which is the Browns Creek watershed:

<u>THP #(all SCR)</u>	<u>Acres</u>
1-96-275	325
1-96-182	55
1-95-322	39
1-94-514	65
1-94-363	6
1-93-158	81
1-93-101	230
1-92-315	24
1-92-034	150
1-90-674	29
1-90-442	60
1-89-172	210
1-89-144	60
1-88-319	20
TOTAL	1520 acres

This accounts for approximately 34% of the 4420 acre watershed assessment area over the past ten years. All plans were by the Selection method. Estimated tractor acreage is 65% overall. Estimated yarder acreage is 35% overall. All plans used tractor logging for at least part of the operation. Impacts from timber harvest are mitigated by the Forest Practice Rules and special mitigations developed for each THP.

Other human projects have affected all resources, including homes, retreats, driveways, roads, and agriculture. Most activities are currently regulated by the County, which uses the permit process and its erosion control ordinance to control impacts from residential use. No new significant development or agricultural projects in the area have been presented to the County Planning Dept.

2. Are there any continuing significant adverse impacts from past or present land use activities that may add to the impacts of the proposed project? Yes.

Current residential and agricultural usage, including road



maintenance problems, may continue to have an effect on all resources. These may be in the form of accelerated erosion and chemical pollutants, displacement of wildlife, and loss of visual resource. Again, mitigation of ongoing problems is affected by County ordinances, or other resource monitoring agencies. 0575

3. Will the proposed project, as presented, in combination with past, present, and reasonably foreseeable future projects, identified in items #1 and #2 above, have a reasonable potential to cause or add to significant cumulative impacts in any of the following resource subjects?

Watershed:	No, after mitigation.
Soil Productivity:	No, after mitigation.
Biological:	No, after mitigation.
Recreation:	No reasonably potential significant effects.
Visual:	No, after mitigation
Traffic:	No, after mitigation.

4. Resources Assessment Areas and Analysis

(1) Watershed Resources

Assessment area: The assessment area is the 4420 acre Browns Creek watershed to the intersection with Corralitos Creek.

Rationale: This is the area in which past, present, and future projects, including this THP, are most likely to have an impact on the beneficial uses of water of Browns Creek.

Watercourse conditions:

Browns Creek, a Class 1 watercourse, adjoins the harvest area. This watercourse shows evidence of being moderately aggraded and gravel embedded. Large woody and other organic debris is present in moderate amounts. Bank cutting, mast wasting, and downcutting were observed, primarily off site. The stream is of moderate gradient and there are some pools. Streamside vegetation, primarily conifers and hardwoods, is present. Riparian vegetation, including willow, alders, and maple is evident in some areas, primarily off site. *harvested next to, still good*

A Class 2 pond is located outside the harvest area in a grassy opening. This pond will be unaffected by harvesting.

Potential impacts:

Sedimentation: Potential sedimentation effects from harvesting primarily relate to road construction, landsliding, and harvesting activities within a watercourse protection zone. This harvest proposes no new truck road and approximately 1500 feet of new skid trail construction. New construction is out of the watercourse protection zone, and all is on favorable terrain and

well away from watercourses. Tractor operations within the WLPZ are on an existing skid trail to be slash packed, and two existing landings (located at least 100 feet from the watercourse) which will be straw mulched. An unstable area subject to past landsliding into Browns Creek will be logged by tractor long line. No equipment will operate within this area.

0576

Water temperature: Water temperature will be protected by maintaining at least 85-90% shade canopy over the Class 1 watercourses.

Organic debris: Organic debris will be kept out of the watercourses, as trees cannot be felled into the watercourses. Accidental depositions of organic debris must be immediately removed per the Rules.

Chemical contamination: Two landings will be used within the WLPZ of the Class 1 watercourse. These landings are at the upper end of the WLPZ, approximately 100+ feet from the watercourse. Chemical spills will, thus, not impact watercourses. No other existing contaminations were noted. No use of chemicals for road surface stabilization is contemplated.

Peak flow: Peak flow will not be altered by selective cutting under Rule 913.8(a), in particular on a small operation.

Coho salmon analysis:

According to the CDF&G Memorandum dated 2-6-96 from Nelson/Anderson to Steele, Corralitos Creek-fed by Browns Creek-suffers from the following habitat deficiencies for Coho salmon: Moderate silt loading from logging operations and a road running adjacent to the creek have inundated spawning gravels, pool habitat, and substrate for insects. Modified channel morphology has reduced pool habitat and habitat diversity. Breaks in the riparian vegetation from road and housing development have resulted in less forage and canopy for fish.

Potential impacts from this harvest operation will not affect the restoration of Coho to the Pajaro River and Corralitos Creek due to the following mitigations: Sedimentation-Bare soils from equipment operations within the WLPZ mulched as discussed above. Disturbed soil areas of 100 sq.ft. or greater within the WLPZ will The RPF did not identify any existing sedimentation problems from the current use of this property.

Water temperature is implicated as timber will be harvested within the WLPZ of the Class 1 watercourse. Current shade canopy is approximately 90-95% by ocular estimate. Isolated conifers, trees directly on the watercourse bank, and trees on the watercourse side of a clump will not be harvested. Following a harvest of approximately 40-50% of the conifers over 18" DBH within the WPZ, shade canopy should be in excess of 85%. Consequently, no adverse increase in water temperature should

occur.

Red-legged frog:

There have been no red-legged frog sightings in the Watershed Assessment Area (See Attached Checklist). Potential habitat areas, such as the pond and Browns Creek, will be protected by WLPZs. Thus, no impact to potential habitat from the operation should occur. 0577

In light of the above factors, and with the proposed mitigation measures, there will be no adverse effect on sedimentation, stream water temperature, organic debris, chemical contamination, or peak flow, and no reasonable potential for the project to cause or add to significant adverse cumulative effects to watershed resources, including Coho salmon, steelhead trout, red-legged frog habitat, and the City of Watsonville water intake.

(2) Soil Productivity

Assessment Area: The assessment area for soils productivity is the harvest area. Rationale: Factors which potentially influence soil productivity must physically affect the harvest area. See Technical Rule Addendum #2.

Some loss of productivity occurs due to dedication of areas for use as landings, haul roads, and tractor trails. In this plan, no new truck road or landings are proposed. 1500 feet of new skid trails are proposed. New construction will require little removal of productive areas, as these trails are mostly proposed in hardwood or open areas, in between the redwood groves.

Overall site productivity is protected through the implementation of selection harvesting pursuant to Rule 913.8(a), which requires the retention of trees with healthy, full crowns, and a well distributed residual stand.

The current proposed harvest will improve the spacing of the residual tress, which are currently overcrowded, resulting in an increased growth rate on the leave trees. Stump sprouting from the proposed harvest should be vigorous due to the increased availability of light. It is estimated that the growth rate of the residual stand will increase from 3 to 4%.

Compaction from the use of tractors and skidders may reduce soil productivity, but studies are not clear as to the significance of the actual long term effect. Nutrient losses could also effect long term growth. This usually occurs when slash is burned, or otherwise removed following harvest.

The present operation proposes lopping for slash removal. In such cases, nutrient recycling is promoted, and no adverse effect should result.

In light of the above factors, the project will not have a reasonable potential for the project to cause or add to significant adverse cumulative effects on soil resources.

0578

(3) Biological Resources

Assessment Area: The project area and the area within 1/2 mile of the project boundary. Rationale: The expanded area accounts for mobile species which may enter the project area or are likely to be within range of the biological influence of the project.

The habitat in this area is primarily second growth redwood and Douglas fir timber, with typical associated hardwood and undergrowth species. Openings in the forest stand are found where there is residential development and cultivated areas. Species associated with this habitat are typical bird and mammal populations.

Wildlife habitat should be maintained by the selection system, which maintains a relatively continuous forest canopy. No removal of structure is proposed, such as snags. Nest or den trees will be maintained, if identified in the field. No removal of hardwood trees is proposed, other than those damaged by the harvesting operation. The harvest should increase diversity within the stand, by promoting a multi-layered canopy, resulting in improved wildlife habitat.

Short term displacement of mammals and birds may occur during the operation. The adjoining land should accommodate animals displaced, as there is not a significant residential component in the area, which is largely wildland. Recolonization of the project site should occur shortly after the completion of operations.

WHR classification for the project area is 4D. The proposed selective harvest will not change the WHR rating. The forest does not contain functional characteristics of late succession stands, which include large down logs, numbers of old growth residuals, and significant numbers of snags.

As a result of the foregoing factors, the project will not have a reasonable potential to cause or add to significant cumulative impacts on biological resources.

(4) Recreational Resources

Assessment Area: The area within 300 feet of the THP area. Rationale: Recreational impacts are likely to be largely confined to this range. See Technical Rule Addendum #2.

There is no adjoining area available for public recreation. Consequently, there is no reasonable potential for adverse cumulative effects on recreational resources.

(5) Visual Resources

Assessment Area: The logging area that is readily visible to significant numbers of people who are no further than 3 miles from the operation. Rationale: Visual impacts minimal to those greater than 3 miles away. See Technical Rule Addendum #2. 579

The proposed operation will be partially visible to those traveling Browns Valley Rd.

Under Rule 913.8(a), which permits removal of a maximum of 60% of the trees which are 18"+ DBH, visual impact from logging is not significant. This cutting rule was adopted in Santa Cruz County largely for its ability to protect the scenic qualities of the forest, as well as for protection of long range productivity.

Slash and debris which is generated by the operation will be a minor impact immediately after the operation, but when lopped, crushed and scattered as required by the Rules, its visual impact is reduced. Within 1-2 years, the forest floor regains its former natural appearance.

Under the Rules, this THP will not have reasonable potential to cause or add to significant cumulative impacts on visual resources.

(6) Traffic Resources

Assessment Area: Private road to Browns Valley Rd., left to Hames Road, right to Corralitos Rd., left to Freedom Blvd., right to Highway 1. Rationale: County roads to State Highways. See Technical Rule Addendum #2.

The operation proposes approximately 5-8 logging truck loads per day for a period of 2 months. County roads mentioned above are 2 lane roads used primarily by local residents.

Log hauling has been conducted safely for many years on comparably narrow roads in Santa Cruz County. Due to the quality of the haul roads, significant adverse traffic effects are not expected as a result of operations under this THP. The following mitigation measure is proposed: Browns Valley Rd. will be posted with "Caution Log Truck" signs in both directions at the intersections with the private road.

Under the Rules and with the proposed mitigation measure, this THP will not have reasonable potential to cause or add to significant cumulative impacts on traffic resources.

5. Sources of Information

Santa Cruz County Assessor's Office (Assessors' Parcel Maps)
and Surveyor's Office (Survey Maps). 701 Ocean St.,
Santa Cruz, CA 95060, 408-454-2002, 454-2160.
Soil Survey of Santa Cruz County, USDA, 1980.

Natural Diversity Data Base information.
Past and Present THP maps and information, CDF Felton office.
Santa Cruz County Biotic Resources map.
Loma Prieta quadrangle
maps.
Cooper-Clark maps.

0580

SECTION V
CONFIDENTIAL DOCUMENTS

ATTACHMENT 6

0581

EXHIBIT M
67

CONFIDENTIAL ARCHAEOLOGICAL ADDENDUM
FOR **TIMBER** OPERATIONS ON NON-FEDERAL LANDS IN CALIFORNIA

ATTACHMENT

6

This report form may **only** be used to document an archaeological and historical resource survey and **impact assessment** for a **Timber Harvesting Plan (THP)**, Non-industrial **Timberland Management Plan (NTMP)**, Program **Timber Harvesting Plan (PTHP)**, Emergency Notice (**EM**), Modified Timber Harvesting Plan (**MTHP**), or other commercial **timber** operation on **privately-owned** or other non-federal lands within California pursuant to California's Forest Practice Regulations (**14 CCR Section 929, 949, 999 et seq.**). This entire report, except Parts I and V, is confidential and may not be included in any document provided to the public. Completed reports **will** be reviewed by a **CDF** Archaeologist as part of the overall project review conducted by CDF. Any questions pertaining to the use of **this** report form, the Forest Practice Regulations which address protection of archaeological resources, or archaeological investigations of commercial timber operations may be directed to **CDF** Archaeology Program Manager **Dan Foster** at **(916) 653-0839** or to any of the regional **CDF** Archaeologists.

0582

Part I: ADMINISTRATIVE INFORMATION

Note: The information in Part I is not confidential and may be released to the public.

Name of Surveyor: **Gary Paul**

Name of RPF: Same

Address: 5521 Scotts Valley Dr. **#235**,
Scotts Valley, CA 95066

Address:

Phone #: 4064386968

Phone #:

Project Name: **Beeson**

Project #:

Project Type: THP

Approx. acreage: 82

County: Santa **Cruz**

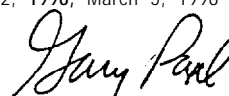
Legal Description: T.10 S., **R.2** E., Section **31,32**

Name of USGS 7.5' **Quad(s): Loma Prieta**

Date Report Completed: February 12, 1998, March 5, 1998

Author of Report: **Gary Paul**

Signature of Archaeological Surveyor:



Part II: ARCHAEOLOGICAL RECORDS CHECK INFORMATION

A current archaeological records check conducted at the appropriate Information Center of the California Historical Resource Information System must have been conducted for this project area. A copy of the completed records check request form, map, and reply (including mapped information) from the Information Center must be included as an attachment to this report, or a justification provided as to why that is not possible. If a copy of written records check information cannot be attached, provide a justification, the date of the records check, the Information Center File Number, a **summary** of the results discussing whether or not archaeological or historical sites are known or suspected to exist within the site survey areas and whether or not the site survey area has a previous archeological investigation on record.

ix) Records Check Attached

() Records Check Not Attached

Justification:

Date of Records Check Conducted by Information Center: December 22, 1997

Information Center File #: 97-THP-313

Records Check Results: No sites known or likely. Previous survey performed.

Part III: NATIVE AMERICAN CONSULTATION INFORMATION

14 CCR Section 929.1 (a)(2) requires the RPF or the RPF's supervised designee to provide written notification to local Native American groups and individuals on the current list of Native American **contacts** provided by the Native American Heritage Commission, and to allow a minimum of **10** days for response prior to submitting a THP to **CDF**. **This** notice **must:** (A) request information concerning any archaeological or historical sites within the THP boundaries which may be known by Native Americans, (B) provide the project location by county, section, township and range, and the direction and distance from the nearest community or landmark, (C) provide an estimate of the earliest date CDF may approve the project, (D) include a statement that they may participate in the review process and provide the address and phone number of appropriate CDF offices to contact, (E) indicate that a Confidential Archaeological Addendum will be prepared and how a copy may be obtained, (F) provide a map with project boundary, legend, and scale, and (G) include the name of the USGS 7.5' map(s) upon which the project is located. Complete the following section and provide an example of the correspondence as an attachment to this report.

List the individuals or groups which were provided written notification: Patrick Orozco

Date notification was sent: January 27, 1998

Results of notification:

67

EXHIBIT M

(x) No reply received as of (date): February 12, 1996, March 5, 1998

() Written reply received [copy attached]

() Verbal reply received (summarize reply below)

ATTACHMENT 6

Part IV: OTHER PRE-FIELD RESEARCH

Describe research conducted prior to field survey, other than the Archaeological Records Check and Native American consultation described in Parts II and III. List the individuals or agencies which were contacted [such as the landowner, local archaeologist, etc.], the pertinent archaeological, ethnographic, or historical literature which was reviewed, and summarize the results of this research.

0583

Literature Reviewed: Loma Prieta USGS quad map was reviewed for historic place names and topography.

Persons Contacted: None

Results of Pre-Field Research: No likely sites or known sites.

Part V: TRAINING AND EXPERIENCE OF ARCHAEOLOGICAL SURVEYOR

Note: The information in Part V is not confidential and may be released to the public.

To meet the requirements of 14 CCR Section 929.1, archaeological surveys of THP's, or EM's shall be conducted by a Professional Archaeologist or a person who has satisfactorily completed a CDF Archaeological Training Course within five years prior to submission of the project to CDF. Complete the following information:

Name of current Archaeological Surveyor(s): Gary Paul

() Archaeological Survey conducted by Professional Archaeologist

(x) Archaeological Survey conducted by person with a current CDF Archaeological Training Certificate

CDF Archaeological Training Course #34

Date completed: June 30, 1994, Redding, CA

(x) Archaeological Survey done for previous project within site survey area previously conducted by Tyler.

Part VI: SURVEY METHODS AND PROCEDURES

Survey strategy: Examined harvest area while laying out THP, walking roads and skid trails.

Time spent conducting archaeological field survey: 15 hrs.

Survey coverage intensity: Low to moderate

Ground visibility/other limitations: Ground covered by duff, except on existing truck roads.

Other relevant information: Prior survey performed in 1979 with 100% coverage revealed no sites (Tyler 1979:S-4063-See Archaeological Records Check Response.)

Part VII: SURVEY RESULTS

list and briefly describe all archaeological or historical sites identified within the site survey area, including the site(s) size, type, and condition. Display the specific location of all identified archaeological or historical sites on the attached Archaeological Coverage Map or Maps. The designations used for the sites listed below (e.g. Site #1, Site #2, etc.) must correspond to the designations used in Parts VIII and IX, and to the site locations plotted on the Archaeological Coverage Map or Maps.

Survey Results: No sites were identified.

Part VIII: EVALUATION OF SIGNIFICANCE

14 CCR Section 929.7 specifies that a determination of significance shall be made for an identified archaeological and historical site located within the site survey area if damaging effects from timber operations cannot be avoided. The determination of significance shall be based upon criteria defined for a 'significant archaeological or historical site' found in 14 CCR Section 695.1, utilize any information provided by Native Americans, or found in any archaeological, historical, or ethnographic data pertinent to the region or to the site, and the physical characteristics of the site. If required, a preliminary determination of significance shall be made by the RPF

EXHIBIT 6

or RPF's supervised designee and included in this report. The CDF Director shall make the final determination of significance, and substantial adverse change, based on advice of a professional archaeologist.

Preliminary Determination of Significance: Not applicable

ATTACHMENT 6

0584

Part IX: PROTECTION MEASURES

list each archaeological or historical site identified within the project area and clearly describe the specific enforceable protection measures to be implemented, both within the site boundaries and within 100 feet of the site boundaries pursuant to 14 CCR 929.1 (b). In accordance with 14 CCR 929.2 (a), these are specific measures taken to mitigate or avoid substantial adverse change to any known significant archaeological or historical sites. The RPF may propose, and the Director may agree to, specific mitigation measures without evaluating the significance of any identified site.

Protection Measures: Not applicable

Part X: MEETING WITH THE LICENSED TIMBER OPERATOR (LTO)

14 CCR Section 929.2 (b) requires the RPF or supervised designee familiar with on-site conditions to meet with the LTD prior to the start of timber operations at each archaeological or historical site that is described in the plan, or notice, that requires avoidance or protection measures, and do the following: (1) show the LTO the location, extent and boundaries of each archaeological or historical site requiring protection, (2) discuss with the LTO the protection measures, and (3) apprise the LTD of confidentiality requirements concerning the physical location of archaeological or historical sites. Pursuant to 14 CCR Section 929.2 (c), if the RPF or supervised designee familiar with on-site conditions is unable to perform these duties, the RPF shall: (1) explain the reasons in the THP, or THP amendment, or EM, (2) meet with the plan submitter, or if the plan submitter will not comply with the RPF's request for a meeting, notify the Director in writing, (3) except for EM's, notify the plan submitter in writing that it is the plan submitter's responsibility to transfer information to the LTO, and to notify the Director. Describe how this requirement has been or will be addressed:

Meeting with LTO:

- There are no archaeological or historical sites requiring protection, no meeting required.
- Meeting between RPF or supervised designee familiar with on-site conditions and LTO will be conducted prior to start of timber operations.
- Meeting between RPF or supervised designee familiar with on-site conditions and LTO has been conducted (provide details):
- This RPF or supervised designee will not be meeting with the LTO. Provide information demonstrating compliance with 14CCR Section 929.2(c):

Part-XI: SITE RECORDING

Any time prior to THP approval, or accompanying an EM larger than 3 acres, the RPF or RPF's supervised designee shall submit completed site records for each site determined to be a significant archaeological or historical site [14 CCR Section 929.1 (c)], or for sites the surveyor elects to record but for which no determination of significance has been made [14 CCR 929.1 (f)]. Furthermore, the Director is responsible to ensure that all archaeological or historical sites determined to be significant and located within the site survey area on THP's or EM's larger than 3 acres are recorded in a manner consistent with the recording standards identified in DHP's 'Instructions for Recording Historical Resources.' Describe how these recording requirements have been or will be addressed:

- No sites found within the site survey area.
- The following site(s) have been recorded and completed records are attached.
- The following sites will be recorded prior to THP approval:
- The following sites have been previously recorded, update(s) not prepared (attach copy(ies)):
- The following sites have been previously recorded, update(s) prepared (attach copy(ies)):
- The following sites will not be recorded, justification provided below:

PART XII: OTHER APPLICABLE INFORMATION

Provide any additional information concerning the archaeological survey for this project:

ATTACHMENT 6

Additional Information: None

0585

PART XXI: ATTACHMENTS

Indicate which attachments are included with this report. For THP's, and EM's of 3 acres or larger, the rules require the attachment of an Archaeological Coverage Map or Maps [14 CCR Sections 929.1 (b)(7) and 1052 (b)]. This map (or maps) shall contain a north arrow, a scale, and accurately display the project boundary, the site survey area (showing survey intensity), and a specific location of all archaeological and historical sites identified within the site survey area. The map(s) must be on a 1:1 scale copy of a USGS 7.5' quadrangle(s), or digitally generated topographic equivalent. Additional maps at other scales may be included to more accurately display required information or increase clarity.

- Archaeological Records Check Request Archaeological Coverage Map (1:1 scale of USGS 7.5' quad)
- Archaeological Records Check Request Map Additional Archaeological Coverage Map(s)
- Information Center Reply Project Vicinity Map (optional)
- Example of Notice to Native Americans Written reply from Native Americans
- USFS or other Agency Correspondence Site Records for: (specify which sites)
- Other: Photographs

Part XIV: SUBMISSION OF APPROVED REPORT TO INFORMATION CENTER

Pursuant to 14 CCR Section 929.1 (f), the RPF or supervised designee, within 30 days following CDF's approval of a THP or NTMP or acceptance of an EM of larger than 3 acres, shall send to the appropriate Information Center the following:

- (1) A complete Confidential Archaeological Addendum which includes all changes and additions required in the THP review process, and which identifies the plan number, or for EM's of three acres or larger, a Confidential Archaeological letter, and,
- (2) Two copies each of any completed archaeological or historical site records, for sites determined to be significant or for sites the surveyor elects to record but for which no determination of significance has been made.

Complete this section only after CDF approves the THP or after an EM is submitted to the Director.

THP plan number:

Emergency Notice number:

Date mailed to Information Center:

CDF Archaeology Office 01/01/98

EXHIBIT M
67

BEESON PROPERTY
Browns Creek
Santa Cruz Co., CA



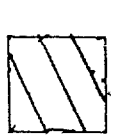
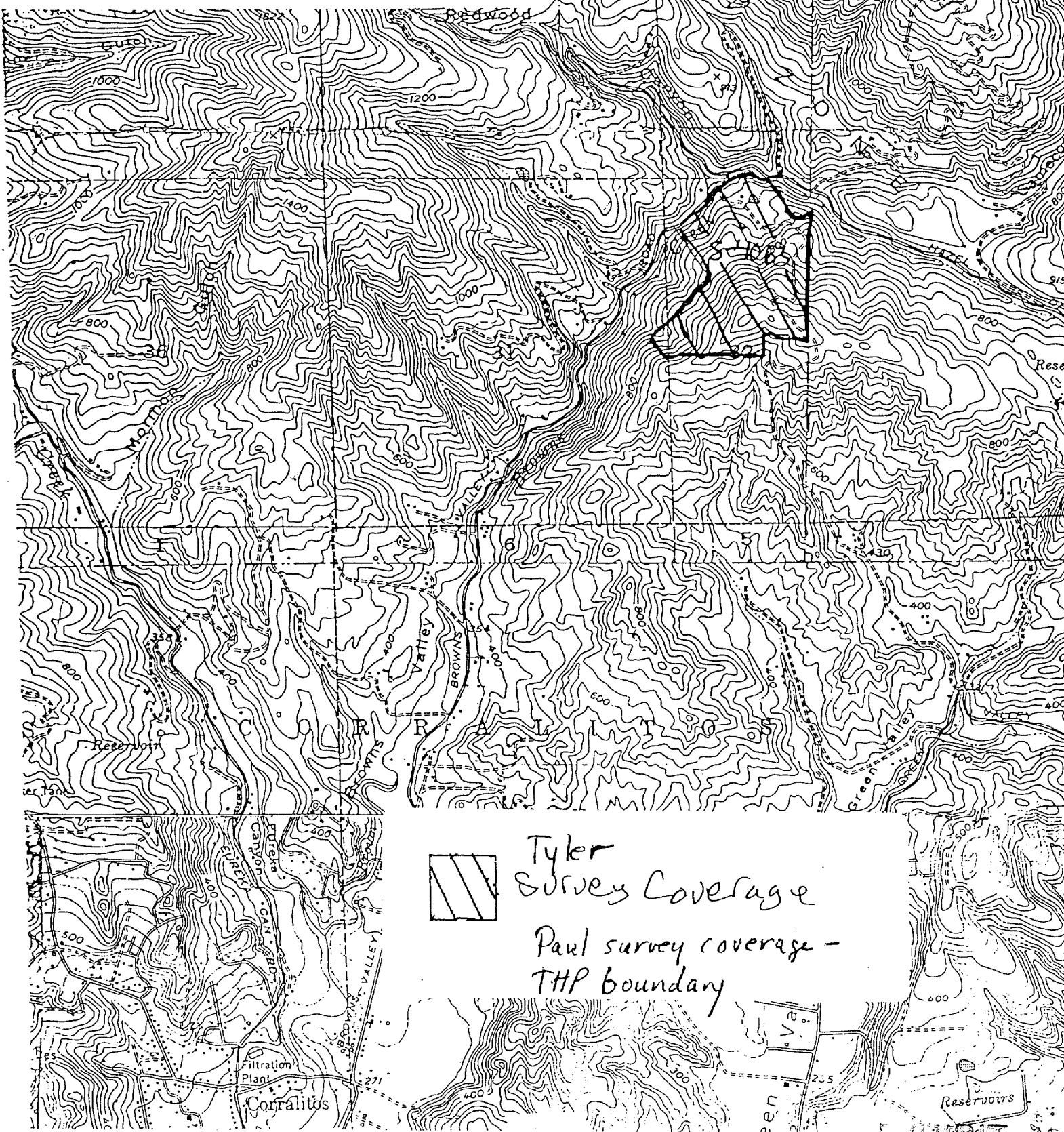
Project Area



05 ATTACHMENT

T.10 S. R.2.E. Sect. 31,32
Scale 1:24000 CI 40'

ARCHAEOLOGICAL SURVEY MAP



Tyler
Survey Coverage

Paul survey coverage -
THP boundary

Gary Paul
Forestry Consultant
5521 Scotts Valley Dr. #235
Scotts Valley, CA 95066
408-438-8968

0587

January 27, 1998

To: Native American Cultural Resource Contacts

Patrick Orozco
110 Dick Phelps Rd.
Watsonville, CA 95076

Re: Lands of Ron Beeson, Santa Cruz County, Sections 31,32, T.10 S., R.2 E., approximately 3 miles northeast of Corralitos. Located in Loma Prieta USGS quadrangle map.

Dear Mr. Orozco:

I want to advise you that I have prepared a THP on lands owned by Ron Beeson in the Corralitos area. A location map is enclosed for your review.

As part of this project, I can assure you that we are very interested in protecting cultural resources. I invite you to provide whatever information on archaeological or historical sites that you have so that we can protect sites that **may** be significant.

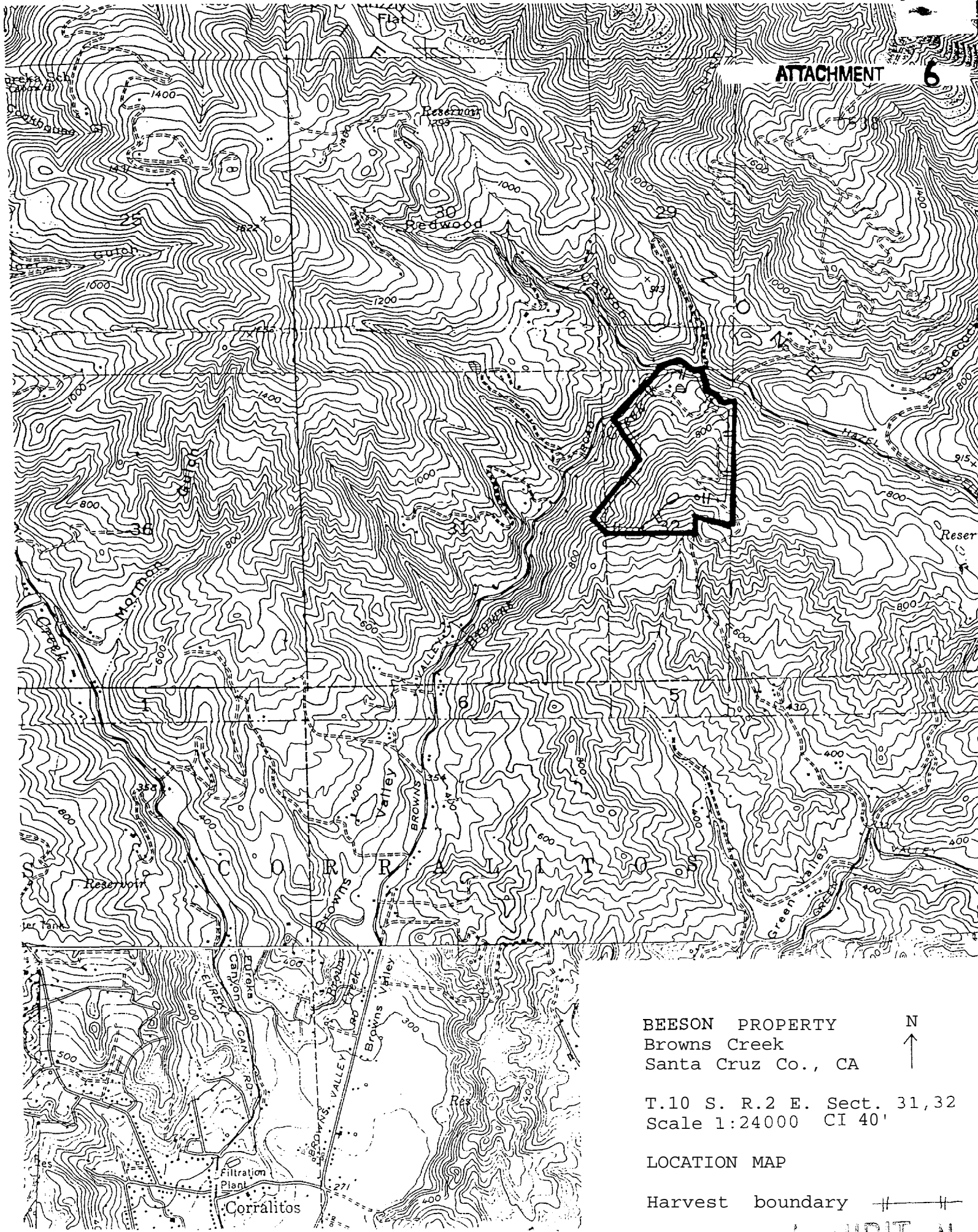
The THP is to be submitted in mid February, 1998. The earliest date the Director of the Calif. Dept. of Forestry may approve the THP is April 1, 1998. Any information you provide will remain confidential, as are all State archaeological records, A Confidential Archaeological Addendum will be prepared for the project and a copy of pertinent information contained in the Addendum may, at the discretion of the Director, be obtained from the Director.

Please be informed that you are entitled to participate in the timber harvest review process. You may contact the California Dept. of Forestry, P.O. Box 670, Santa Rosa, CA 95402, 707-576-2275, or P.O. Drawer F-2, Felton, CA 95018, 408-335-6740 as to instructions about how to participate.

Thank you for your help.

Yours truly,

Gary Paul



BEESON PROPERTY
 Browns Creek
 Santa Cruz Co., CA

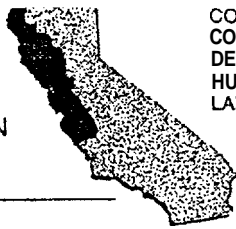


T.10 S. R.2 E. Sect. 31,32
 Scale 1:24000 CI 40'

LOCATION MAP

Harvest boundary ————

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE

MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO

SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1801 East Cotati Avenue
Rohnert Park, California 94928-3609
Tel: 707.664.2494 • Fax: 707.664.3947
E-mail: nwic.center@sonoma.edu

ATTACHMENT 6

December 22, 1997

File No: 97-THP-313

0589

Gary Paul
5521 Scotts Valley Dr. #235
Scotts Valley, CA 95046

Re: Beeson 1997 THP, Portions of T10S/R2E Sections 31 & 32, Castle Rock Ridge 7.5'
Quad, Santa Cruz County.

Dear Mr. Paul:

Per your request received by our office on December 18, 1997, a complete records search for the above referenced project was conducted by reviewing the State of California Office of Historic Preservation records, base maps, historic maps, and literature for Santa Cruz County on file at this office.

PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS: Our records indicated that 100% of the project area has been studied for cultural resources with negative results (Tyler 1979S-4063).

NATIVE AMERICAN RESOURCES: No recorded Native American cultural resources are located within this project area. In this portion of Santa Cruz County, Native American cultural resources have been identified on midslope terraces and stream terraces. The project area encompasses steep slopes and no archaeological resources were identified during the previous survey. Consequently, there is a low likelihood of identifying unrecorded Native American cultural resources in the THP area.

HISTORIC RESOURCES: There are no previously recorded historical cultural resources located within the project area. Review of historical literature and maps gave no indications of cultural resources within the project area. With this in mind there is a low possibility of identifying unrecorded historical cultural resources. The Office of Historic Preservation has determined that buildings and structures 45 years or older may be of historic value. If the project area contains such buildings or structures, they should be evaluated, prior to commencement of project activities.

LITERATURE REVIEW: The following literature and maps were reviewed for unrecorded cultural resources: National Register of Historic Places; California Inventory of Historic Resources; California Historical Landmarks; Historic Spots in California; California Place Names; Point of Historical Interest Log; General Land Office Plats; Historic Maps; Handbook of North American Indians, Volume 8: California; Handbook of the Indians of California. No other references were consulted.

EXHIBIT 67

Paul
97-THP-313

Page 2

0590

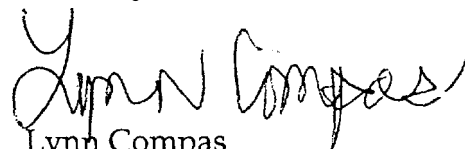
RECOMMENDATIONS: Our recommendations are based only on the information on file at this office, therefore there is always a possibility that additional Native American and historic records exist that could not be accessed by us. Based upon review of information at the Northwest Information Center it is our assessment that there is a low possibility of Native American and historic cultural resources in the project area. Since **100%** of the project area has been studied for cultural resources an archaeological survey is not necessary at this time. Please keep in mind that a record search should be conducted for any additional areas where construction or maintenance of camps, roads, trails, or landings will occur in accordance with the Forest Practice Rules. Please keep in mind that the location of cultural resources, especially historical sites and features, do not always fall in predictive patterns.

If unrecorded archaeological remains are discovered within the project area they should be formally recorded on the State Office of Historic Preservation form DPR 523. All mitigation and/or preservation efforts should be approved by a CDF archaeologist.

The California Department of Forestry requires RPFs to attach a complete copy of this record search to the confidential Archaeological Survey Report submitted with the THP. Be sure to include the map which accompanies this record search in the material submitted to CDF. They compare this map with your THP map.

Thank you for your inquiry and for your effort to conserve California's cultural resources. If you have any questions please call me at (707) 664-2494.

Sincerely,

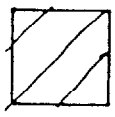
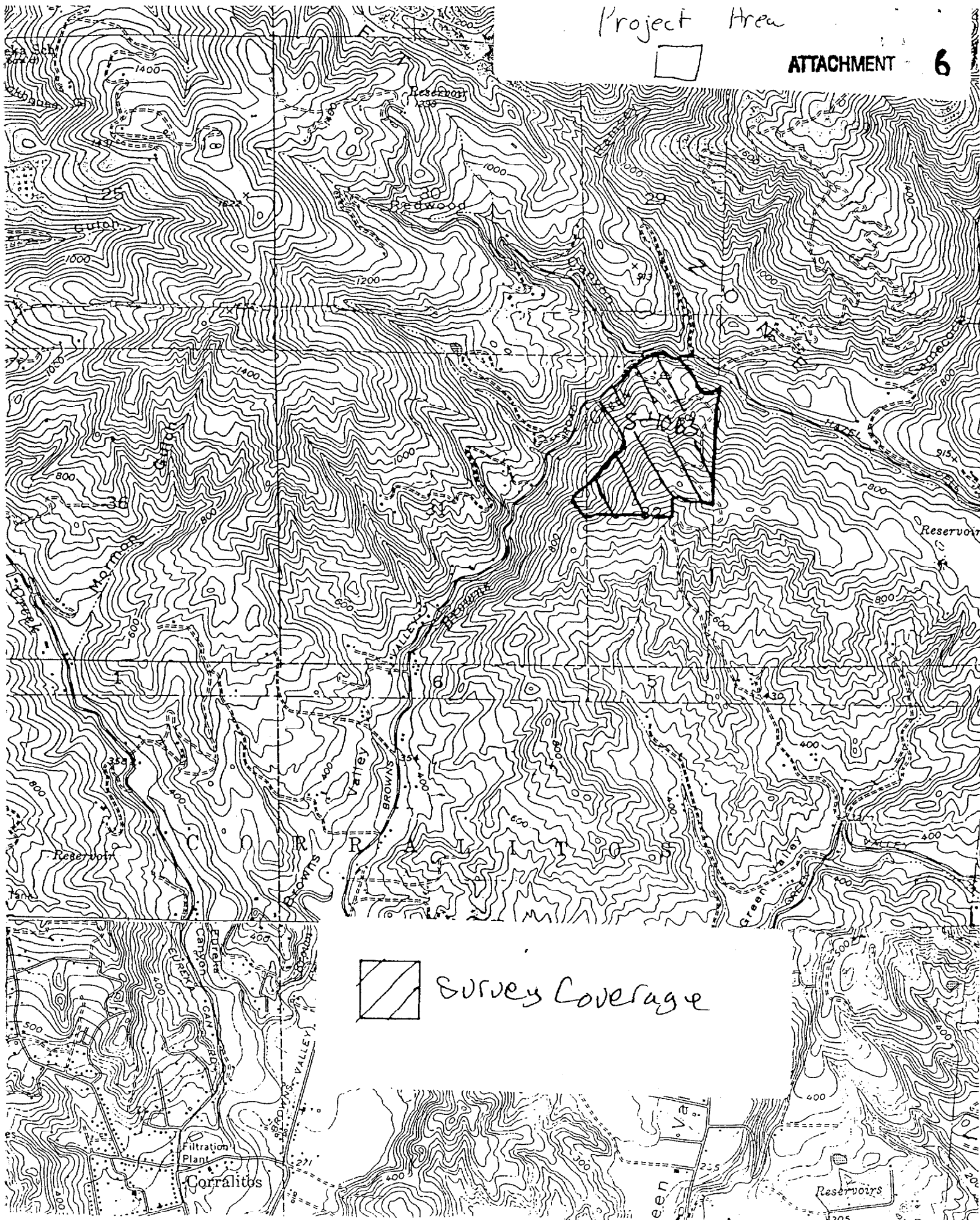


Lynn Compas
THP Coordinator

Project Area



ATTACHMENT 6



Survey Coverage

62T

SECTION VI
MISCELLANEOUS ATTACHMENTS

ATTACHMENT 6

0593

EXHIBIT 67

Certification of Mailing of Notice of Intent

ATTACHMENT **6**

0594

I certify that the all individuals and entities on the mailing list provided with this THP were mailed a copy of the Notice of Intent/Domestic Water Supply Inquiry and Location Map at least 10 days before submission of this THP.



GARY PAUL, RPF

Dated: 2-12-98

STATE OF CALIFORNIA
 DEPARTMENT OF FORESTRY
 ESTIMATED SURFACE SOIL
 EROSION HAZARD

ATTACHMENT 6
 0595

I. SOIL FACTORS

A. SOIL TEXTURE		FINE	MEDIUM	COARSE	FACTOR RATING
1. DETACHABILITY		LOW	MODERATE	HIGH	A. 3
RATING		1-9	10-18	19-30	
2. PERMEABILITY		SLOW	MODERATE	RAPID	1
RATING		5-4	3-2	1	

B. DEPTH TO RESTRICTIVE LAYER OR BEDROCK

		SHALLOW	MODERATE	DEEP	
		1'-19"	20'-39"	40'-60" (+)	2
RATING		15-9	8-4	3-1	

C. PERCENT SURFACE COARSE FRAGMENTS GREATER THAN 2 MM IN SIZE INCLUDING ROCKS OR STONES

		LOW	MODERATE	HIGH		FACTOR RATING
		(-) 10-39%	40-70%	71-100%	7	
RATING		10-6	5-3	2-1		
SUB TOTAL						

II. SLOPE FACTOR

		5-15%	16-30%	31-40%	41-50%	51-70%	71-80% (+)	
SLOPE		1-3	4-6	7-10	11-15	16-25	26-35	20
RATING								

III. PROTECTIVE VEGETATIVE COVER REMAINING AFTER DISTURBANCE

		LOW	MODERATE	HIGH	
		0-40%	41-80%	81-100%	4
RATING		15-8	7-4	3-1	

IV. TWO-YEAR, ONE HOUR RAINFALL INTENSITY (Hundredths Inch)

		LOW	MODERATE	HIGH	EXTREME	
		(-) 30-39	40-59	60-69	70-80	15
RATING		1-3	4-7	8-11	12-15	
TOTAL SUM OF FACTORS					72	

EROSION HAZARD RATING

< 50	50-65	66-75	> 75	
LOW	MODERATE	HIGH	EXTREME	
THE DETERMINATION IS				High

EXHIBIT 67^M

CIRCLE EACH CHOICE YOU MADE AND APPEND TO THE THP
 USE OF THIS CHECKLIST ACKNOWLEDGES THAT THE ENTIRE SANTA CRUZ MOUNTAINS
 ARE WITHIN RANGE OF THE RED LEGGED FROG (HEREINAFTER REFERRED TO AS "FROG")

		YES	NO
II.	Have the frogs been observed in the river basin in which the THP area is found?	Go to III	End of Assessment
III. What is status of each frog observation in the river basin? (Fill out table, then go to IV)			
PROXIMITY TO THE THP		ATTACHMENT 6	
DATE OF OBSERVATION		0597	
AGE OF INDIVIDUAL OBSERVED (Egg, Tadpole, Juvenile, Adult)			
OTHER NOTES			
IV.	Have frogs been observed in the THP area or in the area immediately downstream of the THP?	Go to VII	Go to V
V.	Has at least one (1) frog been observed within reasonable movement distance of the THP area via riparian corridors?	Go to VII	Go to VI
VI.	Has at least one (1) frog been observed within reasonable movement distance of the THP area via upland habitats?	Go to VII	End of Assessment
VII. Evaluate the THP area and areas in the vicinity of the THP for the presence of the habitat types. (Fill out table, then go to VIII).			
AQUATIC HABITATS (creeks, streams, ponds, marshes, and deep pools and backwaters)			
RIPARIAN HABITAT (seeps, springs, bogs, and areas of saturated ground; includes ferns, horsetails, sedges and moisture loving trees - maples, alders, willows, etc.)			
UPLAND HABITAT			
SUITABLE BREEDING HABITAT			
OTHER			
VIII.	Are there aquatic habitats within or immediately downstream of the THP area that may be affected by the THP activities?	Identify Mitigations from VIII A' - Then Go to IX	Go to IX
IX.	Are there any riparian habitats within the THP area that may be affected by timber harvest activities?	Identify Mitigations from IX A' in THP - Then Go to X	Go to X
X.	Are there any upland habitats within the THP area that may be affected by timber harvest activities?	Identify Mitigations from X A' in THP	End of Assessment

0598

Proof of Publication

(2015.5 C.C.P.)

AMENDED NOTICE OF INTENT TO HARVEST
TIMBER/DOMESTIC WATER SUPPLY INQUIRY

STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ. } SS

.....
.....

**AMENDED
NOTICE OF INTENT TO HARVEST TIMBER/
DOMESTIC WATER SUPPLY INQUIRY**

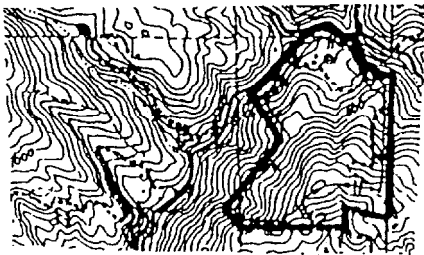
A Timber Harvesting Plan (THP) will soon be submitted to the California Department of Forestry and Fire Protection (CDF). This Notice with map is being provided prior to submission of the THP so that the THP submitter may be advised of domestic water supplies taken from water-courses within 1000 feet downslope of the proposed harvest. Please send such information to the Forester identified below within 10 days.

The THP will be available for public review and purchase at CDF's Felton and Santa Rosa offices after it has been submitted approx. 10 days from now. The cost to obtain a copy is \$2.50 for the first twenty (20) pages and \$0.125 for each additional page. Concerns or questions regarding the THP should be directed to CDF, Santa Rosa for public input incorporation into an Official Response document.

CDF
P.O. Drawer F-2
Felton, CA 95018
(408) 335-6740

CDF
P.O. Box 670
Santa Rosa, Ca 95402
(707) 576-2275

The Plan Submitter and Timberland Owner is Ron Beeson. The 92 acre THP is located in Santa Cruz County, Sect. 31, 32, T.10S., R.2 E., approx. 3 miles northeast of Corralitos. Browns Creek adjoins the plan area. The harvesting method is Selection, Rule 913.8(a), there is an overhead electric power line within the THP area. The Forester is Gary Paul, 5521 Scotts Valley Dr., #235, Scotts Valley, CA 95066. The earliest date for the Director's determination on the plan is April 1, 1998.



Harvest boundary -#-#-

January 26 (8337)

I, the undersigned say,

That I am over the age of eighteen and not interested in the above entitled matter; that I am now, and, at all time embraced in the publication herein mentioned, was, the principal clerk of the printer of the Santa Cruz County Sentinel, a daily newspaper printed, published and circulated in the said county and adjudged a newspaper of general circulation by the Superior Court of the County of Santa Cruz, State of California, under proceeding No. 25,794; that the advertisement, of which the annexed is a true printed copy, was published in the above named newspaper on the following dates, to-wit:

January 26, 1998

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

January 26, 1998

Dated at Santa Cruz, California

Signature Kathleen Kowalski

EXHIBIT M

A Timber Harvesting Plan (THP) that may be of interest to you is being submitted to the California Department of Forestry and Fire Protection. The Department will be reviewing the proposed timber operation for compliance with various laws and rules. This review requires the addressing of any concerns you may have with what is being proposed. This Notice with map is being provided prior to submission of the THP so that the submitter may be advised of domestic water supplies taken from watercourses within 1000 feet downslope of the proposed harvest. Please send such information to the Forester whose name, address and phone are shown at the bottom of this page within 10 days of the post-marked date on this Notice and Inquiry. The following briefly describes the proposed timber operation and where and how to get more information.

The review times given to the Department to review the proposed timber operation are variable in length, but limited. To ensure the Department receives your comments, please read the following:

TIMELINE

The plan will be submitted to the Department on or about: **February 15, 1998**

The earliest possible date the Department may approve the plan is on or about: **April 9, 1998**

NOTE: THIS DATE IS PROBABLY NOT THE ACTUAL APPROVAL DATE AND CLOSE OF PUBLIC COMMENT. Normally, a much longer period of time is available for preparation of comments. Please check with the Department prior to the above-listed date to determine the actual date that the public comment period closes.

OBTAINING INFORMATION/PROVIDING INPUT

Questions about the proposed timber operation or laws and rules governing timber operations should be directed to:

CDP
San Mateo-Santa Cruz Ranger Unit
6059 Highway 9
P. O. Drawer F-2
Falcon, CA 95018
(408) 335-6740

CDP
Forest Practice Program
135 Ridgeway Avenue
P. O. Box 670
Santa Rosa, CA 95402
(707) 576-2275

The public may review the plan at the above Department office or request to purchase a copy of the plan by calling the above CDF office. The cost to obtain a copy is \$2.50 for the first twenty pages and 12 1/2 cents for each additional page. (To be completed by Department upon receipt.) The cost to obtain a copy of the plan is: \$3.75

PLAN INFORMATION

1. Timberland Owner where timber operation is to occur: **Ron Beason**
2. Registered Professional Forester who prepared the plan: **Gary Paul**
3. Name of individual who submitted the plan: **Same as #1.**
4. Location of the proposed timber operation (County, legal description, and approximate direction and distance to the plan area from the nearest community or well known landmark): **Santa Cruz County, Sections 31, 32, T.10 S., R.2.E, approx. 3 mile northeast of Corralitos.**
5. The name of and distance from the nearest perennial stream and major watercourse flowing through or downstream from the timber operation: **Browns Creek adjoins the plan area.**
6. Acres proposed to be harvested: **92**
7. The proposed harvesting method or treatments to be used: **Selection, Rule 913.8(a).**
8. Is there a known overhead power line, except lines from transformers to service panels within the plan area? **(x) yes () no**

5/94

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RECEIVED

FEB 23 1998

COAST AREA OFFICE
RESOURCE MANAGEMENT

EXHIBIT 67

A map is attached to help locate where the proposed timber operation is to occur. If you originally received this Notice of Intent to Harvest Timber by mail, you can expect the Department to mail you the number of the plan, the date of receipt of the plan by the Department, the filing data of the plan, and the date of any public hearing. You should check with the Department for the date of the Review Team Meeting. If you would like to contact the Registered Professional Forester who prepared the plan, please contact Gary Paul, 5521 Scotts Valley Dr. #235, Scotts Valley, CA 95066, 408-438-8968.

ATTACHMENT 6

FOR DEPARTMENT USE ONLY

TIMBER HARVESTING PLAN NO. 1-98-063 SCR DATE OF RECEIPT 2-23-98 0600
January 1, 1996 (Coast Sub District)

RECEIVED

FEB 23 1998

COAST AREA OFFICE
RESOURCE MANAGEMENT

5/94

FEB-23-1998 12:31

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P.003

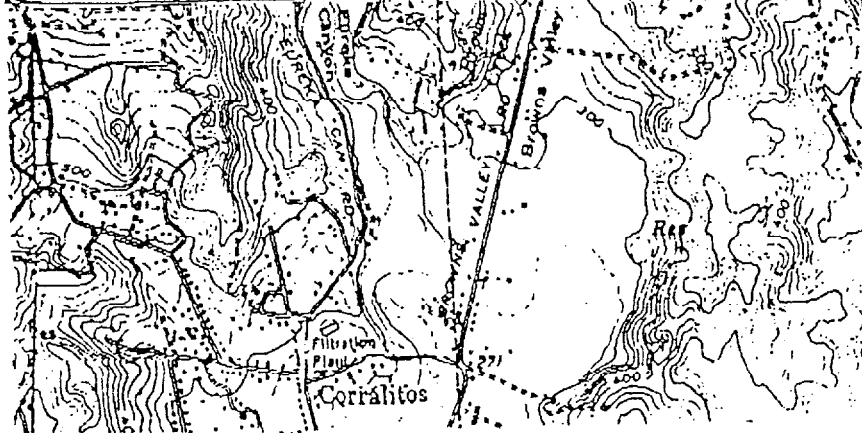
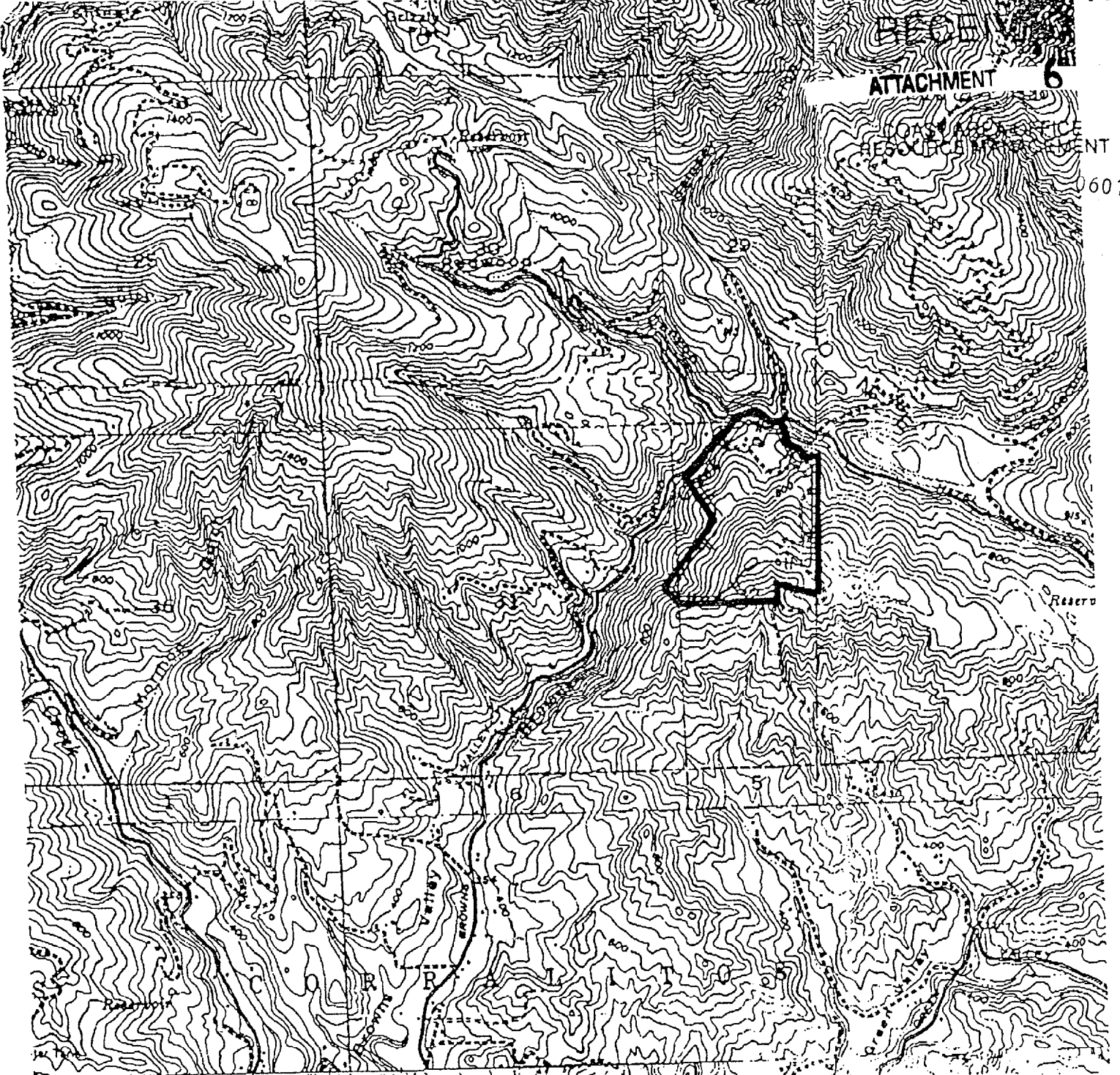
67

EXHIBIT M

ATTACHMENT 6

COAST RANGE STATE RESOURCE PROJECT

601



BEESON PROPERTY
 Browns Creek
 Santa Cruz Co., CA



T.10 S. R.2 E. Sect. 31,32
 Scale 1:24000 CI 40'

LOCATION MAP

Harvest boundary #---#

P.004

FEB-23-1998 12:33

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EXHIBIT M

67

Walt Symons
Board of Supervisors
701 Ocean St.
Santa Cruz, CA 95060

City of Watsonville
Water Dept.
250 Main St.
Watsonville, CA 95076

ATTACHMENT 6

0602

Pajaro Valley Unified
School District
165 Blackburn St.
Watsonville, CA 95076

Michael and Susan Murray
881 Cosens Ln.
Placerville, CA 95667

Thomas and Robyn Chiapella
1100 Hazel Dell Rd.
Watsonville, CA 95076

Cliff and Lynda Haller
7155 I Redwood Retreat Rd.
Gilroy, CA 95020

David and Jean Grabost
959 Browns Valley Rd.
Watsonville, CA 95076

Mary Cikuth
1355 Amesti Rd.
Watsonville, CA 95076

Glenna Wright
19459 Ave. 144
Porterville, CA 93257

Herbert and Valery Decker
846 Browns Valley Rd.
Corralitos, CA 95076

Tryg and Kathryn Minier
802 Browns Valley Rd.
Watsonville, CA 95076

Joseph Paul Nevins
1745 Green Valley Rd.
Watsonville, CA 95076

Richard and Jerene Kalinowski
P.O. Box 933
Freedom, CA 95019

John Finch
1745 Green Valley Rd.
Watsonville, CA 95076

Patricia Gaus
355 Gamecock Canyon Rd.
Watsonville, CA 95076

Big Creek Lumber Co.
3464 Highway 1
Davenport, CA 95017

Colen Wilson
1168 Green Valley Rd.
Watsonville, CA 95076

Jerry and Carol Flook
1241 Hazel Dell Rd.
Corralitos, CA 95076

Elizabeth Jarboe
1055 Browns Valley Rd.
Watsonville, CA 95076

RECEIVED

FEB 23 1998

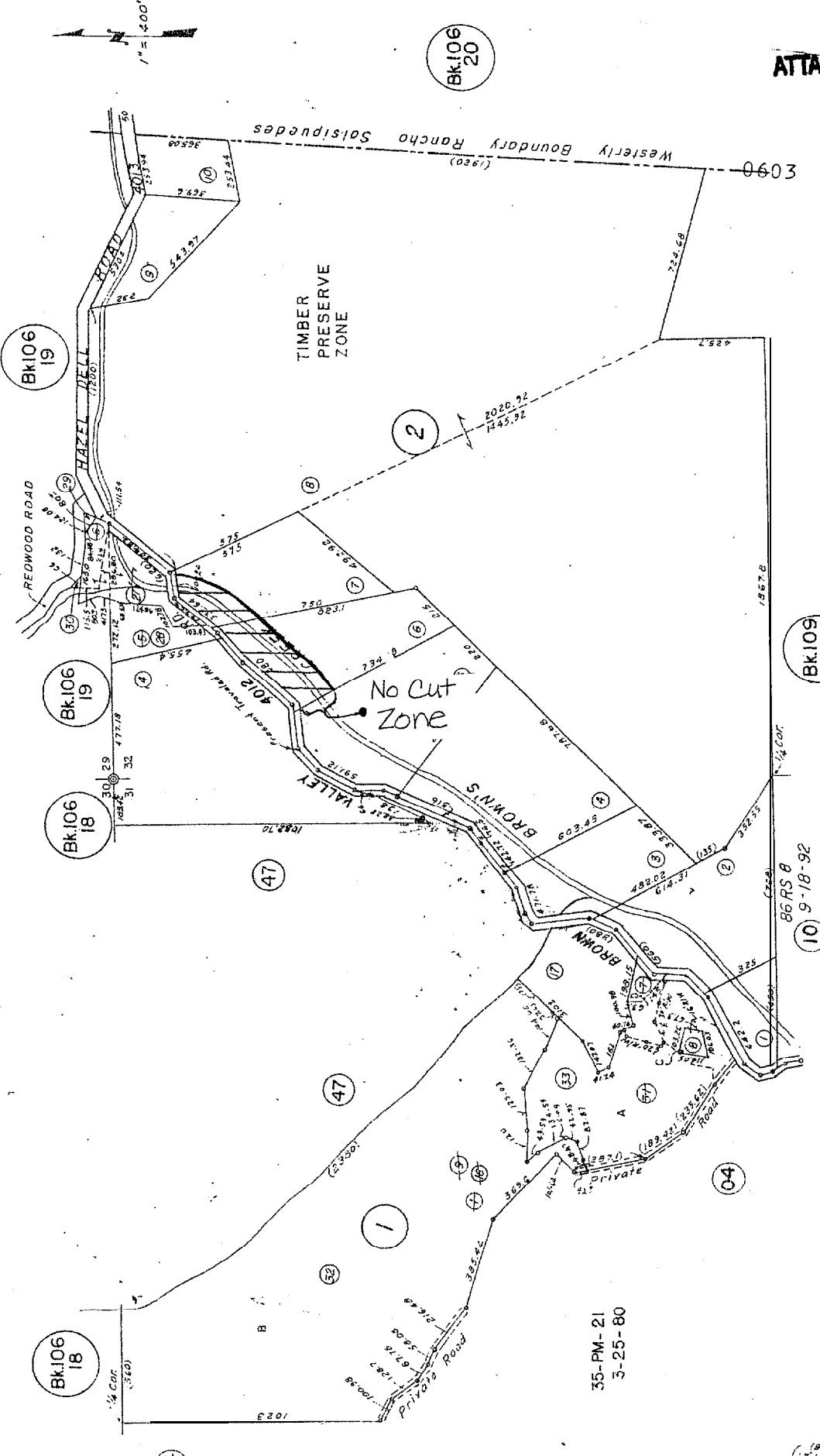
COAST AREA OFFICE
RESOURCE MANAGEMENT

FOR TAX PURPOSES ONLY

POR. SEC. 29, 30, 31 & 32, T. 10.S., R. 2.E., M.D.B. & M.

Tax Area Code
69-143

107-0.



Proposed No Cut Zone

ATTACHMENT

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

Assessor's Map No. 1
County of Santa Cruz,

EXHIBIT
67

GARY PAUL

Forestry Consultant

5521 Scotts Valley Drive, Suite 235
Scotts Valley, CA 95066
408-438-8968 FAX 408-438-8329

0604

November 2, 1998

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

Gentlepersons :

Pursuant to Government Code Section 51113.5, my client Ron Beeson requests that the County Planning Dept. rezones APN 107-052-06 and 107-052-07 from the residential zone to Timber Production. These parcels adjoin APN 107-052-08, which is currently zoned TPZ.

According to the above-mentioned code section, as long as the property being rezoned meets the criteria of timberland, as defined in Section 5 1104, then the rezoning does not have to comply with the criteria of Section 51113, which includes public hearings before the Planning Commission and Board of Supervisors and a timber management plan..

I certify that the parcels requested to be rezoned meet the criteria of timberland as so defined. It is devoted to the 'growing and harvesting of timber, and is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

Yours truly,



Gary Paul
Registered Professional
Forester #1829

COUNTY OF SANTA CRUZ PLANNING COMMISSION
MINUTES

0605

DATE: December 8, 1999

PLACE: Board of Supervisors Chambers, Room 525
County Government Center, 701 Ocean Street, Santa Cruz, CA

COMMISSIONERS PRESENT: ROBERT BREMNER, DENISE HOLBERT, LEO RUTH,
DALE SKILLICORN, RENEE SHEPHERD(CHAIRPERSON).

STAFF MEMBERS PRESENT: KIM TSCHANTZ, JOHN RICKER (EHS), MARTIN
JACOBSON, MIKE FERRY, KEN HART, DAVID
JOHNSTON, CATHLEEN CARR, DAVID LEE, JACKIE
YOUNG, PAIA LEVINE, ALVIN JAMES

COUNTY COUNSEL PRESENT: RAHN GARCIA

All legal requirements for items set for public hearing on the Santa Cruz County Planning Commission agenda for this meeting have been fulfilled before the hearing including publication, mailing and posting as applicable.

- A. **ROLL CALL:**
Commissioners Bremner, Holbert, Ruth, Shepherd and Skillicorn present at 9:00 a.m.
- B. **PLANNING DIRECTOR'S REPORT:** Martin Jacobson informed the Commission that the Board of Supervisors approved the Planning Commission's recommended growth rate of 0.75% for next year and authorized a building permit carry-over subject to the Board's future approval. The Board also approved the Rancho del Oso "TP" rezoning and an amendment to the conditions of a second "TP" rezoning.
- C. **COUNTY COUNSEL'S REPORT:** None.
- D. **ADDITIONS AND CORRECTIONS TO THE AGENDA:** None.
- E. **ORAL COMMUNICATIONS:** None.
- F. **CONSENT ITEMS:**

MOTION

COMMISSIONER RUTH MOVED TO CONTINUE TO FEBRUARY 9, 2000. SECONDED BY COMMISSIONER BREMNER.

VOICE VOTE 5-0

MOTION CARRIED AND SO ORDERED.

H. SCHEDULED ITEMS:**ITEM H-1**

PROPOSAL TO REZONE TWO PARCELS FROM THE "RA" RESIDENTIAL AGRICULTURAL ZONE DISTRICT TO THE "TP" TIMBER PRODUCTION ZONE DISTRICT. REQUIRES A REZONING. LOCATED ON THE SOUTHEAST SIDE OF BROWNS VALLEY ROAD, ABOUT 1,400-FEET SOUTHWEST OF THE INTERSECTION OF BROWNS VALLEY ROAD AND HAZEL DELL ROAD.

OWNER: BEESON RON
APPLICANT: GARY PAUL, FORESTRY CONSULTANT
SUPERVISORIAL DIST: 2
PROJECT PLANNER: CATHLEEN CARR, 454-3225

CATHLEEN CARR: Gave staff presentation including describing the characteristics of the property such as topography and hydrology, property sizes, past harvesting of the property, properties meet the definition of timber land, scenic corridor issues, recommended conditions of the rezoning to protect the view shed and sensitive habitats, consistency with the General Plan, gave recommendation for action.

COMMISSIONER RUTH: Asked about Watsonville water intake.

CATHLEEN CARR: Downstream about ½ mile from the property. No comments from the city of Watsonville.

OPEN PUBLIC HEARING

GARY PAUL (FORESTER): Willing to answer any questions.

COMMISSIONER RUTH: Any objection to the no-cut zone.

GARY PAUL: Willing to go along with the condition.

CLOSED PUBLIC HEARING**MOTION**

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

VOICE VOTE 5-0

MOTION CARRIED AND SO ORDERED.

ITEM H-2

PROPOSAL TO CREATE FOUR SINGLE-FAMILY RESIDENTIAL PARCELS AND ONE REMAINDER PARCEL (CONSERVATION AREA). REQUIRES A MINOR LAND DIVISION AND A RESIDENTIAL DEVELOPMENT PERMIT TO ALLOW PARCEL AVERAGING. LOCATED ON THE SOUTHWEST CORNER OF FAIRWAY DRIVE AND COYOTE CANYON.

OWNER: GOLDSTEIN ALAN L TRUSTEE ETAL TC

APPLICANT: MICHAEL ZELVER

SUPERVISORIAL DIST: 1

PROJECT PLANNER: JACKIE YOUNG, 454-3 18 1

JACKIE YOUNG: Showed slides of project maps and site, discussed environmental constraints and solutions to preserving these resources, note parcel sizes, topography, surrounding pattern of development, and gave recommendation for action.

COMMISSIONER BREMNER: Asked about septic locations.

JACKIE YOUNG: Property did not perc nearer the building sites.

COMMISSIONER BREMNER: What is the net area of lots?

JACKIE YOUNG: Discussed the areas that are deducted for net area. Lots are a minimum of one acre and are clustered to preserve biotic habitat. Noted maximum development standards for the properties. Noted the proposed drainage improvements and how storm water will be conveyed to the south.

COMMISSIONER BREMNER: Asked about secondary access

JACKIE YOUNG: It's a condition of approval that needs to be completed before recording the map. They don't have all the agreements yet.

COMMISSIONER BREMNER: Do they have access to Coyote Canyon?

JACKIE YOUNG: None of the homes will access Coyote Canyon. Discussed the leach field and septic tank and both are in the envelope.