



## CHAPTER 3 -- THE LAND USE PLAN: RESOURCES AND DEVELOPMENT ISSUES AND POLICIES

### 3.3 FORESTRY AND SOILS RESOURCES

#### [Policies](#)

#### Coastal Act Requirements

The Coastal Act protects timberlands for timber production. The Coastal Act requirements do not overlap or conflict with timber harvesting practices regulated by the California Division of Forestry.

**Section 30243.** The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

**Section 30106.** "Development" means ...the removal or harvesting of major vegetation other than for agricultural purposes... and 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.

**Section 30417 of the Coastal Act.** Provided for the Coastal Commission to identify special treatment areas within the coastal zone and to make "recommendations designed to assist the State Board of Forestry in adopting rules and regulations which adequately protect the natural and scenic qualities of such special treatment areas."

#### Definitions

**Coastal Commercial Timberland.** Two definitions are used in California law. The Coastal Element employs a third definition suited to administration of the Land Use Plan.

In Government Code Section 51100 on TPZ eligibility, "Timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or timber and compatible uses, and which is capable of producing an average annual volume of wood fiber of at least 15 cubic feet per acre.

In Public Resources Code 4526 on Board of Forestry management purposes, "Timberland" means land, other than land owned by the federal government, and land designated by the Board of Forestry as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.



**-MENDOCINO COUNTY COASTAL ELEMENT-**



For the Coastal Element, commercial timberland is defined as coastal (mixed coniferous) or redwood forest on sites rated IV or better. Resources maps delineating timberland for the Coastal Element were prepared from 1951 Soil-Vegetation Maps, California Division of Forestry and May, 1976 NASA U-2 color infrared photography. When new soils maps have been completed, they will replace the 1951 Soil-Vegetation Maps for the purpose of determining Coastal Commercial Timberland.

**Timber Site Designations.** The U.S. Forest Service and the California Department of Forestry have developed rankings for timberland areas based on the height that the dominant species reach at 100 years. The sites are classified in terms of their productive capability, i.e., the potential for growth and volume of deliverable timber. The classification system designates sites by Roman numerals in the following manner:

<b>Timber Site Designation</b>	<b>Height at 100 Years (Feet)</b>	<b>Productive Capability</b>
I	200	Extremely High
II	170	Very High
III	140	High
IV	110	Medium
V	80	Low

**Coastal Timberland Unit of Commercial Size.** See discussion under "Issues."

**Conversion** means the transforming of timberlands to uses other than timber growing.

**Timber Processing and Related Facilities** include sawmills, pulp mills, veneer mills, other timber processing plants, log decks, by-product storage sites, and related operating areas required for product processing.

**Timberland Production Zone (TPZ).** In 1976, the California Legislature passed the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act (AB 1258) to preserve commercial timberland and lessen pressures for conversion by changing the method of timberland taxation. AB 1258 required the County to establish zoning districts within which only timber harvesting, the production of forest products, and compatible uses are permitted and within which taxes levied against the land are based on the timber yield rather than on the value of standing timber. Compatible uses are defined as uses which do not significantly detract from growing and harvesting timber, including but not limited to:

- Management for watershed;
- Management for fish and wildlife habitat or hunting and fishing;
- Roads, landings, log storage areas, or other uses integrally related to the growing, harvesting and processing of forest products;



## -MENDOCINO COUNTY COASTAL ELEMENT-



- Erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities;
- Grazing.

In Mendocino County, the minimum TPZ parcel size specified by the zoning ordinance is 160 acres, but smaller adjoining parcels, a few smaller than 40 acres, were placed in the TPZ when the County Assessor prepared the initial property lists in 1977 and 1978. Since that time, no parcels have been added or removed from the TPZ because zoning changes are not permitted until the new General Plan is adopted.

As rezoning occurs in the County, owners of eligible land can request inclusion in the TPZ. An owner wishing his property removed from the TPZ must obtain rezoning from the Board of Supervisors following a public hearing and then must wait 10 years or, if permission for immediate withdrawal is granted, by the Board of Supervisors and Board of Forestry, pay a tax penalty.

### **Forestry Issues**

Commercial timberland outside state parks covers 26 percent of the coastal zone. The forest products industry is the Mendocino coast's largest single employer, accounting for about 1,550 jobs in 1979. Large industrial forest products companies, including Georgia-Pacific, Louisiana-Pacific, and Masonite, own 3/5 of the private timberland between the Humboldt County line and Elk. Sixty percent of the private acreage is in TPZ and is assumed by the plan to be committed to management as timberland. For the remaining 14,200 timberland acres outside the TPZ, the Coastal Element must include a policy to limit division and conversion to other uses. If owners of timberlands smaller than 160 acres are to be prevented from converting their lands, it is reasonable that they be accorded the same tax benefits as owners of larger properties, now eligible for TPZ status.

**Preservation of Commercial Timberland Units.** Conversions of timberland are regulated by the State Board of Forestry (BOF). Regardless of zoning, an owner wishing to convert more than three acres of commercial timberland after harvesting but before meeting mandated stocking standards must file an application with the BOF and meet California Environmental Quality Act (CEQA) requirements. In reviewing the conversion application, the BOF considers such factors as the value of the timberland, potential adverse impacts on nearby timber or open space land, environmental constraints, and the feasibility of the proposed and new use. The BOF generally has approved applications for conversion unless strong objections are raised during the environmental review process.

Within the coastal zone, conversion of commercial timberland is subject to further restriction by the BOF. Section 1103.7 of the California Administrative Code, effective July 13, 1980, allows conversion of coastal commercial timberland only if:

- such conversion will not introduce or significantly intensify uses that are incompatible with timber growing on adjacent parcels, (per Cal. Administrative Code Section 1103.7)



## -MENDOCINO COUNTY COASTAL ELEMENT-



- the parcel is not within 500 feet of a TPZ parcel, or
- the parcel proposed for conversion conforms to applicable provisions of this plan and subsequent implementing ordinances.

The Coastal Act calls for protection, but even if there were no limitation on conversion, little existing timberland could be put to another use consistent with the coastal zone's environmental limitations and highway capacity.

Thus conversions of parcels, regardless of size are not to be permitted, however, the new BOF rules allow some conversions when the parcel is consistent with provisions of the Land Use Plan. The BOF could vary its requirements if a private landowner or the County appealed them as inappropriate, or it could amend its rules to make them consistent with the Local Coastal Plan.

The critical issue in regulating conversions is determining what constitutes a timberland unit of commercial size. The definition of a timberland unit of commercial size should operate to preserve more rather than less timberland. If no commercial timberland or agricultural land, including all grazing land, were developed, 15,000 acres of hardwood, scrub, and woodland would remain available for building homes--enough to house triple the current coastal population if one housing unit were built on each acre of open land.

Forty acres of commercial timberland is recommended as a minimum unit of commercial size by the LCP forestry consultant and is the minimum proposed by the Humboldt County LCP. However, the new BOF rules allow conversion only on parcels smaller than 15 acres.

**Timberland-Residential Conflicts.** Related to the issue of minimum parcel size is the problem of conflicts between forest management activities and adjacent land uses, primarily residential. Problems can include visual effects, noise, dust, traffic, water supply and access. A buffer is needed which shall be located on parcels slated for residential development. Since the Coastal Act established that timber production has priority over residential use in the coastal zone and since permissible population growth will not be large enough to necessitate building homes close to commercial timberlands, it is reasonable that the buffer be located on land adjacent to timberlands rather than on timberland.

The BOF policy of disapproving conversion of timberland parcels within 500 feet of a TPZ works both to create a buffer and to preserve the maximum amount of timberland in production. If parcels that cannot be converted are granted TPZ status, these TPZ eventually could include the entire timber resource area. Owners of the smaller parcels often intend them for residential use and they should not be in the TPZ. However, owners of larger parcels should not be prevented from making the same use of their land as their neighbors on smaller residential parcels. An alternative approach to the BOF's 500-foot development limit would be to establish a 200-foot building setback along the TPZ boundary. This setback would accomplish some of the buffer function of the BOF rule, while allowing owners of timberland parcels some flexibility in use of their land.



## -MENDOCINO COUNTY COASTAL ELEMENT-



**Soil Erosion.** Protection of forest soils from erosion and elimination of erosion's adverse effects on coastal resource is a shared goal of industrial forest managers and environmentalists, but there is disagreement on the adequacy of the standards designed to prevent erosion. Some environmentalists claim that inadequate standards and enforcement of timber harvest rules are allowing unnecessary erosion, stream degradation, and disruption of wildlife habitat. Industrial forest managers believe that current practices are sufficient, pointing out that they have a stake in maintaining the productivity of forest lands.

In June, 1980, the BOF completed its report to the State Water Resources Control Board mandated by Section 208 of the Clean Water Act. The BOF found a need for changes in existing forest practice rules, changes in procedures for implementing and enforcing the rules, revised or new legislation, and a significantly expanded research effort. The BOF recommends itself as the agency responsible for administering Section 208 for silvicultural activities (#32, California State Board of Forestry).

Section 30240 of the Coastal Act requires that "environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values,..." while Section 30404 calls on the Coastal Commission to periodically "submit recommendations (to the BOF and other state agencies) designed to encourage it to carry out its functions in a manner consistent with (the Act)." If the recommendations are not implemented, the agency must explain why. If there is evidence that current practices are causing significant disruption of habitat values, agency rules should be amended by the BOF or Mendocino County should enact supplemental regulations to halt disruptive practices.