

When Recorded Return to:

CALIFORNIA DEPT. OF FORESTRY & FIRE PROTECTION

LAND-USE ADDENDUM

[NO RECORDING FEE (GOV. CODE § 27383)]

Agreement Concerning Land Uses Incompatible with the Program Timberland Environmental Impact Report for Carbon Sequestration and Fuel Reduction

In further consideration of funds to be provided and actions to be undertaken by the State under the Program Timberland Environmental Impact Report (PTEIR) for Carbon Sequestration and Fuel Reduction Program

Agreement Number _____ dated _____

Timberland Owner(s)

agrees not to develop lands subject to Agreement referenced above and shown on the attached map for uses incompatible with the PTEIR within twenty (20) years commencing from the date of recording of this Agreement. ~~In the event this Agreement is violated, State is entitled to a refund of any grant payments which have been made, with interest, pursuant to Section 4598 of the Public Resources Code. This Agreement is intended to satisfy the requirements of Public Resources Code Section 4598.6(c)(2). This Agreement shall apply to only those lands subject to the Agreement shown on the attached map and described below.~~

Comment [TAM1]: See DECISION POINT 5.

dated _____ and recorded with the Recorder of _____ County at Book _____

Page _____ or Document Number _____

Subsection	Section	Township	Range	County	Assessor's Parcel #

State shall record this Agreement in the office of the county in which the above described lands are located and upon recording the Agreement shall be binding upon any person to whom such lands are sold, assigned, devised, or otherwise transferred by agreement or operation of law. ~~For purposes of this Agreement, uses incompatible with the PTEIR means "uses not listed in subdivision (h) of section 51104 of the Government Code nor listed pursuant to Section 51111 of the Government Code by the city or county in which the parcel subject to the project lies." Government Code Section 51104(h) defines "compatible use" as being "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... (1) management for watershed; (2) management for fish and wildlife habitat or hunting and fishing; (3) a use integrally related to the erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities; or (5) grazing." Government code Section 51111 authorizes city and/or county governments to adopt "compatible use" definitions in addition to the above. Compatible uses are land uses permitted in the Timberland Production Zones as established by the Forest Taxation Reform Act of 1976. The intention of the parties to this Agreement, therefore, is to limit the uses of identified lands to those which would be permitted if such lands were within a Timberland Production zone.~~

Comment [TAM2]: See DECISION POINT 2. Note from Legal: This definition of "incompatible uses" does not seem to fit the PTEIR program. Couldn't someone put their land to a use inconsistent with the PTEIR but still consistent with TPZ zoning?

Signature of Participant/Owner(s)

All signatures must be notarized and have Acknowledgement attached.

<p>1. _____ Signature _____ Date _____</p> <p>_____ Printed Name</p>	<p>3. _____ Signature _____ Date _____</p> <p>_____ Printed Name</p>
<p>2. _____ Signature _____ Date _____</p> <p>_____ Printed Name</p>	<p>4. _____ Signature _____ Date _____</p> <p>_____ Printed Name</p>