

## SMITH RIVER ALLIANCE

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P.O. Box 2129, Crescent City, CA 95531  
[www.smithriveralliance.org](http://www.smithriveralliance.org)

September 6, 2016

Dear Colleagues at the Department of Forestry:

Enclosed please find our Timberland Conversion Permit Application and all requested info and fees.

The Del Norte County Board of Supervisors Order (unanimous vote) on this matter is attached.

Please let me know if you would like any additional info or if you have questions.

Thank you for your attention to this matter.

With appreciation,

Grant Werschull, Executive Director

[grant@smithriveralliance.org](mailto:grant@smithriveralliance.org)

cell/voice: 916 715-9898



County of Del Norte  
 Board of Supervisors  
 981 "H" Street, Ste. 200  
 Crescent City, California 95531

Phone  
 (707) 464-7204

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 (707) 464-1165

**BOARD OF SUPERVISORS  
 COUNTY OF DEL NORTE  
 STATE OF CALIFORNIA  
 BOARD ORDER**

The following is a certified copy of a portion of proceedings of the Regular Session meeting, of the Del Norte County Board of Supervisors, held on August 23, 2016.

**SCHEDULED ITEMS:**

**17. 11:00 A.M.** Waive full reading, read by title only and introduce the draft Ordinance and Resolutions for an immediate TPZ Rezone for a portion of APN 124-110-75 as proposed by Grant Werschull on behalf of the Smith River Alliance; and Direct staff to return this item for final approval after receiving evidence that the California Department of Forestry and Fire Protection (CAL FIRE) has granted a Timberland Conservation Permit, as requested by the Community Development Department Planner.\*\*

**Action: Approved**

**Motion:** Move to approve

**Move:** David Finigan

**Second:** Chris Howard

**Vote Yea:** 5 David Finigan, Chris Howard, Gerry Hemmingsen, Martha McClure, Roger Gitlin

**Vote Nay:** 0 None

**Vote Abstain:** 0 None

**Absent:** 0 None

I, KYLIE HERIFORD, Clerk of the Board of Supervisors of the County of Del Norte do hereby certify the foregoing to be a full, true and correct copy of the original orders made in the above entitled minutes by said Board of Supervisors at a meeting held in Crescent City, California on August 23, 2016 and the same now appears of record in my office.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the Seal of said Board of Supervisors this 23<sup>rd</sup> day of August 2016.

  
 KYLIE HERIFORD  
 Clerk of the Board of Supervisors



**COUNTY OF DEL NORTE**  
COMMUNITY DEVELOPMENT DEPARTMENT  
981 H STREET, SUITE 110  
CRESCENT CITY, CA 95531  
FAX – (707) 465-0340

Planning (707) 464-7254	Engineering & Surveying (707) 464-7229	Roads (707) 464-7238	Building Inspection (707) 464-7253	Environmental Health (707) 465-0426	Code Enforcement (707) 464-7254
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**DATE:** July 25, 2016                      **AGENDA DATE:** August 23, 2016

**TO:** Del Norte County Board of Supervisors

**FROM:** Alexis Kelso, Planner I

**SUBJECT:** Smith River Alliance Immediate TPZ Rezone

**RECOMMENDATION FOR BOARD ACTION:**

Hold a public hearing and consider the draft ordinance and resolutions for an Immediate TPZ Rezone for a portion of APN 124-110-75 as proposed by Grant Werschull on behalf of the Smith River Alliance. Direct staff to return this item for final approval after receiving evidence that the California Department of Forestry and Fire Protection (CAL FIRE) has granted a Timberland Conversion Permit.

**SUMMARY:**

The Smith River Alliance owns a 15.25 acre parcel at 2475 South Fork Road, immediately south of the Rock Creek Subdivision and adjacent to the South Fork Smith River. The site is currently operated as an environmental education and recreation camp. It is developed with a ranch house, tent camping sites, community gathering/cooking facilities, and a garage (under construction). The applicant has proposed to rezone the entire 15.25 acres from PO (3.92 acres) and TPZ (11.33 acres) to FR-2 (Forest-Recreation). The proposed change to FR-2 will be more consistent with the current use and General Plan Land Use Designation, and will facilitate future expansion of the existing use.

**DISCUSSION/JUSTIFICATION:**

The Planning Commission conducted a public hearing for this project on May 4, 2016. The Planning Commission's Staff Report is included as an attachment to this Board Report. The adopted meeting minutes are also included for the Board's review.

In their action, the Planning Commission recommended that the Board of Supervisors conduct a public hearing and approve the changes in zoning. No comments were made by the public during the Planning Commission's public hearing.

The Environmental Review Committee and Staff conducted a review of the project which included a field review and preparation and circulation of the environmental document. No comments were received during the CEQA review and comment period of the Initial Study and Draft Negative Declaration. The project is not anticipated to have any potentially significant environmental impacts.

Government Code Section 51133 requires local government to seek CAL FIRE approval of a Timberland Conversion Permit (TCP) before finalizing an Immediate TPZ Rezone. The Board of Supervisors may tentatively approve the immediate rezoning after notice and hearing and only if by a four-fifths vote of the full body. This tentative approval may be forwarded to the State Board of Forestry and Fire Protection along with the application for immediate rezoning and a summary of the public hearing. The State Board of Forestry and Fire Protection shall consider the tentative approval pursuant to Section 4621.2 of the Public Resources Code. Final approval to an immediate rezoning is given only if the State Board of Forestry and Fire Protection approves the TCP. After tentative approval by the Board, the applicant is responsible for securing a TCP from CAL FIRE. The ordinance and resolutions attached here are included for review only. Though the rezoning of the PO-designated land does not need CAL FIRE approval, the project in its entirety will be formally presented to the Board for final adoption at a future Board meeting after the applicant provides evidence to the County that a TCP has been granted.

As this request involves an immediate rezone of TPZ lands, which are taxed on the timber yield, the property will be subject to a recoupment of property taxes once this rezone is approved.

**ALTERNATIVE:**

Reject the request to change the zoning that has been requested by the applicant.

**FINANCING:**

None.

**CHILDREN'S IMPACT STATEMENT**

This section meets 1 of the following outcome measures for children in Del Norte County.

- Children ready for and succeeding in school.
- Children and youth are healthy and preparing for adulthood.
- Families are economically self-sufficient.
- Families are safe, stable and nurturing.
- Communities are safe and provide a high quality of life.
- No impact to Children as a result of this action.

**OTHER AGENCY INVOLVEMENT:**

California Board of Forestry.

**SIGNATURE REQUIRED:**

Board Chair, County Counsel, Clerk of the Board on attached Resolutions and Ordinance.

**ADMINISTRATIVE SIGN-OFF:**

- Auditor:
- County Administrative Officer:
- County Counsel:
- Human Resources:
- Other:

**PRINTING ACCOUNT:**

- Planning 101-258-20221

**DEPARTMENT SIGN-OFF:**



Heidi Kunstal, Director

**BOARD OF SUPERVISORS  
COUNTY OF DEL NORTE  
STATE OF CALIFORNIA**

**RESOLUTION NUMBER 2016 -**

**A RESOLUTION OF THE BOARD OF SUPERVISORS APPROVING THE  
IMMEDIATE TPZ REZONE OF A ±11.33-ACRE PORTION AND THE REZONE OF A  
±3.92-ACRE PO PORTION OF APN 124-110-75**

**WHEREAS**, the County of Del Norte has classified qualified timberland parcels as Timberland Preserve Zones (TPZ) pursuant to the provisions of the Forest Taxation Reform Act of 1976.

**WHEREAS**, the property owner of APN 124-110-75 has filed for and requested the immediate rezone of a ±11.33-acre portion of a parcel currently designated TPZ pursuant to Government Code Section 51130-51134.

**WHEREAS**, Government Code Section 51131 and 51133 allow that an immediate TPZ rezone may be approved by four-fifths vote of the Board of Supervisors.

**WHEREAS**, unless exempt from conversion requirements lands proposed for immediate TPZ rezone are also subject to approval from the California Board of Forestry and Fire Protection.

**WHEREAS**, a notice of public hearing has been provided to all owners of lands situated within one mile of the exterior boundary of the land upon this rezone request is located and at least one public hearing has been conducted.

**WHEREAS**, an opportunity for the involvement of citizens, public agencies, public utilities, and other community groups has been provided through the public hearing process.

**WHEREAS**, an initial study has been prepared to evaluate the potential for adverse environmental impact.

**WHEREAS**, a Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) which the County has considered in reviewing the project and making its decision.

**WHEREAS**, this project is subject to the California Department of Fish and Wildlife CEQA Environmental Document filing fee unless the Department waives the fee.

**WHEREAS**, the approval of the immediate TPZ rezone is not inconsistent with the purposes of Subdivision (j) of Section 3 of Article XIII of the State Constitution and Chapter 6.7 of the State Government Code.

**WHEREAS**, the approval of the immediate TPZ rezone of this parcel is in the public interest in that it will be assessed for land value rather than timber yield.

**WHEREAS**, the approval this project is consistent with the Standards and Policies of the General Plan and the Zoning Chapter of the Del Norte County Code.

**NOW THEREFORE BE IT RESOLVED** that the Board of Supervisors adopts the above whereas statements as findings, adopts the proposed Negative Declaration (SCH#2016032059) as being complete and adequate.

**BE IT FURTHER RESOLVED** that this resolution shall only take effect after approval of the conversion of Timberland by the California Board of Forestry and Fire Protection.

**PASSED AND ADOPTED** by the Del Norte County Board of Supervisors on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Gerry Hemmingsen, Chair  
Del Norte County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Kylie Heriford, Clerk of the Board of Supervisors  
County of Del Norte, State of California

BOARD OF SUPERVISORS  
COUNTY OF DEL NORTE  
STATE OF CALIFORNIA

ORDINANCE NUMBER 2016 -

AN ORDINANCE OF THE BOARD OF SUPERVISORS REPLACING NON-COASTAL  
ZONING MAP H-11 PURSUANT TO CHAPTER 20.52 OF THE DEL NORTE COUNTY  
CODE

The following ordinance, consisting of four sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Del Norte, State of California, at a regular meeting of the Board of Supervisors held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Gerry Hemmingsen, Chair  
Del Norte County Board of Supervisors  
State of California

ATTEST:

\_\_\_\_\_  
Kylie Heriford, Clerk  
Del Norte County Board of Supervisors

APPROVED AS TO FORM:

\_\_\_\_\_  
Elizabeth Cable  
Del Norte County Counsel

The Board of Supervisors of the County of Del Norte, State of California, ordains as follows:

**SECTION ONE. Effective date:** This ordinance shall take effect and be in force thirty (30) days from the date of its passage. This ordinances or a summary hereof shall be published within fifteen (15) days after the passage of this ordinance. It shall be

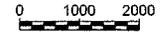
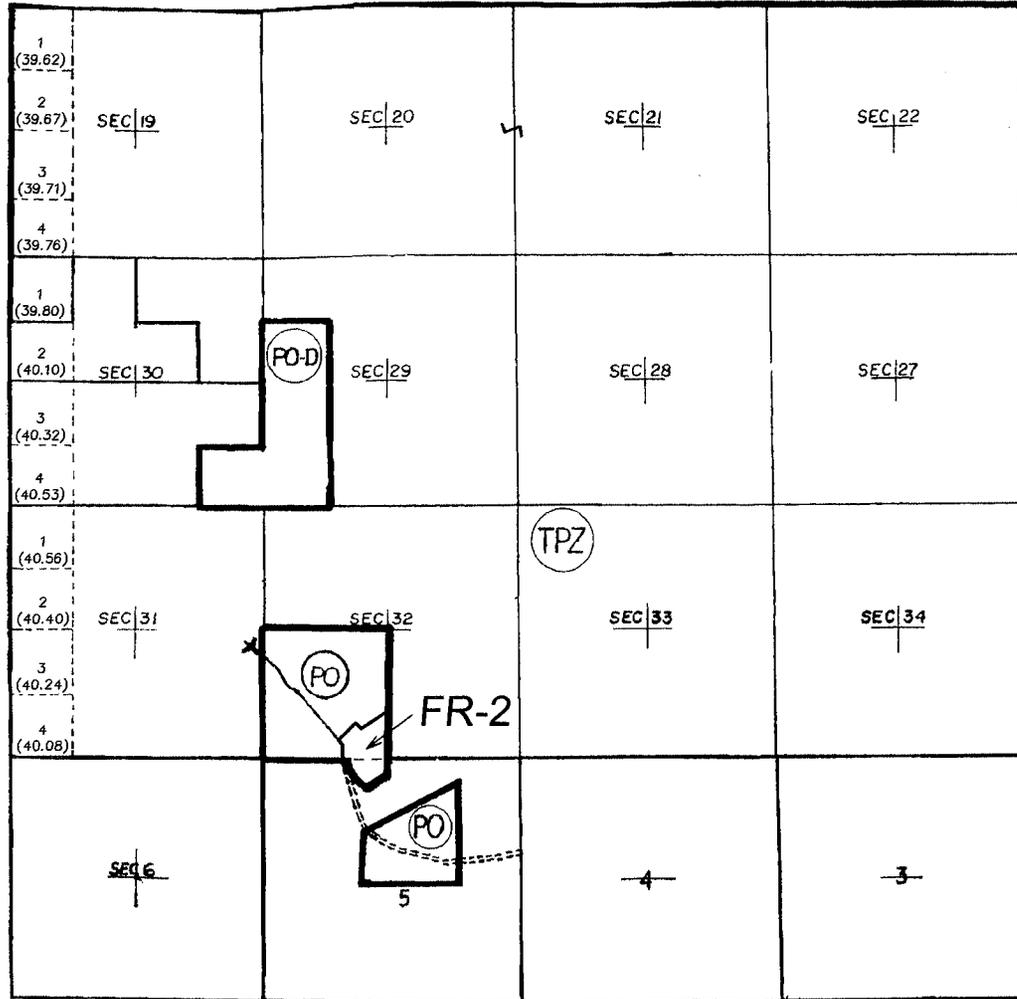
published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Del Norte, State of California.

**SECTION TWO. Authorization:** Chapter 20.52 of the Del Norte County Code authorizes amendments to establish detailed zoning districts, to change district boundaries or to change any other provisions thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure set forth in this chapter.

**SECTION THREE. New Non-Coastal Zoning Map H-11:** Non-Coastal Zoning Map H-11 is hereby replaced with a new Non-Coastal Zoning Area Map H-11 as specified in attached "Exhibit A".

**SECTION FOUR. Severability:** If any section, subsection, sentence, clause, phrase or specific fee of this ordinance is for any reason held to be invalid or unenforceable, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or specific fee thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or specific fees be declared invalid or unenforceable.

# EXHIBIT A



**SECTION 3.0104 ORDINANCE 67-10  
DEL NORTE CO. ZONING MAP  
AREA H-11**

**SECTIONS 19-22, 27-34  
TWP 16N RGE 2E HB & M  
ROCK CREEK AREA**

ORDINANCE NO 68-8 PASSED APR 8, 1968  
APPROVED BY PLANNING COMMISSION \_\_\_\_\_  
APPROVED BY BOARD OF SUPERVISORS \_\_\_\_\_  
COUNTY OF DEL NORTE, CALIFORNIA  
REVISED

Agent: Grant Werschull

APP# R1602

**STAFF REPORT**

APPLICANT: Smith River Alliance

APPLYING FOR: TPZ Rezone

APN: 124-110-75

LOCATION: 2475 South Fork Road, Hiouchi

PARCEL(S)

SIZE: 15.25 acres

EXISTING

USE: Recreation

EXISTING

STRUCTURES: Ranch house, Garage

PLANNING AREA: 23

GENERAL PLAN: RR 1du/2ac

ADJ. GEN. PLAN: Same, RR 1du/ac, Timberland

ZONING: TPZ, PO

ADJ. ZONING: Same

1. PROCESSING CATEGORY:

NON-COASTAL

APPEALABLE COASTAL

NON-APPEALABLE COASTAL

PROJECT REVIEW APPEAL

2. FIELD REVIEW NOTES: DATE: 2/15/16

ENVIRONMENTAL HEALTH

BUILDING INSP

PLANNING

ENGINEERING/SURVEYING

ACCESS: South Fork Road

ADJ. USES: Residential, TPZ

TOPOGRAPHY: Gently sloping

DRAINAGE: Surface

DATE OF COMPLETE APPLICATION: February 11, 2016

3. ERC RECOMMENDATION: Adopt Negative Declaration. Post Public Hearing notice. Approve with Findings and Conditions.

4. STAFF RECOMMENDATION:

Grant Werschull, as agent for the Smith River Alliance, has submitted an application for a rezone of 3.92 acres of PO and 11.33 acres of TPZ to FR-2 on one 15.25-acre parcel known as Rock Creek Ranch. The parcel is located south of the Rock Creek Subdivision, is adjacent to the South Fork Smith River, and is accessed from South Fork Road. The General Plan Land Use designation for the parcel is RR (1/2) (Rural Residential – one dwelling unit per two acres). The rezone will make the zoning consistent with the existing General Plan Land Use designation and will facilitate future development and expansion of use on the parcel.

**Project Need**

Known as Rock Creek Ranch, the site is owned and operated by the Smith River Alliance, a non-profit corporation, as a site for environmental education programs and activities. It is currently developed with a lodge, caretakers quarters/garage, tent camping sites, and community gathering/cooking facilities.

04/28/16

Many land uses and development activities are restricted in the TPZ zone. The proposed change to FR-2 will be more consistent with the current land use and will facilitate future expansion of the existing use. Continued operation of the Rock Creek Ranch will require a use permit in the FR-2 zone. The applicant has indicated they desire to construct new caretakers quarters in 2018, and will submit an application for a use permit prior to undertaking this expansion.

#### TPZ Rezone

The intent of the TPZ District is to support the growing and harvesting of timber and uses accessory and compatible thereto. The process to remove land from TPZ involves approvals from the County and the State.

1. The Planning Commission makes a recommendation on the rezone to the Board of Supervisors based on the findings required for an immediate TPZ rezone:
  - a. The proposed rezoning is not inconsistent with the provisions of subdivision (j) of Sections of Article XIII of the Constitution of the State of California and with the provision of the Timber Yield Tax Law.
  - b. The immediate rezoning is in the "public interest."
2. The applicant submits an application for a Timber Conversion Permit (TCP) to the California Department of Forestry and Fire Protection.
3. The Board of Supervisors holds a public hearing on the rezone. If at least four-fifths vote of the Board tentatively approves the rezone, information on their decision is forwarded to the State Board of Forestry.
4. If the Director of Forestry approves the TCP, final action on the immediate rezoning from TPZ will be taken by the Board of Supervisors at a public hearing.

Registered Professional Forester Mark Lancaster prepared a Forest Assessment for the rezone; he addresses the required findings in his report:

*1. The proposed rezoning is not inconsistent with the provisions of subdivision (j) of Sections of Article XIII of the Constitution of the State of California and with the provision of the Timber Yield Tax Law.*

The property does not consist of immature forest trees planted on lands not previously bearing merchantable timber or planted or of natural growth on lands from which the merchantable original growth timber stand to the extent of 70 percent of all trees over 16-inches in diameter has been removed.

*2. The immediate rezoning is in the "public interest."*

The rezone will allow for increased property tax while not affecting forest management. The parcel is within restricted forest practice zones for: watercourse and lake protection zones and silvicultural and logging limitations within 200 feet of parcels not zoned TPZ. The highest and best use is not limited to forest management, but combines management for fuels, forest health, and forest-based education and recreational opportunities utilizing the existing and future facilities on-site. The rezone will not affect forest management, but will capture higher value taxes.

The ERC conducted a field review of the project and has not noted any issues other than those addressed in this staff report. An Initial Study resulted no significant issues identified, and in the preparation of a Negative Declaration for the project. No comments on the proposed Negative Declaration were received from any reviewing agencies. No adverse environmental impacts are anticipated as a result of the rezone.

5. FINDINGS:

FINDINGS for rezone of TPZ to FR-2:

- 1) The project is consistent with the standards and policies of the General Plan and Title 20 Zoning;
- 2) A Negative Declaration has been prepared pursuant to the California Environmental Quality Act which the Commission has considered in reviewing and making its decision;
- 3) The immediate rezoning is in the public interest;
- 4) The immediate rezoning does not have a substantial and unmitigated adverse effect upon the continued timber-growing use or open-space use of any other land zoned as timberland production and situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed;
- 5) The soils, slopes, and watershed conditions will be suitable for the uses proposed by the applicant if the immediate rezoning is approved;
- 6) Granting the immediate rezoning of this property is not inconsistent with the purposes of the TPZ zoning as found in California Constitution Article XIII section 3(j) and with Chapter 6.7 (Timberland) of the California Government Code; and
- 7) A public hearing has been held with notice of the hearing being given to all owners of lands situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed.

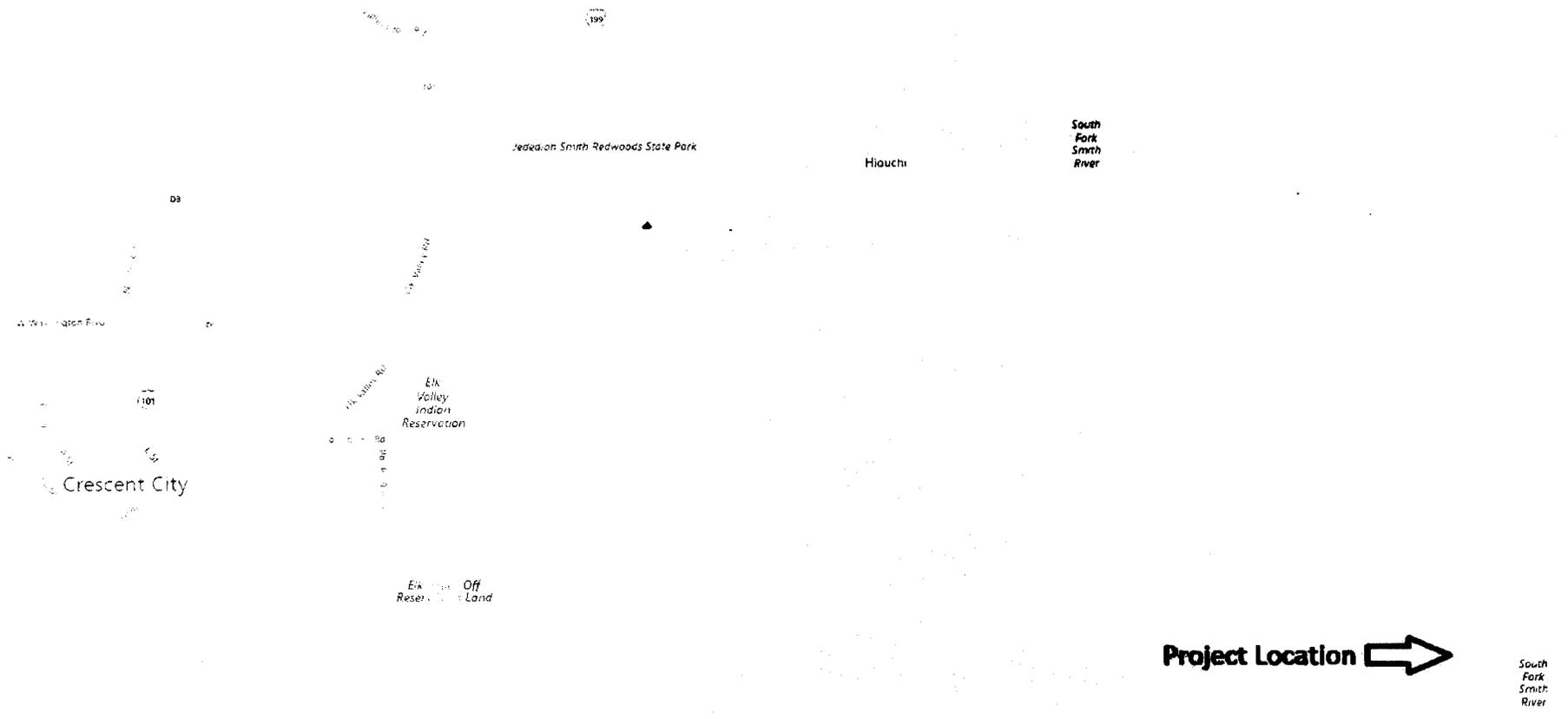
FINDINGS for rezone of PO to FR-2:

- 1) The project is consistent with the policies and standards of the Del Norte County General Plan and Title 20 Zoning; and
- 2) A Negative Declaration has been prepared pursuant to the California Environmental Quality Act which the Commission has considered in reviewing the project and making its decision.

6. CONDITIONS:

CONDITIONS for rezone of TPZ to FR-2:

- 1) Following preliminary approval and prior to final approval, the applicant shall submit a copy of their timber conversion permit or TCP-exemption to the Community Development Department;
- 2) Upon final approval, the applicant shall pay a tax recoupment fee as determined by the County Assessor; and
- 3) The California Department of Fish and Wildlife environmental document filing fee must be submitted before the Notice of Determination can be recorded. Alternatively, the project proponent may provide a No Effect Determination (NED) that has been issued for this project by the Department of Fish and Wildlife to exempt the project from the filing fee.



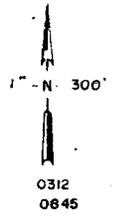
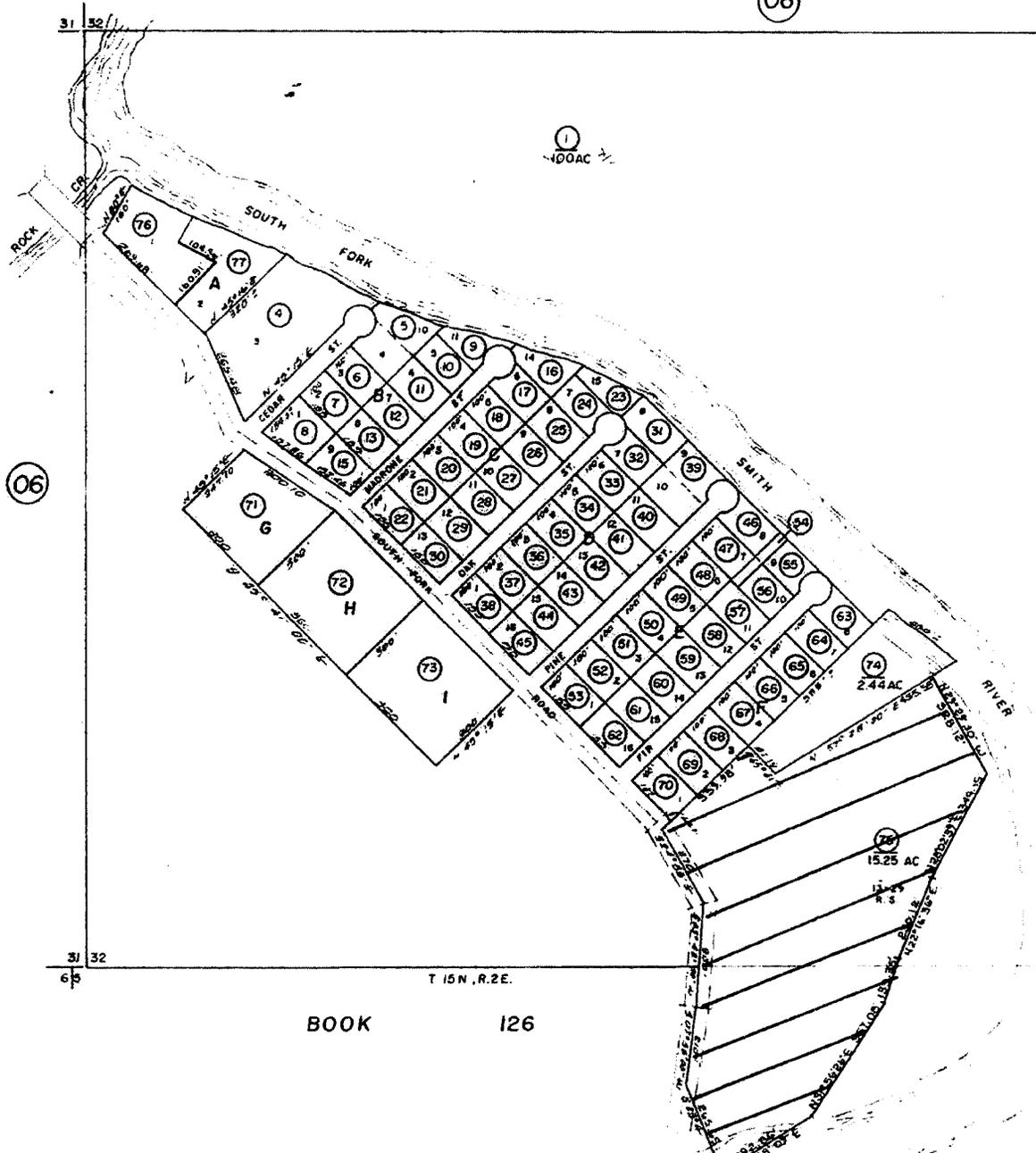
**Project Location** →

South  
Fork  
Smith  
River

SW 1/4 SEC 32, T.16N., R.2E., H.M.  
ROCK CREEK SUBD. BK. 4 PGS. 113-114

124-110  
-75

IS NOT AN OFFICIAL MAP  
ASSESSMENT PURPOSES ONLY



06

06

JENNIFER PERRY  
DEL NORTE COUNTY ASSESSOR  
Certified by: *Sharon*  
Date: *11-23-10*

WERSCHULL, GRANT  
- TPZ Rezone

R1602  
124-110-75

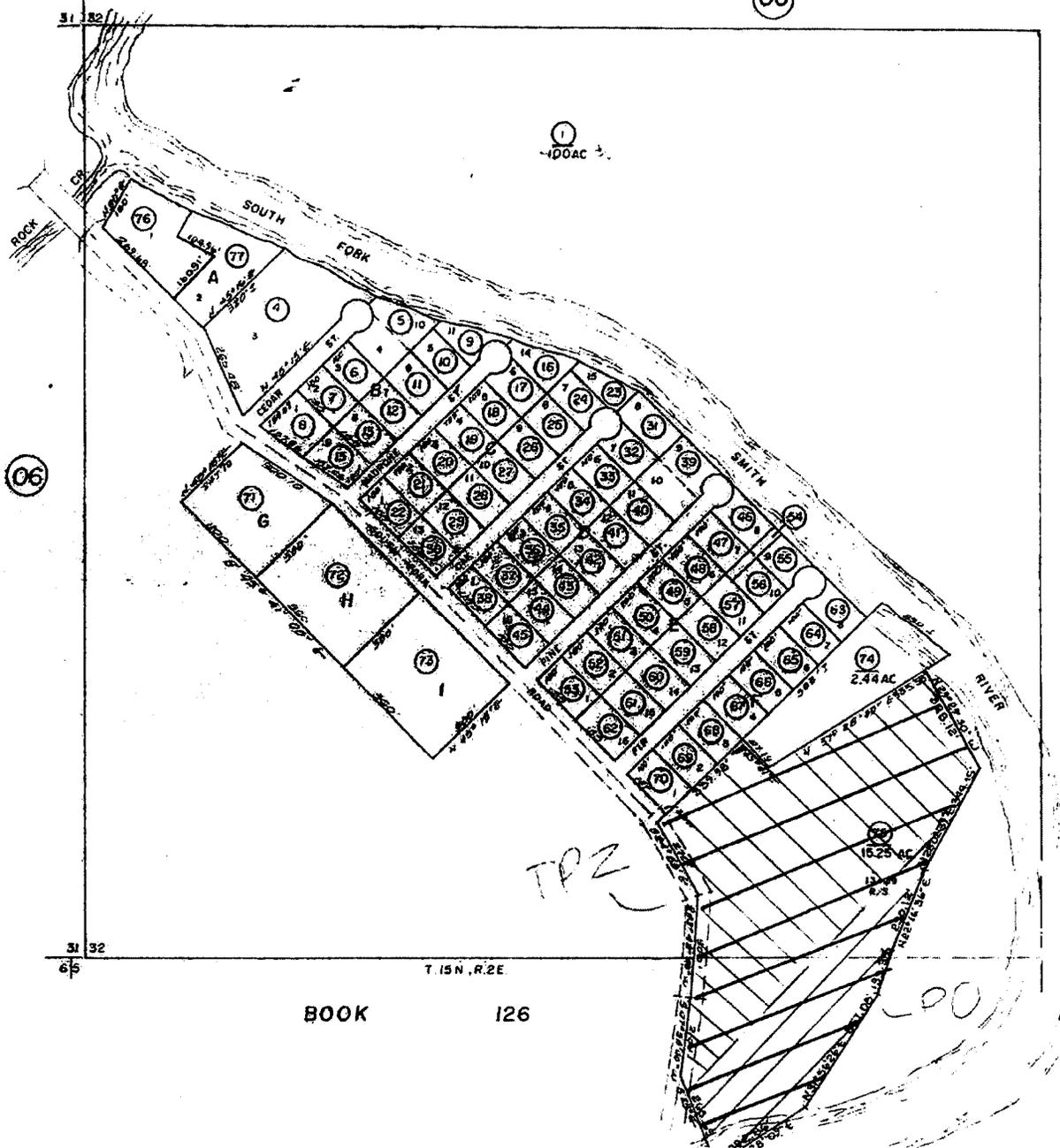
FULL 13.0

IS NOT AN OFFICIAL MAP  
ASSESSMENT PURPOSES ONLY

SW 1/4 SEC 32, T.15N., R.2E., M.M.  
ROCK CREEK SUBD. BK. 4 PGS. 113-114

06

124-11  
-75



1" = N 300'  
0312  
0845

06

JENNIFER PERRY  
DEL NORTE COUNTY ASSESSOR  
Certified by: Sharon  
Date: 4-23-10

WERSCHKULL, GRANT  
- TPZ Rezone

R1602  
124-110-75

FULL 13.0



WERSCHULL, GRANT  
 — TPZ Rezone

R1602  
 124-110-75 —  
 FULL 13.0

**Narrative Items as part of SRA Re-zone Application  
January 29, 2016**

**Project Description/Project Info Supplement**

The proposed project is to change the zoning on 11.33 acres of TPZ zoned land which is part of a 15.25 acre parcel along the South Fork Smith River to Forest-Recreation District (FR-2) zoning. The subject property is known as Rock Creek Ranch and is owned by the Smith River Alliance (SRA) a non-profit Corporation. The property is located approximately 8 miles up the South Fork road and is adjacent to the Rock Creek subdivision.

**Traffic Impact Analysis**

**Background:** The driveway to the subject property is located 8.1 miles up the South Fork Road from the intersection with Hwy 199. The South Fork Road is a vital transportation artery serving both Smith River NRA visitors as well as residents who live along or near the South Fork Smith River. However, total traffic along the South Fork Road is consistently sparse. In fact, the South Fork Road is well-known and beloved by cyclists who will transport their bicycles to the Hwy 199 intersection in order to ride and enjoy this remote road with a spectacular river and forest ambiance.

Smith River NRA visitors and recreationalists using the South Fork Road include fishermen, hunters, kayakers and rafters, wood and mushroom gathers, and campers who may have a destination of the U.S. Forest Service Big Flat Campground ("primitive" with 23 campsites). There are other mostly dispersed use camping locations which exist along the South Fork Road or roads which intersect with it such as the French Hill Road or the Gasquet Orleans "GO" Road. These latter roads are accessed via the South Fork Road upstream of the subject property at approximately 13 miles from the Hwy 199 intersection. Recreation related traffic is believed to be somewhat greater around weekends and Holidays --- especially during spring through early fall months.

Residential traffic along the South Fork Road is light. There are an estimated 40 residents in the Rock Creek subdivision area and another half-dozen at locations downstream (McClendon Ranch and Paradise Lane). A half mile upstream of Rock Creek Ranch is the smaller Boulder Creek development area which has another several residents. And another 5 miles upstream from Boulder Creek the Big Flat area supports an estimated twenty residents. Thus, the South Fork Road supports a total residential population of approximately 73. (This estimate does not account for part-time/weekend and vacation rental visitors.)

The South Fork Road has been the subject of extensive capital improvements through the Federal Highway Administration over the last thirty-five years including several new bridges and slope stabilization/revetment projects. We are unaware of any traffic/trip counts on the South Fork Road that captured both residential and Smith River NRA-related trips.

### **Rock Creek Ranch Transportation Study and Projected Use**

As part of the preparation of this application, we have totaled visitor and caretaker trips to and from Rock Creek Ranch. We've also projected use for 2018 with the assumptions that 1) a zoning change will be secured and 2) we will be successful in raising private funds to implement construction of caretaker quarters independent of the existing Ranch House. (Please see Table RCR-1 for data about past use and projection estimates.)

As described above, Table RCR-1 reflects recorded and projected Rock Creek Ranch use. From this record we estimated the number of vehicle trips per day. Rock Creek Ranch visitation varies with the season. Group size correlates to the number of vehicle trips. The larger the group the more trips there are except if they come by bus. The greatest number of vehicle trips occurs in the June – September time period. January through May a small number of groups with a smaller group size comes for fishing, river trips and service learning; June through September there are more groups and the groups are larger in size, and: October through December visitation is small groups with a small number of participants.

**Projected use:** New/separate caretaker quarters in 2018 have the potential to enable greater visitor use of the existing Ranch House which is now used by SRA's caretaker. Based on our experience with visitors and rental inquiries over the last fifteen years, we believe this increased visitation will occur February through June. This is anticipated because weather is sufficiently unpredictable and wet during these months that some potential visitors will choose to have the shelter and comforts of the Ranch House ---- as opposed to camping.

**Impact analysis and mitigation:** The comparison of historic vehicle trips to future estimated trips shows an annual increase of approximately 13%. As described in the preceding paragraph, most of the increase is projected to occur during the February through June time period. In terms of South Fork Road vehicle trips, it has been our experience that the summer months are the busiest ---- and this is in the context of the relatively low total traffic on this roadway. (The South Fork is never busy in the way that Hwy 199 can be busy on a summer Holiday weekend.) Therefore, the projected increase of 13% during the months of February through June is not expected to be consequential or even noticed.

Regarding mitigation related to traffic impacts, SRA promotes carpooling for our visitors to Rock Creek Ranch. This is well received by our visitors who are often travelling from a great distance and/or are students. Carpooling and/or busing is preferred by our visitors. We will continue to promote carpooling and busing.

**Physical mitigation measures:** SRA will retain engineer Lee Tromble to assist with evaluating recommendations for physical mitigation measures related to traffic/transportation. One mitigation measure SRA is presently considering is posting a "No Left Turn" sign which would be visible to drivers preparing to exit the property. This is recommended due to the fact that it is a very sharp turn to successfully turn left and continue upstream on the South Fork Road ---- and the fact that there is a corner and a downhill reach of road immediately before the Rock Creek Ranch driveway. Of course, it is

rare that a visitor departing the Ranch would need to turn left and continue in a direction away from services, but it is a potentially hazardous location. Most vehicles do not have a turning radius to complete this turn.

Another mitigation measure and improvement to be considered is possible changes to the driveway. While there are physical constraints related to the South Fork Road and an adjacent landowner in the Rock Creek subdivision, this will be explored.

### **Existing and Future Uses Are Consistent With the Proposed Zoning**

The Forest-Recreation District (FR-2) zoning is a good fit for the visitors and programs at Rock Creek Ranch. As highlighted by the report from Mr. Lancaster (Registered Professional Forester), the property is not suited for the production of commercial timber --- particularly due to its small size --- which is the primary and intended purpose under the TPZ zoning.

Over the last fifteen years, SRA has had the opportunity to host many visitors and programs at Rock Creek Ranch. SRA's Board of Directors has reflected on the experience and feedback from these visitors in the context of SRA's mission. As a result, SRA is very clear about our purpose.

**Purpose of Rock Creek Ranch (RCR):** The primary purpose of RCR is to serve as a site that offers, hosts and supports programs and activities that contribute directly to the accomplishment of the mission of the Smith River Alliance (SRA). (SRA's mission is to provide for the long-term protection, restoration, and stewardship of natural resources in the Smith River watershed.) Foremost among these are research, resource assessment and habitat improvement projects/programs, and environmental education. Educational opportunities may take the form of structured curriculum-based programs and teacher training, or less formal general environmental awareness experiences that have other goals as well. A secondary purpose of RCR is to serve as a site where groups may engage in activities that are not necessarily educational in nature, but in which the participants benefit from experiencing the ambiance and values of a natural setting and being exposed to a site that demonstrates sustainable living systems and practices. Use of the site for SRA administrative activities is also appropriate, as long as it does not interfere unreasonably with the other uses mentioned above.

**RCR Programs/activities:** Educational programs will generally have highest priority for use of RCR, with programs linked to educational institutions having priority over others. Educational programs may be conducted/led by SRA staff or by partners. The facility may also be used as a site to host a variety of lower priority not-for-profit activities and events that are consistent with, or do not conflict with, the mission and vision of the SRA and that are therefore suitable/appropriate to take place at RCR. Those activities may include such functions as meetings, retreats, conferences, non-profit fundraisers, weddings, family or group gatherings/reunions, artistic performances or workshops/displays, and appropriate recreational activities. Overnight or multi-day use of RCR may involve use of the ranch house itself, outlying facilities and/or areas designated for camping.

**Example User Groups:** Our most frequent and return visitors are associated with Humboldt State University (HSU) and other educational institutions. Examples include HSU Natural Resources Club, HSU Campus Center for Appropriate Technology, HSU Geology Department, HSU Environmental Engineering Department, HSU Dept. of Forestry and Wildland Resources, Del Norte County Unified School District, Trinidad Elementary School, Oregon Museum of Science and Industry (OMSI), HSU Center Activities, HSU Outdoor Adventure and Community Service Program, Siskiyou Field Institute, Grinnell College (Iowa), John Muir Elementary School (Ashland, OR), and College of the Redwoods.

Other repeat visitors and programs with an educational component include the Warrior Institute (with several Tribes from the bioregion participating), California Conservation Corps; Annual Adult Fish Count; Immersion Camp; Gateway Education Summer Youth Camps, and Coho Confab (education and training for practitioners in salmon habitat restoration).

Other visitors include the Crescent City-Del Norte Chamber of Commerce (annual Board retreat); Flywater Travel (guided steelhead fishing); Weeden Foundation (New York) Board meeting; Arcata Zen Group; and families renting the facilities to honor birthdays, deaths, weddings, and other significant events.

In summary, based on SRA's mission and experience with managing and hosting visitors at RCR, we believe the FR-2 zoning is consistent with our purpose for the continued use of this extraordinary property.

Prime Time Use July and August

**ROCK CREEK RANCH TRANSPORTATION STUDY**

9.16.15

# trips	MONTHS												
	Jan	Feb	March	April	May	June	July	August	September	October	November	December	
2014													
VISITORS		25	60	10	40	20	100	400	684	220	100	15	0
CARETAKER		10	12	10	12	14	14	19	24	24	19	14	17
TOTAL		35	72	20	52	34	114	419	708	244	119	29	17
<hr/>													
# trips	Months												
PROJECTED	Jan	Feb	March	April	May	June	July	August	September	October	November	December	
2018													
VISITORS		25	80	50	90	50	200	400	684	220	100	15	0
CARETAKER		10	12	10	12	14	14	19	24	24	19	14	17
TOTAL		35	92	60	102	64	214	419	708	244	119	29	17
<hr/>													
Increase		0	20	40	50	30	100	0	0	0	0	0	0
As Percentage		0	28%	200%	96%	88%	88%	0	0	0	0	0	0

**DRAFT**

**Rock Creek Ranch Forest Assessment  
For the Rezone from Timber Production Zone  
To Forest Recreation Zone**

**Prepared by:**

**Mark Lancaster  
Registered Professional Forester, 2462**



**WERSCHKULL, GRANT  
— TPZ Rezone**

**R1602  
124-110-75 —**

**Summary:**

Registered professional forester Mark Lancaster conducted a site review of the Rock Creek Ranch on July 8<sup>th</sup>, 2015 as part of a rezoning proposal by the landowner, Smith River Alliance.

The rezoning of the ~15.25 acre Rock Creek Ranch from Timberland Preservation to FR-2 Forest Recreation Zone will not alter forest management of the property and is consistent with the provisions of Article XIII Section, 3(j) of the Constitution of the State of California and with Chapter 6.7 Timberland of the State of California Government Code (CGC). The immediate rezoning process set forth in CGS Section 51130 et seq. is in the public interest based on the higher tax revenue to the County generated from property taxes while not altering the timber yield taxes from the continued, current forest management practices.

The property currently consists of a mix of Klamath mixed conifer stands, wet meadow, dry meadow and Smith River floodplain. A number of existing improvements (dwelling, garage, cooking and community facilities, and camping areas) are within the dry meadow and mixed conifer stands. Within the mixed conifer stands, a number of diseased trees represent a risk to facilities and public safety and will have to be removed over the next 1-10 years. The underlying zoning will have no effect on tree removal. Residue stands will meet and exceed CA Forest Practice Act stocking standards of 14 CCR 912.7.

The rezone will not affect permitting for forest management under the CA Forest Practice Act. Existing regulatory setbacks encompasses most of the timber on the property. These setbacks include: Watercourse and Lake Protection Zones of the Smith River, the wetland marsh areas (14 CCR 916.9 et seq.), and silvicultural limitations within 200' of parcels not zoned TPZ (14 CCR 913.1(a)(7))<sup>1</sup>. These constraints affect 79% of the parcel and 80% of the conifer stands. The costs of preparing a timber harvest plan to harvest in WLPZ's would exceed the revenue. The remaining areas can be managed under timber harvest exemptions.

The potential for future timber harvests is limited by the restricted land base and regulatory setbacks. Rezoning the land from TPZ would likely serve the public interest in that property taxes would be based on a more practicable use of the land (i.e. Forest Recreation) than the current yield tax.

**Project Purpose and Need**

The owners wish to improve overall management of the Rock Creek Ranch by adding a second story above the garage to provide for a caretaker's residence. The vertical expansion will not impact growth or yield of timber but will allow for forest, wildland rural fire interface and fisheries educational programs as well as provide for recreational visitors to more fully utilize the existing house/lodge. In addition, the removal of hazard trees will be necessary over the next 1-10 years. Tree removal will not be affected by the zoning changes.

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<sup>1</sup> Under the CA Forest Practice Act special consideration must be provided for aesthetic enjoyment and protection of adjacent stand vigor shall be given to the selection of silvicultural methods and timber operations within 200 feet of adjacent non-federal lands not zoned TPZ.

In the future the owners would like to increase the number of educational events that utilize the existing Ranch House and other facilities as well as host occasional special events (reunions, weddings, etc.).

In order to add the second story addition to the garage, the Del Norte County Planning Division has indicated that the property will have to be rezoned from Timberland Preservation (TPZ) to another zoning district. Review of the current and planned long term land uses finds that there are no conflicts arising from the planned forest management and rezoning to Forest Recreation (FR-2). The rezone is more of an administrative change than an actual land use and/or forest management change. However, under the current TPZ any future expansion of facilities will also require substantial review. The rezoning to FR-2 will reduce that need.

### **Property and Forest Description**

The property is accessed via South Fork Road (County Road 427) and abuts a major subdivision of rural residential houses and vacant lots, which lie to the north. A limited number of private parcels along the South Fork form the only private property enclave in this area. These lands are surrounded by the Smith River NRA/Six Rivers National Forest.

The parcel consists of Klamath mixed conifer stands, Smith River floodplain, montane hardwood stands, and dry and wetland meadow. The Klamath mixed conifer stands are classified as KMC 4D<sup>2</sup>, with Douglas-fir and limited incense cedar, sugar pine and ponderosa pine in the overstory. The mid-story consists of a mix of these conifer species as well as tan oak, Port Orford cedar, Pacific madrone, interior live oak, California bay laurel, and knob cone pine. An understory component includes Pacific yew, huckleberry, ferns, poison oak and other shrub species as well as conifer seedlings. The stands are mixed age and diverse in species composition.

Past poor silvicultural and logging practices have left defective and diseased trees in the overstory. Red ring/white speck (*Phellinus pini*) rot was found in some mature Douglas-firs and at least one old growth Douglas-fir tree was noted to have butt rot (*Phaeolus schweinitzii*). These rots decay the center of the tree and increase both risk of wind throw and breakage. Mechanical (wind) and drought stress have also impacted several larger Douglas-fir trees in the stand. A few trees have formed secondary tops after wind snapped the trunks in the upper bole. This often happens when excessive thinning of a dense stand occurs. Trees with secondary tops are weaker than the original boles and should be evaluated when they are near structures, trails or present a safety risk. The forest pathogens and past mechanical damage presents management concerns for structures and recreationists due to risk of wind throws and tree boles snapping.

Port Orford cedar root disease (*Phytophthora lateralis*) appears to be present in this species. The disease weakens tree root systems and is most common in riparian areas. The pathogen that causes Port-Orford-cedar root disease is not native to the Pacific Northwest but was first reported in 1923. The

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<sup>2</sup> CA Dept of Fish and Game, Wildlife Habitat Relations. 1988

presence of the pathogen suggests that future plantings of Port Orford cedar seedlings would not be productive.

The landowners are pre-emptively managing to prevent the introduction of sudden oak death (*Phytophthora ramorum*) with control of bay laurel in the understory and monitoring of forest health.

#### **Forest Practice Act Setbacks**

The entire property is constrained for forest management due to its proximity to the South Fork Smith River, adjacent land uses and on-site facilities. The South Fork Smith River forms the eastern boundary of the property and is an anadromous salmonid river. The CA Forest Practice Act establishes 100' or 150' watercourse and lake protection zones (WLPZ)<sup>3</sup> from the migration zone (or floodway) of anadromous salmonid streams (14 CCR 916.9). The setbacks are based on the stream morphology, floodplain characteristics and silvicultural systems utilized. The WLPZ for the river and its floodway (migration zone) combined with a 100'/150' minimum silvicultural setback are mapped at 8.33 or 9.85 acres respectively (refer to Map 1). Within this zone tree removal is limited (refer to Appendix "A" for a pictorial setback and silvicultural limitation requirements).

A similar WLPZ setback of 75' is mapped for a Class II wetland in the northern portion of the parcel. This wetland and setback is 2 acres. The majority of the wetland meadow and setback areas overlap the Smith River WLPZ setback.

An additional setback is established for silviculture and logging within 200' of parcels not zoned TPZ (14 CCR 913.1(a)(7))<sup>4</sup>. This setback requires special consideration for aesthetic enjoyment and protection of adjacent stand vigor. Within this setback, uneven-age management, retention of wind firm trees and retention of larger trees are all management options. Approximately a third of this setback overlaps with the Smith River and wetlands WLPZs.

All setbacks (WLPZ and Silviculture) encompass 12.96 acres, or 79% of the property. The remaining portion of the property includes the house, garage, cooking and community facilities as well as the dry meadow area.

The costs to prepare a timber harvest plan to harvest timber within the WLPZ's would exceed the revenue received. It would be more economical to fell and leave in place any hazard trees. The remaining timbered portions of the property can be harvested under timber harvest exemptions.

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<sup>3</sup> 100' for uneven-aged managed stands and 150' for even-aged managed stands

<sup>4</sup> Under the CA Forest Practice Act special consideration must be provided for aesthetic enjoyment and protection of adjacent stand vigor shall be given to the selection of silvicultural methods and timber operations within 200 feet of adjacent non-federal lands not zoned TPZ.

### **Wild and Scenic River**

The South Fork Smith River is a federally designated Wild and Scenic River. However this designation does not apply to forest management of private lands.

### **TPZ Rezone**

The project area is presently zoned Timberland Preserve Zone (TPZ) under the County zoning (DNCC §20.43). TPZ is a zoning classification applied to private timberland and State forests by local governments under the Forest Taxation Reform Act of 1976. Rezoning lands designated as TPZ involves a different process than rezoning non-TPZ lands due to TPZ land treatment under California tax law. Unlike other lands, TPZ lands are valued for property tax purposes according to their ability to grow trees (i.e. the "timber yield tax"). The timber yield tax is a property tax paid by timber owners when they harvest trees or timber. Land zoned TPZ is restricted for use to timber growing or compatible uses. In return for accepting these restrictions, which preserve the timberland, landowners receive reduced property tax assessments on the land.

There are two methods that TPZ parcels may be rezoned from TPZ to an alternate zone. Under non-renewal provisions, the landowner or County can elect to not renew the TPZ and rezone the property. The new zone becomes effective 10-years after the non-renewal. During that period the Board of Supervisors must approve of the rezoning. The land is taxed on a gradually increasing scale so that at the end of the 10-year period the taxes are based completely on the new zoning.

Alternatively, an owner may request the Board of Supervisors (BOS) to immediately rezone land from TPZ to an alternate zone. If a four-fifths majority of the BOS decides that the continued use of the land under the TPZ zone is neither necessary nor desirable to accomplish the purpose of the timber yield tax, they may immediately approve the rezone of the property for a new use. A tax recoupment fee will be imposed on immediate rezoning. The immediate rezone must also be approved by the CA Board of Forestry.

Because this requested rezone does not require a conversion pursuant to Section 4621 of the Public Resources Code, the BOS may approve the immediate rezoning request by a four-fifths vote of the full Board. The Board must make the following written findings (*italics*). The RPF's basis for the findings are provided below each required finding:

*(1) The immediate rezoning would be in the public interest.*

### **RPF Analysis**

The rezone will allow for increased property tax while not affecting forest management. The parcel is within restricted forest practice zones for: watercourse and lake protection zones and silvicultural and logging limitations within 200' of parcels not zoned TPZ. The highest and best use is not limited to forest management, but combines management for fuels, forest health and

forest based education and recreational opportunities utilizing the existing and future facilities on-site. The rezone will not affect forest management, but will capture the higher value taxes.

- (2) The immediate rezoning does not have a substantial and unmitigated adverse effect upon the continued timber-growing use or open-space use of other land zoned as timberland production and situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed.*

RPF Analysis

The rezone will not affect TPZ zoned lands within one mile of the project site. Lands surrounding the property are not zoned TPZ and the majority of lands are managed by the Six Rivers National Forest.

- (3) The soils, slopes, and watershed conditions will be suitable for the uses proposed by the applicant if the immediate rezoning is approved.*

RPF Analysis

The property is already developed for the proposed uses. Existing septic systems are performing properly. The developed portions of the property are on flat to gentle slopes within stable soils. All roads are pre-existing and stable. No increase in capacity is proposed. The areas are fully vegetated and no significant erosion sources occur on-site. Historic dwellings were relocated out of the Smith River floodplain in the 1960's. No new buildings are proposed within floodplains.

- (4) The immediate rezoning is not inconsistent with the purposes of subdivision (j) of Section 3 of Article XIII of the Constitution and of this chapter.*

RPF Analysis

The property does not consist of immature forest trees planted on lands not previously bearing merchantable timber or planted or of natural growth on lands from which the merchantable original growth timber stand to the extent of 70 percent of all trees over 16 inches in diameter has been removed.

- (b) The existence of an opportunity for an alternative use of the land shall not alone be sufficient reason for granting a request for immediate rezoning pursuant to this section. Immediate rezoning shall be considered only if there is no proximate and suitable land which is not zoned as timberland production for the alternate use not permitted within a timberland production zone.*

RPF Analysis

The extremely limited amount of private land in the South Fork Smith River and size of other private parcels do not provide proximal and suitable areas for fisheries, forest and fire education/recreation activities within a forested setting on the South Fork Smith River.

*(c) The uneconomic character of the existing use shall not be sufficient reason for the approval of immediate rezoning pursuant to this section. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable timber-growing use to which the land may be put.*

**RPF Analysis**

Existing forest practice restrictions of Watercourse and Lake Protection zones and logging limitations within 200 feet of non-TPZ parcels constrains forest management on this property such that the recreation/educational uses do not interfere with allowable forest management and there is no uneconomical characteristic of the existing land use that will change as a result of the rezoning.

*(d) Immediate rezoning action shall comply with all the applicable provisions of state law and local ordinances*

**RPF Analysis**

A statement that the action will comply with state law and local ordinances

**Conclusion**

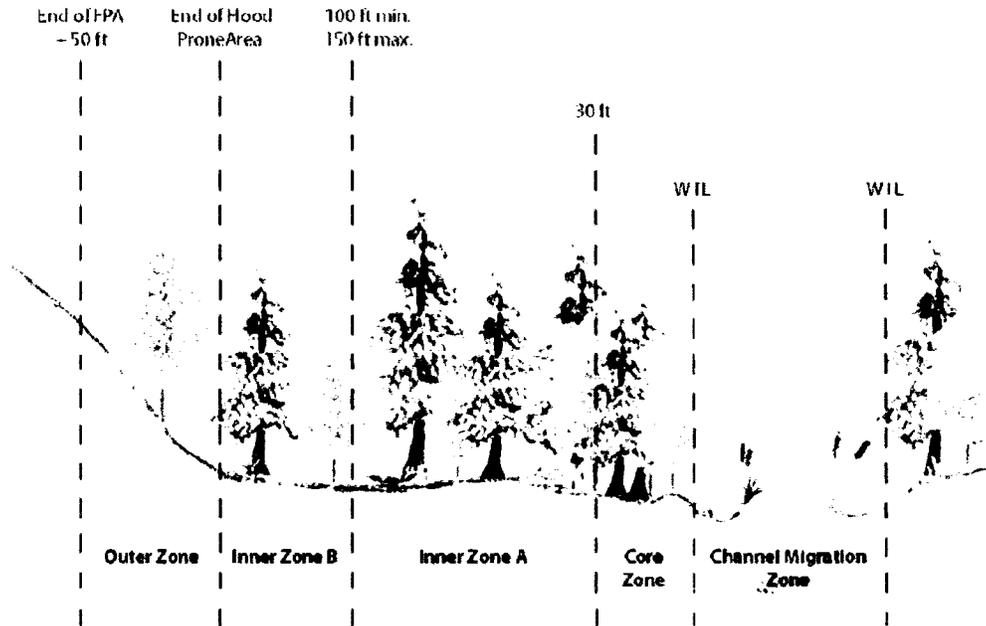
The potential for future timber harvests is very limited by the existing restricted land base. Rezoning the land from TPZ to Forest Recreation District (FR-2) would serve the public interest in that property taxes would be based on a more practicable use of the land (i.e. Forest Recreation) than the current yield tax, which is based on the unlikely harvest of significant amounts of timber.

Therefore, based on the findings detailed above, this RPF supports the removal of the subject parcel from TPZ to FR-2.

APPENDIX A

CALIFORNIA FOREST PRACTICE RULES

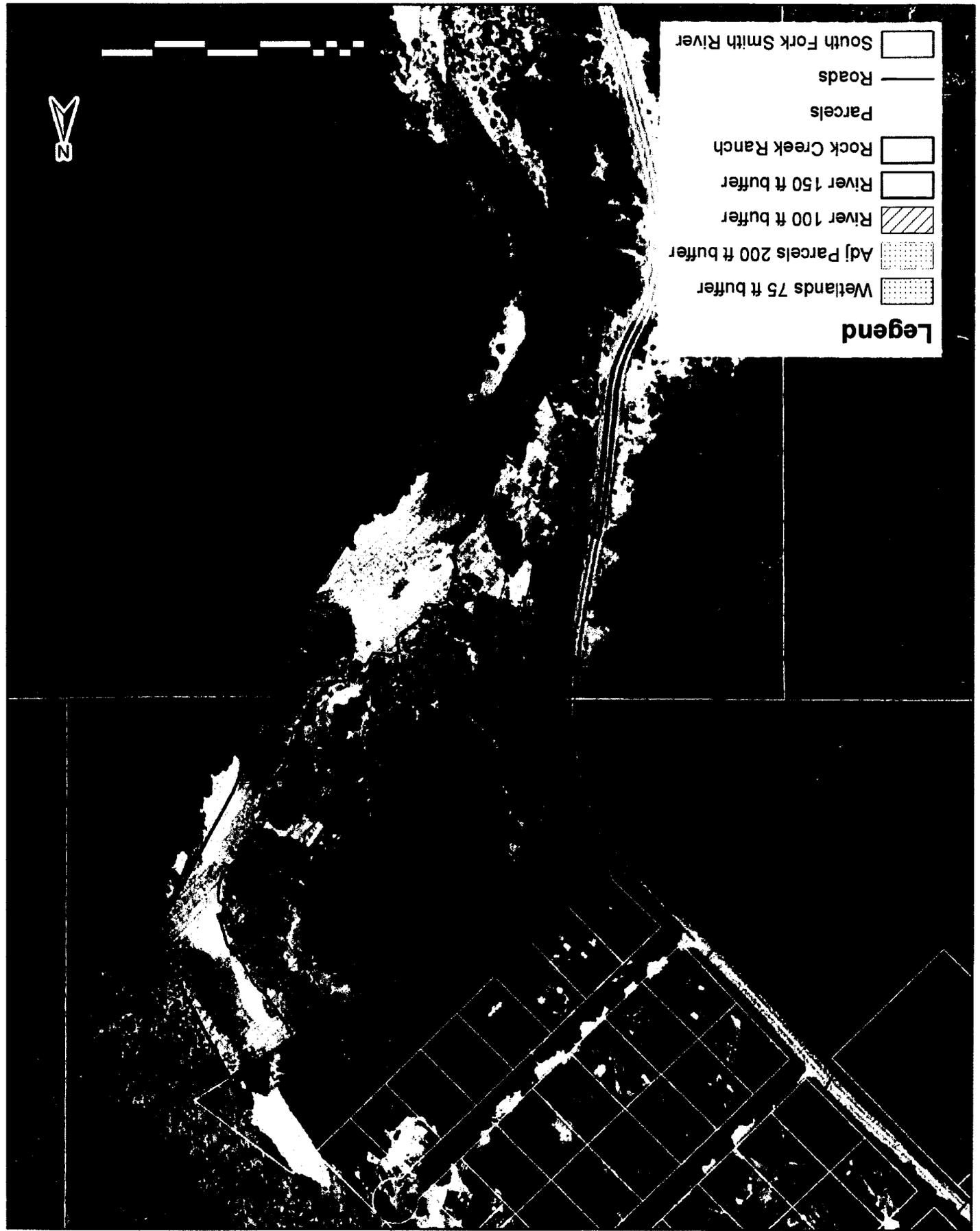
Figure 5: Graphic of Profile View of Class I WLPZ in flood prone areas and channel migration zones (not to scale)



**Outer Zone:**  
 50 ft. Outer Zone required only when even aged silv. system contiguous to WLPZ  
 Modified commercial thinning or single tree selection  
 50% overstory canopy (OSC)

**Inner Zone B:**  
 Modified commercial thinning or single tree selection  
 50% overstory canopy (OSC)  
 Retain 13 largest trees/ac.

**Inner Zone A:**  
 Modified commercial thinning or single tree selection  
 Increase QMD  
 No Sanitation Salvage  
 Retain 80% OSC in the Coast and Southern Forest Districts  
 of the coastal anadromy zone and 70% OSC in all other watersheds  
 Retain 13 largest trees/ac



**Legend**

- Wetlands 75 ft buffer
- Adj Parcels 200 ft buffer
- River 100 ft buffer
- River 150 ft buffer
- Rock Creek Ranch
- Parcels
- Roads
- South Fork Smith River

### Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

**Project Title:** Smith River Alliance - Immediate TPZ Rezone - R1602

Lead Agency: Del Norte County Contact Person: Alexis Kelso  
Mailing Address: 981 H Street, Ste 110 Phone: 707-464-7254  
City: Crescent City Zip: 95531 County: Del Norte

**Project Location:** County: Del Norte City/Nearest Community: Hiouchi  
Cross Streets: South Fork Road & Fir Street Zip Code: 95531  
Longitude/Latitude (degrees, minutes and seconds): 41 ° 43 ' 48 " N / 123 ° 58 ' 34 " W Total Acres: 15.25  
Assessor's Parcel No.: 124-110-75 Section: 33, 5 Twp.: 16N, 15N Range: 2E Base: HM  
Within 2 Miles: State Hwy #: N/A Waterways: South Fork Smith River  
Airports: N/A Railways: N/A Schools: N/A

**Document Type:**

CEQA:  NOP  Draft EIR NEPA:  NOI Other:  Joint Document  
 Early Cons  Supplement/Subsequent EIR  EA  Final Document  
 Neg Dec (Prior SCH No.)  Draft EIS  Other: \_\_\_\_\_  
 Mit Neg Dec Other: \_\_\_\_\_  FONSI

**Local Action Type:**

General Plan Update  Specific Plan  Rezone  Annexation  
 General Plan Amendment  Master Plan  Prezone  Redevelopment  
 General Plan Element  Planned Unit Development  Use Permit  Coastal Permit  
 Community Plan  Site Plan  Land Division (Subdivision, etc.)  Other: \_\_\_\_\_

**Development Type:**

Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_  
 Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  Transportation: Type \_\_\_\_\_  
 Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  Mining: Mineral \_\_\_\_\_  
 Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  Power: Type \_\_\_\_\_ MW \_\_\_\_\_  
 Educational: Meeting Facilities  Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_  
 Recreational: Tent Camping, Lodge  Hazardous Waste: Type \_\_\_\_\_  
 Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_  Other: \_\_\_\_\_

**Project Issues Discussed in Document:**

Aesthetic/Visual  Fiscal  Recreation/Parks  Vegetation  
 Agricultural Land  Flood Plain/Flooding  Schools/Universities  Water Quality  
 Air Quality  Forest Land/Fire Hazard  Septic Systems  Water Supply/Groundwater  
 Archeological/Historical  Geologic/Seismic  Sewer Capacity  Wetland/Riparian  
 Biological Resources  Minerals  Soil Erosion/Compaction/Grading  Growth Inducement  
 Coastal Zone  Noise  Solid Waste  Land Use  
 Drainage/Absorption  Population/Housing Balance  Toxic/Hazardous  Cumulative Effects  
 Economic/Jobs  Public Services/Facilities  Traffic/Circulation  Other: \_\_\_\_\_

**Present Land Use/Zoning/General Plan Designation:**

Guest Ranch/TPZ, PO (Public Ownership)/Rural Residential 1du/2ac

**Project Description:** (please use a separate page if necessary)

See Attached:

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

**Reviewing Agencies Checklist**

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- |   |  |
|---|--|
| <input type="checkbox"/> Air Resources Board                                    | <input type="checkbox"/> Office of Historic Preservation                     |
| <input type="checkbox"/> Boating & Waterways, Department of                     | <input type="checkbox"/> Office of Public School Construction                |
| <input type="checkbox"/> California Emergency Management Agency                 | <input type="checkbox"/> Parks & Recreation, Department of                   |
| <input type="checkbox"/> California Highway Patrol                              | <input type="checkbox"/> Pesticide Regulation, Department of                 |
| <input type="checkbox"/> Caltrans District # _____                              | <input type="checkbox"/> Public Utilities Commission                         |
| <input type="checkbox"/> Caltrans Division of Aeronautics                       | <input checked="" type="checkbox"/> Regional WQCB #1 _____                   |
| <input type="checkbox"/> Caltrans Planning                                      | <input type="checkbox"/> Resources Agency                                    |
| <input type="checkbox"/> Central Valley Flood Protection Board                  | <input type="checkbox"/> Resources Recycling and Recovery, Department of     |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy                     | <input type="checkbox"/> S.F. Bay Conservation & Development Comm.           |
| <input type="checkbox"/> Coastal Commission                                     | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board                                   | <input type="checkbox"/> San Joaquin River Conservancy                       |
| <input type="checkbox"/> Conservation, Department of                            | <input type="checkbox"/> Santa Monica Mtns. Conservancy                      |
| <input type="checkbox"/> Corrections, Department of                             | <input type="checkbox"/> State Lands Commission                              |
| <input type="checkbox"/> Delta Protection Commission                            | <input type="checkbox"/> SWRCB: Clean Water Grants                           |
| <input type="checkbox"/> Education, Department of                               | <input type="checkbox"/> SWRCB: Water Quality                                |
| <input type="checkbox"/> Energy Commission                                      | <input type="checkbox"/> SWRCB: Water Rights                                 |
| <input checked="" type="checkbox"/> Fish & Game Region # 1 _____                | <input type="checkbox"/> Tahoe Regional Planning Agency                      |
| <input type="checkbox"/> Food & Agriculture, Department of                      | <input type="checkbox"/> Toxic Substances Control, Department of             |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of                      |
| <input type="checkbox"/> General Services, Department of                        | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Health Services, Department of                         | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Housing & Community Development                        |  |
| <input checked="" type="checkbox"/> Native American Heritage Commission         |  |

**Local Public Review Period (to be filled in by lead agency)**

Starting Date March 21, 2016 Ending Date April 21, 2016

**Lead Agency (Complete if applicable):**

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: *Alvin Kelso* Date: 3/17/16

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

## **Project Description**

The proposed project is to change to zoning on a 15.25 acre parcel from 11.33 acres of TPZ and 3.92 acres of PO to FR-2 (Forest-Recreation, 2 acre minimum lot size). The site is adjacent to the south fork of the Smith River. Known as Rock Creek Ranch, the site is owned and operated by the Smith River Alliance, a non-profit corporation, as a site for environmental education programs and activities. It is currently developed with a lodge, caretakers quarters/garage, tent camping sites, and community gathering/cooking facilities. Many land uses and development activities are restricted in the TPZ zone. The proposed change to FR-2 will be more consistent with the current land use and will facilitate future expansion of the existing use. The applicant has indicated they desire to construct new caretakers quarters in 2018.

# **Initial Study and Proposed Negative Declaration**

**Smith River Alliance Immediate TPZ Rezone**

**March 2016**

**Del Norte County Community Development Department  
981 H Street, Suite 110  
Crescent City, California 95531**

[www.co.del-norte.ca.us](http://www.co.del-norte.ca.us)

## Project Information Summary

<b>1.</b>	<b>Project Title:</b>	Smith River Alliance Immediate TPZ Rezone
<b>2.</b>	<b>Lead Agency Name and Address:</b>	County of Del Norte Community Development Department, Planning Division 981 H Street, Suite 110 Crescent City, CA 95531
<b>3.</b>	<b>Contact Person and Phone Number:</b>	Alexis Kelso (707) 464-7254
<b>4.</b>	<b>Project Location and APN:</b>	2475 South Fork Road Crescent City, CA 95531 APN 124-110-75
<b>5.</b>	<b>Project Sponsor's Name and Address:</b>	Smith River Alliance c/o Grant Werschull PO Box 2129 Crescent City, CA 95531
<b>6.</b>	<b>County General Plan Land Use:</b>	Rural Residential 1du/2ac
<b>7.</b>	<b>County Zoning:</b>	TPZ (Timberland Preserve Zone), PO (Public Ownership)
<b>8.</b>	<b>Description of Project:</b>	The proposed project is to change to zoning on a 15.25 acre parcel from 11.33 acres of TPZ and 3.92 acres of PO to FR-2 (Forest-Recreation, 2 acre minimum lot size). The site is adjacent to the south fork of the Smith River. Known as Rock Creek Ranch, the site is owned and operated by the Smith River Alliance, a non-profit corporation, as a site for environmental education programs and activities. It is currently developed with a lodge, caretakers quarters/garage, tent camping sites, and community gathering/cooking facilities. Many land uses and development activities are restricted in the TPZ zone. The proposed change to FR-2 will be more consistent with the current land use and will facilitate future expansion of the existing use. The applicant has indicated they desire to construct new caretakers quarters in 2018.
<b>9.</b>	<b>Surrounding Land Uses and Settings:</b>	A small, off-grid residential subdivision lies to the north of the property. Timberland is the use designation on adjacent properties to the east, south, and west. Within the larger South Fork area, most lands are federally-owned forestland.
<b>10.</b>	<b>Required Approvals:</b>	Rezone
<b>11.</b>	<b>Other Approval (Public Agencies):</b>	CAL FIRE

### Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology / Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology / Water Quality
<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

### Determination

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	<i>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</i>
<input type="checkbox"/>	<i>I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.</i>
<input type="checkbox"/>	<i>I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</i>
<input type="checkbox"/>	<i>I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</i>
<input type="checkbox"/>	<i>I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.</i>

Alexis Kelso

Signature

3/17/16

Date

Alexis Kelso, Planner

Printed Name and Title

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## 1. Aesthetics

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) The project site is partially visible from adjacent portions of South Fork Road and the South Fork Smith River—a federally-designated wild and scenic river—, but not from any public scenic vista points.
- b) The site is not visible from any state scenic highway.
- c) A change to FR-2 zoning will facilitate permitting a wider range of activities on the site than the current TPZ zoning allows. Though a new caretaker’s quarters is planned for 2018, no new development is proposed as part of this rezone. It is anticipated that any future development proposals will not substantially degrade the visual character of the site because the Smith River Alliance and the Rock Creek Ranch user groups have interests in maintaining the environmental and visual integrity of the site as a place of environmental education and recreation.
- d) No new light sources are proposed or anticipated as part of this project.

## 2. Agriculture and Forest Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) The project site is not farmland.

- c) The project involves rezoning 11.33 acres of TPZ land to Forest-Recreation. A Forest Assessment for the project site prepared by a registered professional forester recommends rezoning because the potential for future timber harvests is very limited by regulatory setbacks encompassing most of the property under the California Forest Practice Act. See attachment *Rock Creek Ranch Forest Assessment for the Rezone from Timber Production Zone to Forest Recreation Zone*.
- d) A Forest Assessment for the project site prepared by a registered professional forester makes the finding that the rezone will not affect forest management on the site or within one mile of the site. See attachment *Rock Creek Ranch Forest Assessment for the Rezone from Timber Production Zone to Forest Recreation Zone*.
- e) The project does not involve any changes that are anticipated to convert the parcel to non-forest use.

### 3. Air Quality

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) The project does not propose any changes in use, and so will result in no change to air quality. No impacts are anticipated.

### 4. Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) No changes in land use, intensity, landscape management, or development are proposed as part of this rezone. The rezone will facilitate future development of the site, but this development is expected to have minimal impact on biological resources. The applicants operate the project site for environmental education, and state that "participants benefit from experiencing the ambiance and values of a natural setting and being exposed to a site that demonstrates sustainable living systems and practices." See *Narrative Items as part of SRA Re-zone Application*. No significant impacts to biological resources are anticipated.

## 5. Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) According to the Smith River Alliance's website, Rock Creek Ranch was the site of a lodge constructed in the 1930s by a wealthy industrialist and philanthropist. This lodge was swept away by the river in 1955. Buildings appurtenant to the original lodge remain, including a guest house. The current use and proposed rezone of the property do not affect the potential historical or archeological significance of the site.

c) The site is not known to have paleontological or unique geologic features.

d) No known tribal cultural resources or human remains are on the project site.

## 6. Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse				

effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) As an administrative rather than physical change, the rezoning of the site is not anticipated to have any effect on the geology and soils of the area. Regardless, the project area is not subject to geology and soils concerns.
- i. The project site is not in an area mapped on an Alquist-Priolo Earthquake Fault Zoning Map. According to the Del Norte County General Plan, no active or potentially active earthquake faults have been identified within Del Norte County (Policy 2.B.7).
  - ii. The project site is in an area of moderate earthquake shaking potential as identified on maps provided by the California Department of Conservation ([http://www.seismic.ca.gov/pub/intensitymaps/ncoast\\_county\\_print.pdf](http://www.seismic.ca.gov/pub/intensitymaps/ncoast_county_print.pdf)).
  - iii. Ground failure and liquefaction potential is low. The Smith River National Recreation Area Management Plan identifies the area as having "durable bedrock materials" and soils "unusually resistant to erosion." ("Smith River National Recreation Area Management Plan," United States Department of Agriculture, October 1992, accessed 15 March 2016, <http://www.rivers.gov/documents/plans/smith-plan.pdf>)
  - iv. Landslide potential on the project site is low. Active landslide areas are present in the South Fork Smith River canyon, but the project site and surrounding area is flat.
- b-c) No soil erosion or loss of topsoil is anticipated. No changes in land use, intensity, landscape management, or development are proposed as part of this rezone. The Smith River National Recreation Area Management Plan identifies the area as having "durable bedrock materials" and soils "unusually resistant to erosion." ("Smith River National Recreation Area Management Plan," United States Department of Agriculture, October 1992, accessed 15 March 2016, <http://www.rivers.gov/documents/plans/smith-plan.pdf>)
- d) According to the Web Soil Survey provided by the United States Department of Agriculture (<http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>), soils in the project site have a plasticity index of less than 15, and so are not expansive as defined by the 2013 California Building Code.
- e) The site has an existing and properly-functioning conventional septic system.

## 7. Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) The proposed rezone will facilitate future development on the site and an intensification of use. These changes could attract more visitors. A transportation study prepared by the applicant projects an additional 240 vehicle trips will occur between the months of February and June in 2018 after the construction of a caretaker's quarters. See *Narrative Items as part of SRA Re-zone Application*. This level of additional trips is not expected to generate greenhouse gas emissions with a significant impact on the environment.
- b) Del Norte County has no plans, policies, or regulations for the purpose of reducing greenhouse gases.

## 8. Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a-g) The proposed rezone, existing and future use, and future development of the site are not anticipated to have any impact to or from hazards and hazardous materials.
- h) The project site is in a Very High Fire Hazard Severity Zone within a State Responsibility Area. Rezone and future expansion of the site could result in a slight increase to the number of people potentially exposed to wildland fire. Future construction will comply with building requirements of the Wildland Urban Interface.

## 9. Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-f) The rezone is not anticipated to have significant impact on water quality standards, waste discharge requirements, water supply, or drainage.

g-h) The project area is in a Zone D—an area of undetermined flood hazard—on the Flood Insurance Rate Maps. The rezone will have no effect on this designation or on existing structures. Future development will be required to establish a base flood elevation and to comply with the County's flood damage prevention ordinance if applicable.

i-j) The project is not in an area exposed to risks of levee or dam failure, or inundation by seiche, tsunami, or mudflow.

## 10. Land Use and Planning

Would the project:	Potentially Significant	Less Than Significant Impact	Less Than Significant	No Impact
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	Impact	with Mitigation Incorporated	Impact	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) The proposed project will not divide an established community. The project is located on the southern edge of the Rock Creek community.
- b) The rezone will bring the parcel's zoning into consistency with the County's General Plan.
- c) The proposed project is not in an area for which a habitat conservation plan or natural community conservation plan has been developed.

## 11. Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) The project has no effect on mineral resources.

## 12. Noise

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

project expose people residing or working in the project area to excessive noise levels?				
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a-d) The rezone of the parcel will not result in a direct change in noise levels. Future development and projected increase use of the site by visitors may create temporary periodic increases in ambient noise levels. It is not anticipated that any potential noise increase will affect residents in the Rock Creek neighborhood.

e-f) The project parcel is not located within two miles on any airport or airstrip.

### 13. Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) The rezone and future development of the parcel are not anticipated to have an impact on population or housing levels. No new residential development is proposed as part of this rezone or in the future. Extension of utilities to this remote area is not possible.

### 14. Public Services

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) No change to public services is anticipated as part of this rezone. Future development will likely require driveway improvements on the parcel, which will ease fire and police response.

## 15. Recreation

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) The rezone will increase the amount of land in the County available for privately-owned recreational uses. No adverse impacts to parks or recreational facilities is anticipated.

## 16. Transportation/Traffic

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or other highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-f) The rezone of the parcel will not generate additional trips. Proposed potential future development may generate an additional 240 trips per year, which falls below the County's threshold requiring traffic analysis and mitigation. See Del Norte County General Plan, Policy 8.B.11.

## 17. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-g) The rezone will have no effect on wastewater, solid waste, or water supplies. Any future development will be required to address these issues if they apply.

## 18. Mandatory Findings of Significance

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

~~applicant was saying; if it's a catered one they bring it in, they don't prepare it there. That's the one that uses the water and consumption. Commissioner Jacobs moved to approve the project. Chair Gustafson closed the public hearing. Mrs. White stated something from the audience but was unintelligible. Commissioner Brown seconded the motion, which passed on a polled vote of 5 ayes and 0 noes.~~

**PUBLIC HEARING – SMITH RIVER ALLIANCE – Immediate Rezone from TPZ to FR-2  
– R1602 – APN 124-110-75 located at 2475 South Fork Road, Hiouchi.**

Ms. Kelso presented a summary of the project. Ms. Kelso stated that there was a minor change to the staff report and that is that there is not separate quarters for the caretaker currently but the applicant hopes to construct the separate caretaker's quarters in the future, which then would enable greater visitor use of the lodge, in which the caretaker is currently living. Chair Gustafson asked if there were any questions of Ms. Kelso. Hearing none, Chair Gustafson opened the public hearing. Grant Werschull, from the Smith River Alliance, addressed the Commission. Mr. Werschull stated that they obviously concur with the staff report on this matter. Mr. Werschull stated that the Smith River Alliance bought the property in 2002 and has been paying normal taxes on it since that time. As part of their work with the County, it was recommended that this application be submitted, so they are in concurrence with the staff report and recommendation. Mr. Werschull stated that they are not intending to have any dramatic changes on the property; the visitors and users that they have there, very much appreciate and expect that. The Smith River Alliance does a lot of work with the Fire Safe Council and CDF, in terms of whatever is needed there for safety with the structures. Mr. Werschull stated that it's not that the zone change is intended for them to make some big change there. Mr. Werschull stated that he would be happy to address any questions from the Commission and is in agreement with the staff recommendations. Chair Gustafson asked if there were any questions from the Commission. Commissioner Jacobs stated, that Mr. Werschull stated, that they have no immediate plans for the future but Mr. Werschull was just here with garage plans. Commissioner Jacobs stated that Mr. Werschull has obviously been doing some thinking otherwise he wouldn't be wanting to change this thing. Mr. Werschull stated that they had a 1930's garage on the property, which was built at the time the original lodge was built, and they did replace that garage. The old garage has been torn down and immediately adjacent to it, through the various permitting through the County, they have replaced that garage. Mr. Werschull stated that Commissioner Jacobs was exactly right; there has been a replacement of that original 1930's garage. Mr. Werschull stated that it should be noted too, that when they purchased the property, there were actually two resident type structures on the property. One of those structures was deemed to be unsafe and was then recycled or reduced and that's now a location that people use supporting camping as a covered outdoor kitchen area. Mr. Werschull stated that they never replaced that residence with another residence. At some point in the future, they may wish to do that and it is a true, as Commission Jacobs inquires, that could be on the horizon as a potential location for a caretaker to live. Then that would allow the existing ranch house to be used as a rental or the use

for a school group or something else. Commissioner Jacobs asked Mr. Werschull if that was the main reason he was wanting to change from TPZ, so it can be divided down to do these other things. Mr. Werschull stated that there's no division that would be required. Mr. Werschull stated that he didn't know how familiar he was with the staff report but the TPZ zoning is actually historically based from when the property was a few hundred acres. That has been replaced. Next door to them is a subdivision of 40-50 small lots. The amount of property that they have that is TPZ is quite small. They are not intending to do some subdivision of any type. Mr. Werschull stated that they might add a caretaker quarters in the future and if they did it would probably be located on top of that new garage. Mr. Werschull stated that no subdivision was intended or planned for. Chair Gustafson asked if there were any other questions. Mr. Werschull thanked the Commission and resumed his seat. Chair Gustafson asked if there was any other public comment. Hearing none the public hearing was closed. Commissioner Jacobs stated that he'd like to make a comment. Commissioner Jacobs stated that his comment is that every time we turn around there's an environmental group up here, knocking on our door, protesting someone's project, but yet it seems real fitful that every time they see something that they want, they'll come up and ask us to change a zoning so they can use it for whatever they want. Commissioner Jacobs stated that he's totally against changing it; leave it to TPZ. Chair Gustafson asked if there were any other comments. Hearing none, Chair Gustafson asked for a motion. Commissioner Brown moved to approve the project. Commissioner Magarino seconded the motion. Mr. Hooper stated that this is a rezone, so the Planning Commission has no authority to act on the decision; they act in an advisory and recommending capacity in this case. So whatever motion the Commission makes should be a reflective of a recommendation. With the motions standing, the project passed with a recommendation of approval to the Board of Supervisors with a polled vote of 4 ayes and Commissioner Jacobs voting no.

~~**PUBLIC HEARING – DEL NORTE COUNTY – General Plan Amendment/Zoning Text Amendment to the Residential Zoning Chapters of the County Coastal Zoning Chapter (DNCC 21) – GPA1601C located Countywide (Coastal Zone).**~~

~~Ms. Kelso presented the project. Chair Gustafson asked if the Commission had any questions. Ms. Kunstal stated that she had a few things that she would like to add, just for clarification. This is not a General Plan Amendment; it's actually a Rezone Text Amendment. So, on the first page of the staff report, under the "APP #"; instead of a "GPA", it should be an "R". Under the "APPLYING FOR", it should just say "Text Amendment to the Residential Zoning Chapters of the Del Norte County Code Title 21 – Coastal Zoning". Ms. Kunstal stated that she would also recommend that under the section where it shows the code number (i.e. 21.16.040) she would also like the name of what that section is for clarification. For example: RR-1 is Rural Residential. The last correction would be under the "Environmental Determination", where it says, "The proposed General Plan amendment...", she would like that changed to read, "The proposed text amendment...". Chair Gustafson asked if there were any other questions. Commissioner Brown stated that she thinks this is something we need to do.~~

Immediate Rezone from TPZ to FR-2 – The proposed project is to change the zoning on a 15.25 acre parcel from 11.33 acres of TPZ and 3.92 acres of PO to FR-2 (Forest-Recreation, 2 acre minimum lot size). General Plan land use designation is Rural Residential 1 du per 2 ac. The parcel is accessed off South Fork Road and is adjacent to the South Fork Smith River. The project site is currently operated as an environmental education and recreation camp, developed with a lodge, caretakers quarters/garage, tent camping sites, and community gathering/cooking facilities. The proposed change to FR-2 will be more consistent with the current land use and will facilitate future expansion of the existing use. – R1602 – APN 124-110-75 located at 3475 South Fork Road, Hiouchi.

APN: 12406012      Project #: R1602  
UNITED STATES OF AMERICA

APN: 12406020      Project #: R1602  
UNITED STATES OF AMERICA

APN: 12406021      Project #: R1602  
UNITED STATES OF AMERICA

APN: 12406022      Project #: R1602  
UNITED STATES OF AMERICA

APN: 12614004      Project #: R1602  
UNITED STATES OF AMERICA

APN: 12615004      Project #: R1602  
UNITED STATES OF AMERICA

APN: 12614005      Project #: R1602  
UNITED STATES OF AMERICA

APN: 12628015      Project #: R1602  
UNITED STATES OF AMERICA  
% SRNRA



**COUNTY OF DEL NORTE  
BOARD OF SUPERVISORS**

981 "H" Street, Suite 200  
Crescent City, California 95531

Phone  
(707) 464-7204

July 28, 2016

Fax  
(707) 464-1165

**Dear Property Owner:**

Please be advised that by the Del Norte County Board of Supervisors will be conducting a public hearing to consider the:

\*\* Immediate Rezone from TPZ to FR-2 – The proposed project is to change the zoning on a 15.25 acre parcel from 11.33 acres of TPZ and 3.92 acres of PO to FR-2 (Forest-Recreation, 2 acre minimum lot size). General Plan land use designation is Rural Residential 1 du per 2 ac. The parcel is accessed off South Fork Road and is adjacent to the South Fork Smith River. The site is currently operated as an environmental education and recreation camp. It is developed with a ranch house, tent camping sites, community gathering/cooking facilities, and a garage (under construction). The applicant has proposed to rezone the entire 15.25 acres from PO (3.92 acres) and TPZ (11.33 acres) to FR-2 (Forest-Recreation). The proposed change to FR-2 will be more consistent with the current land use and will facilitate future expansion of the existing use. – R1602 – APN 124-110-75 located at 3475 South Fork Road, Hiouchi.\*\*

**TIME OF HEARING: 11:00 A.M.**  
**DATE OF HEARING: August 23, 2016**  
**PLACE OF HEARING: Board of Supervisors Chambers**  
**981 H Street, Crescent City, CA 95531**

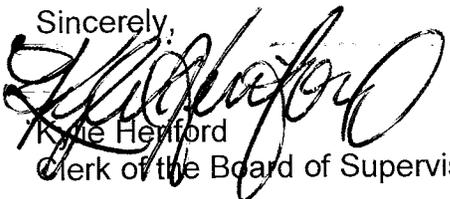
The Board of Supervisors would like to take this opportunity to invite you to submit input either by personal appearance before them at the public hearing, or in the form of a letter containing your comments for presentation during the public hearing.

If you should choose to submit a letter, please address it as follows: BOARD OF SUPERVISORS, 981 H Street, Suite 200, Crescent City, CA 95531.

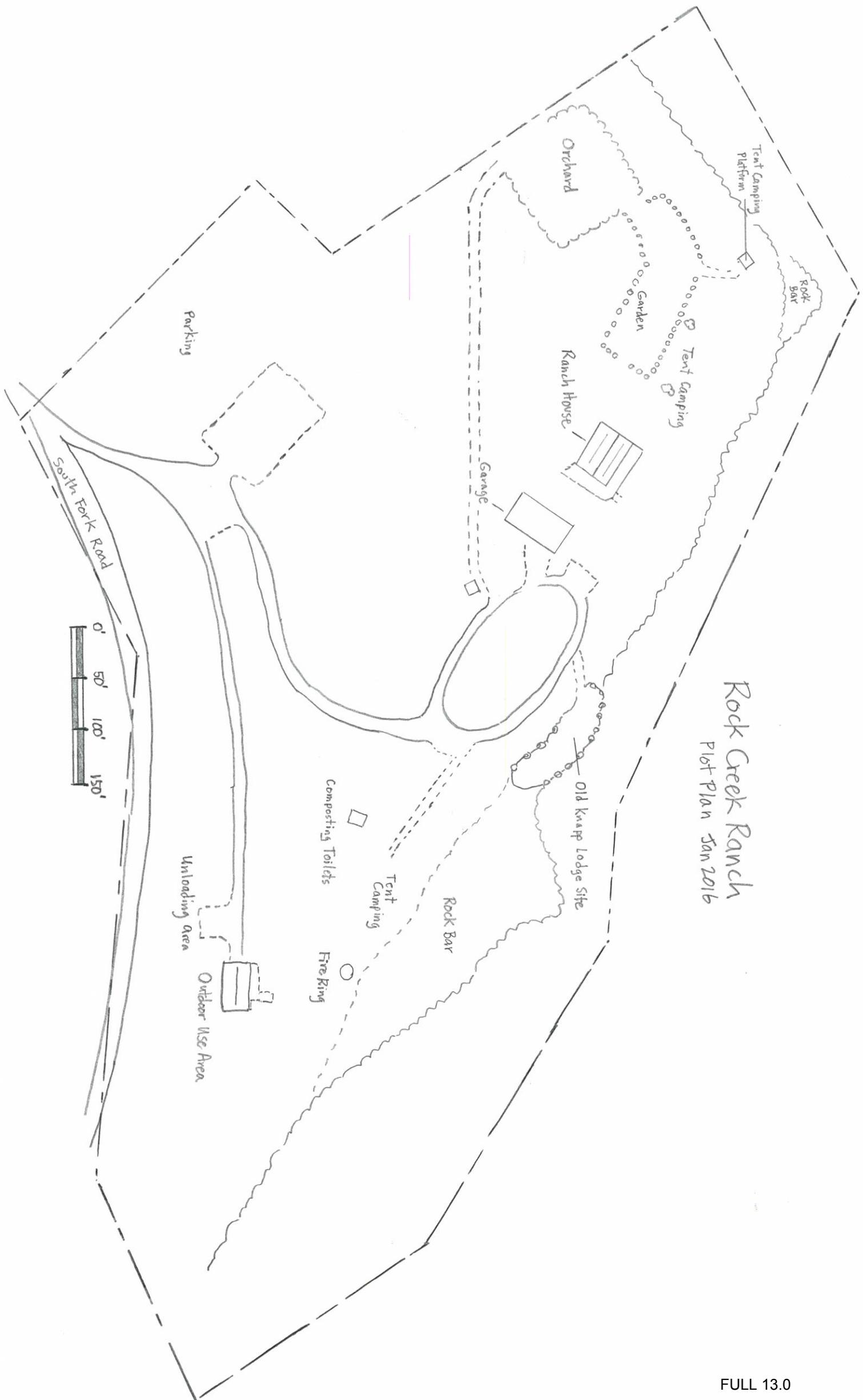
**If you should have any questions relative to the hearing and the effect it will have on your property, contact the Del Norte County Community Development Department at (707) 464-7254.**

Thank you for your time and cooperation.

Sincerely,

  
Kyle Herford  
Clerk of the Board of Supervisors

cc: Community Development Department



Rock Creek Ranch  
 P16T Plan Jan 2016



# TIMBERLAND CONVERSION PERMIT APPLICATION

STATE OF CALIFORNIA  
DEPARTMENT OF FORESTRY  
AND FIRE PROTECTION  
RM-53 (Rev 7/00)

## Information for Applicants

### FOR ADMIN. USE ONLY

TCP No.	_____
Date Recd. Sac.	_____
Date Approved	_____
Date Expires	_____
Extension #1 Date	_____
THP No.	_____

1. This Timberland Conversion Application consists of three sections that must be completed: Timberland Conversion Application, Timberland Conversion Plat, and Timberland Conversion Plan.
2. The applicant must have a bona fide intent to complete the conversion. As defined in Title 14 California Code of Regulations (14 CCR) §§1100(b) and 1105.2, a “bona fide intention” or “bona fide intent” means a present, sincere intention of the applicant to conform with and successfully execute the conversion plan. The Director shall determine the applicant’s intention in light of the present and predicted economic ability of the applicant to perform the proposed conversion; the environmental feasibility of the conversion including, but not limited to, suitability of soils, slope, aspects, quality and quantity of water and microclimate; adequacy and feasibility of possible measures for mitigation of significant adverse environmental impacts; and other foreseeable factors necessary for successful conversion to the proposed land use.
3. By law, timber operations to convert timberland to a non-timber growing use cannot begin until (1) the Director of Forestry and Fire Protection issues a Timberland Conversion Permit to the timberland owner, (2) the owner records the permit with the County Recorder, (3) owner provides a copy of the permit to the timber operator, and (4) a Timber Harvesting Plan (THP) is approved by the Director of Forestry and Fire Protection. The filing of the application and the THP may occur simultaneously, though the second review of the THP will not be scheduled and the THP cannot be approved until the Timberland Conversion Permit is issued.
4. The Timberland Conversion Permit grants exemption from the forest practice stocking requirements in the Forest Practice Act and District Forest Practice Rules. Forest practice requirements of the Act, Rules and related Board of Forestry and Fire Protection Regulations not consistent with the conversion still apply. These include, but are not limited to, such items as erosion control, fire hazard reduction, and watercourse and lake protection. A Timber Harvesting Plan approved by the Director of Forestry and Fire Protection is required for the timber operation.
5. If the conversion should fail or be abandoned, the Director of Forestry and Fire Protection may direct the permit holder to replant with trees. This requirement would apply to those parts of the conversion area where timber harvesting or other

conversion activities have reduced stocking below Forest Practice standards. If the permit holder should fail to comply, the Director may have the work done. The permit holder would then be liable for the costs, including necessary site preparation.

6. Timberland Conversion Permits are subject to requirements of the California Environmental Quality Act (CEQA) and its related administrative regulations. An Environmental Impact Report (EIR) or Negative Declaration (Neg. Dec.) must be submitted to the State Clearinghouse by the lead agency for the prescribed review period of 45 days for an E.I.R., 30 days for a Neg. Dec., and then be adopted by the lead agency before the conversion permit can be issued. If a local government zoning change or use permit is required, the local government agency is the lead agency. Otherwise, the California Department of Forestry and Fire Protection is the lead agency.
7. Special requirements and procedures apply to conversion permits for immediate rezoning from TPZ, are generally required whether timber operations are involved or not.
8. DO NOT APPLY for a Timberland Conversion Permit when (1) forest lands are NOT in a Timberland Production Zone (TPZ) AND (2) when a residential subdivision is planned. Instead, the owner should first apply to county government for the proper (subdivision) use permits and approval of a tentative subdivision map. With these documents, the owner is eligible to file, with the Department, the "Notice of Exemption for Timberland Conversion Permit for Subdivision", and a "Timber Harvesting Plan".
9. NOTICE: The above information is only a summation for general situations in timberland conversion. For detail, and the supporting authorization, see:

Timberland Conversion: Public Resources Code §§4621-4628

Forest Practice Rules, 14 CCR:

Coast District, §§911-929.7

Northern District, §§931-949.7

Southern District, §§951-969.7

Related regulations, Board of Forestry and Fire Protection, 14 CCR:

§§895-909.1

§§1020-1115.3

California Environmental Quality Act (CEQA):

Public Resources Code §§21000-21177

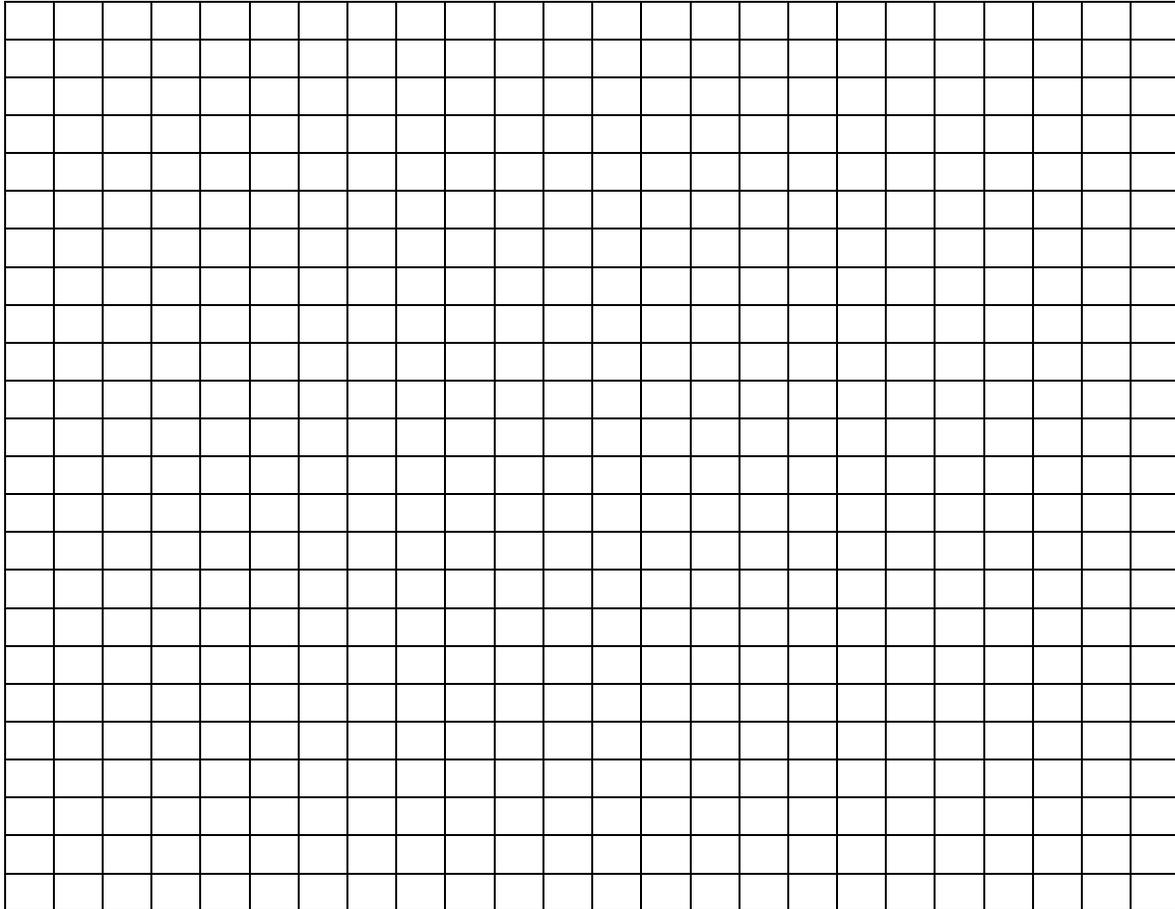
CEQA Guidelines:

14 CCR §§15000-15387

## TIMBERLAND CONVERSION PLAT

Applicant(s) Name(s) \_\_\_\_\_

Section(s) \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ \_\_\_\_\_ B&M  
 \_\_\_\_\_



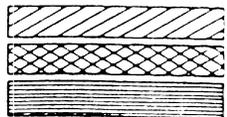
Scale \_\_\_\_\_ inch(es) = 1 mile

Show section numbers in center of section on plat. Entire plat may be used as one section or as halves of adjoining sections if needed for large-scale detail.

Show the conversion area not in a Timberland Production Zone or the Coastal Zone by \_\_\_\_\_

Show the conversion area in a Timberland Production Zone by \_\_\_\_\_

Show the area in a Coastal Zone by \_\_\_\_\_



(Do not use color shading - it will not photocopy)

Show the timbered area to be cut for conversion only. (Show to the nearest practical boundaries, such as regular 40-acre land subdivision, main roads, streams, or ridges within your property.)

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TIMBERLAND CONVERSION PERMIT APPLICATION AND PLAN

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APPLICATION

1. Pursuant to Public Resources Code §§4621-4628 and those regulations contained in Title 14, California Code of Regulations, §§1100 et seq., I (we)

Smith River Alliance

---

Name (s)	
P.O. Box 2129, Crescent City, CA	95531
Address (s)	Zip

---

hereby apply to the Director of Forestry and Fire Protection for a Timberland Conversion Permit to exempt the timberland described herein, and shown on the attached map or plat as a part of this application, from forest practice stocking requirements for a conversion to a non-timber growing use and/or to enable final immediate zoning from TPZ.

2. Property Description of area to be converted and/or rezoned from TPZ.

Subdivision(s)	Section	TWP	RNG	B&M
SW 1/4	33.5	16N, 15N	2E	HM

---

3. Acres of timberland to be converted 11.33 acres
- 

4. The owner(s) of record of this timberland is (are) Smith River Alliance
- 

5. The recorded interest in this timberland is held under deed dated: May 21, 2002, recorded as Document # 20023047 in the official records in Del Norte County. Assessor's Parcel Number APN 124-110-75
- 

6. This timberland is assessed in the name(s) of : Smith River Alliance
- 

7. I (we) intend to use this timberland in the future for: outdoor recreation and education camp, the current use of the property
- 

8. Conversion will begin about October 30, 2016 and be completed by July 31, 2017
-

9. Is all or part of conversion area in a Timberland Production Zone (TPZ) and is this an application for an immediate rezone?  
 Yes  No. If yes, show the area in TPZ with diagonal black lines on the conversion plat or map, and complete the following items a through e.
- a. Is a check or money order for \$100 payable to the California Department of Forestry and Fire Protection enclosed with this rezoning application as required?  
 Yes  No
- b. Has application for immediate rezoning from TPZ been made to the county or city having property tax jurisdiction?  
 Yes  No
- c. If applied for, has the county or city tentatively approved immediate rezoning from TPZ?  Yes  No. If yes, give date August 23, 2016
- d. Is there any other property zoned TPZ within one mile of the boundary of the TPZ area proposed for immediate rezoning?  Yes  No
- e. Are there any proximate non-TPZ lands (on or off the property containing the TPZ proposed for rezoning) suitable for the proposed conversion use?  
 Yes  No. If no, explain why such non-TPZ lands are not suitable.

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Federally owned forest lands area adjacent. Private subdivision with small parcels is adjacent but not for sale and not suitable for outdoor recreation and education camp

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10. a. Is a check or money order for the basic \$600.00 CDF timberland conversion fee (payable to the California Department of Forestry and Fire Protection) enclosed with this application?  Yes  No (See Title 14, §1104.3 CCR)
- b. Is a check or money order for the \$1,250.00 Fish and Game impact fee (§711.4(d)(3), Fish and Game Code) payable to the State of California enclosed?  
 Yes  No
- I will submit the fee when notified seven days in advance of filing the Notice of Determination and issuance of the permit.
11. Is any of the conversion area in a Coastal Zone as provided for by the California Coastal Act of 1976?  Yes  No. If yes, show the area in the Coastal Zone by horizontal black lines on the conversion plat or map and complete the following item a.

- a. Has the Coastal Zone permit for the proposed conversion use been issued?  
 Yes  No If Yes, date of issuance \_\_\_\_\_.
12. What element(s) of the county or city general plan applies(y) to the area within the timberland proposed for conversion is located? Rural Residential 1du/2ac
13. What is the zoning classification for all or part of the proposed conversion area that is neither TPZ nor Coastal Zone (use the designated zone term such as Agriculture – Forest, not a letter – number designation)? Public Ownership
14. Does the county, city or a district have permit, zoning, or other approval jurisdiction for the project that is the purpose of the conversion?  Yes  No. If yes, complete the following items a. through d.
- a. Name of local government entity Del Norte County
- b. Name the type of permit, zoning or approval required Immediate TPZ Rezone
- c. Has the local government prepared an environmental impact report or negative declaration? If yes, which document was prepared and was it submitted to the State Clearinghouse as required by the California Environmental Act (CEQA) and regulations?  Yes  No. Type of Document Negative Declaration  
 State Clearinghouse Number? 2016032059 (the Timberland Conversion Permit cannot be issued until this is done and local government adopts the documents).
- d. Has the local government granted the necessary permits, zoning or approvals required for this project?  Yes  No.  
 If no, explain in the appropriate section of the Timberland Conversion Plan.
15. a. Timberland Base. How many acres of commercial timberland will be removed from the timberland base in the county where the conversion will happen? Provide the number of acres of commercial timberland existing in the county and the percentage of that to be converted, and include a discussion of the cumulative effects of such a proposed change.

11.33 acres removed from TPZ in this project. There are over 100,000 acres in TPZ in Del Norte County, including one very large timber land owner that has no plans for rezoning TPZ. Therefore the percentage of TPZ removed in this project is minuscule compared to the overall TPZ in the county.

A Forest Assessment for the project site prepared by a registered professional forester, Mark Lancaster, makes the finding that the rezone will not affect forest management on the site or within one mile of the site. See attachment from RPF Mark Lancaster.

b. Effects on Adjacent Timberlands. What is the land use and zoning of the contiguous parcels around the conversion area? Include a map of the area and the contiguous parcels.

Federal ownership (National Forest), a small residential subdivision and TPZ zoned lands.

16. All property owners must sign the following affidavit unless the owner is a partnership, corporation, or other organization, in which case the signer must be a partner, corporate officer, or organization officer respectively. An owner's agent may sign the affidavit, if power of attorney designating the agency, and signed by all the owners, a partner, or corporate or organization officer, for these respective kinds of ownerships accompanies the application. If the affidavit or power of attorney is signed in a state other than California, the signature(s) must be notarized.

AFFIDAVIT

I (We) own the herein described property, and declare a bona fide intent as defined in §1100(b), Title 14, California Code of Regulations to successfully complete conversion of the herein described timberland for the stated purpose in accordance with the conversion plan and plat or map, all hereby acknowledged as a part of this application, and in accordance with the timberland conversion permit, timber harvesting plan, and conditions required through the California Environmental Quality Act and related regulations.

I (We) understand that a failure to comply with the specifications contained in the permit and Timberland Conversion Plan can result in enforcement actions by the Department of Forestry and Fire Protection.

I (We) understand that if the conversion fails or is abandoned, that I (we) can be required to restock with trees those areas that do not comply with forest practice stocking requirements. I (We) understand that if I (we) fail to do so, the Director of Forestry and Fire Protection can have the restocking done, including necessary site preparation, and charge me (us) with the costs.

I (We) declare under penalty of perjury that I (we) have fully read this application, conversion plan and plat or map, and that the information given herein is correct to the best of my (our) knowledge.

Executed on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_,

State of \_\_\_\_\_.

Signature(s) of Property Owner(s)

Title(s)

\_\_\_\_\_

(Please print name)

\_\_\_\_\_

\_\_\_\_\_



4. How will the timber be logged? (Will all or only some trees be cut? Will area be tractor-logged or cable-logged, etc?) Describe: No logging is proposed to occur on the parcel. As noted by the RPF, some diseased trees may need to be removed in the future, but this will not be affected by the zone change.
- 
- 
5. Slope percent ranges in gradient generally 0 % to 45 %. Slopes face generally toward the (direction, N, NE, etc) East
- 
6. Erosion Control Plan. Describe special measures to be taken during and after logging, including road and skid road construction, methods to prevent erosion, protect soil, and protect local streams, ponds, or lakes on or near the conversion area, monitoring by whom and when, action planning in case the monitoring finds additional needs for erosion control actions, when reporting to CDF will be necessary, include who will be responsible for which tasks, and include a map locating the erosion controls. EXPLAIN IN DETAIL: No logging is proposed to occur on this parcel, so therefore no erosion control plan is needed.
- 
- 
7. a. Is an erosion control plan required by a local government entity?  
Yes Yes No No - Not applicable
- b. If yes, the approved erosion control plan must be enclosed and incorporated into this plan.
8. Describe methods of slash disposal and woody vegetation treatment, and any additional land treatment measures that will be taken: No logging is proposed. If there is any vegetation removed otherwise, it will be chipped or used as firewood.
- 
- 
9. If conversion fails, or is abandoned for any reason, how will the area be returned to timber growing use to meet the purpose of the Forest Practice Act? Describe land preparation, seeding or planting measures, pest control measures, and weed abatement/competition control. Explain when the services of a Pest Control Advisor would be required: Existing timber resources on the property will remain after the rezone. As noted by the RPF report attached, most of the property is restrained from timber harvest due to Watercourse and Lake Protection zone setbacks and adjacent non-TPZ parcels setbacks. The existing and future use will not impact forest resources. Trees and vegetation will remain.
- 
- 
- 10 Area on which conversion will be completed within 5 years: 11.33 acres.

Date by which logging will be completed: No logging is proposed

Date by which final conversion to new use will be completed: July 31, 2017

NOTE: Conversion Permits are issued for 5 years and may be extended for just cause.

11. What assurances can you give that this conversion is feasible: Smith River Alliance has dedicated funding to support the rezone and continued recreation and education use of the subject parcel.

---

12. Describe the specific plans for development of the new use: The recreation and education activities are existing uses of the property. There is no "new use."

---

List and attach any documents and sketches illustrating or showing proposed new use: Not applicable, existing uses will continue. There is no "new use."

a.

b.

c.

d.

e.

f.

g.

h.

## AGRICULTURE-GRAZING

The following additional information is needed for lands to be devoted to agricultural purposes including grazing:

1. Has the suitability of the soil for the intended agricultural use been determined through examination by and consultation with farm advisors, Natural Resources and Conservation Service district specialists, or other qualified professionals? \_\_\_\_\_  
Yes \_\_\_\_\_ No. If "Yes" give name and title of specialists and describe findings: \_\_\_\_\_

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2. Describe the soils now supporting timber or other woody vegetation: (clay, loam, sand, decomposed granite, etc.) \_\_\_\_\_

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Give soil series if known: \_\_\_\_\_

3. Describe soil treatments necessary or desirable for the new use: (ripping, discing, soil conditioners, fertilizers, mulch, etc., and rate of application) \_\_\_\_\_

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4. How will other woody vegetation left after logging be eliminated? (Check method)

Mechanical clearing \_\_\_\_\_ Chemical eradication \_\_\_\_\_ Burn \_\_\_\_\_

Other (specify) \_\_\_\_\_

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5. How will natural woody growth be prevented from revegetating the area? (Check method) Mechanical removal \_\_\_\_\_ Reburn \_\_\_\_\_ Chemical eradication \_\_\_\_\_

Other (specify) \_\_\_\_\_

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6. What kind and rate of application of seed or kind and spacing of planting stock will be used? \_\_\_\_\_

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7. If conversion is for grazing, what kind and number of livestock are being grazed now on this property? \_\_\_\_\_

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What kind and number of livestock will be grazed after conversion is completed? \_\_\_\_\_

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8. What water developments exist right now on the property? \_\_\_\_\_

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9. What additional water developments are planned for conversion? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
10. What length of fence exists now in connection with the conversion area? \_\_\_\_\_  
 \_\_\_\_\_
11. How much additional length of fence will be added in connection with conversion?  
 \_\_\_\_\_
12. Describe buildings or improvements now on property where conversion is planned, such as a residence, barn or other farm structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
12. Describe buildings or improvements to be added in connection with conversion: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

SUBDIVISION

Applicable only for lands in Timberland Production Zone. See item 8, informational page.

The following additional information is needed for lands to be devoted to real estate subdivisions:

1. Has "Combined Notice of Intention" per §11010, Business and Professions Code been filed with State Division of Real Estate? \_\_\_\_\_ Yes \_\_\_\_\_ No  
 If yes, date filed \_\_\_\_\_
2. Is area approved for subdivision? \_\_\_\_\_ Yes \_\_\_\_\_ No  
 If yes, by which local governing authority? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Name the fire protection jurisdiction in which the subdivision will be (name of incorporated city, fire district, or other, name and describe) \_\_\_\_\_  
\_\_\_\_\_
4. Will meeting fire protection standards of the fire protection jurisdiction, or of the safety element of the county or city general plan and county or city ordinance be a condition for county or city approval of the final subdivision map?  
\_\_\_\_\_ Yes \_\_\_\_\_ No (if not, this may be made a condition of the Timberland Conversion Permit.)
5. Provide a copy of proposed general development plan and indicate plan is included by marking an "X" here: \_\_\_\_\_

### RECREATION

The following additional information is needed for lands to be devoted to recreational development:

1. Provide evidence of county or district zoning and approval with this plan, and list copies of document(s) submitted herewith showing such approval:
  - a. Del Norte County Supervisors Tentative Approval of Immediate TPZ Rezone
  - b. CEQA Negative Declaration prepared by Del Norte County
  - c. Application to County from Smith River Alliance, including project description, RPF Analysis and Traffic Analysis
2. Are documents attached with this conversion plan:  X  Yes \_\_\_\_\_ No
3. Does your plan comply with local health and sanitation requirements and have approval?  X  Yes \_\_\_\_\_ No. If yes, by which local governing authority?  
 Del Norte County
4. Will your plan meet county road standards and have county approval of the roads?  
 X  Yes \_\_\_\_\_ No
5. Provide copy of development plan and indicate plan is included by marking an "X" here:  Not applicable. There is no new development. The existing uses (recreation and education camp) will continue as they have been operating.

### WATER DEVELOPMENT PROJECTS

The following additional information is needed for lands to be devoted to reservoirs or other water development projects:

1. Is the reservoir to be built and operated for private use or by a government agency?  
\_\_\_\_\_
2. If for a public agency, show name of agency: \_\_\_\_\_
3. If privately owned and operated, do you have a permit, certificate, or similar document(s) from the State (California) Department of Water Resources?  
\_\_\_\_\_ Yes \_\_\_\_\_ No
4. Is a reservoir to be built under the Agricultural Conservation program?  
\_\_\_\_\_ Yes \_\_\_\_\_ No. If so, have you filed the application? \_\_\_\_\_ Yes \_\_\_\_\_ No  
  
Attach copy of application, document of approval, or copy of evidence of professional planning and design and indicate it is attached by marking an "X" here: \_\_\_\_\_
5. Provide a map showing the high water line in relation to your property and indicate map is included by marking an "X" here: \_\_\_\_\_
6. Is a permit to appropriate water required from the State Water Resources Control Board? \_\_\_\_\_ Yes \_\_\_\_\_ No
7. If 6 above is "Yes", has application been made? \_\_\_\_\_ Yes \_\_\_\_\_ No
8. If 7 above is "Yes", give date of application: \_\_\_\_\_

### MINING

The following information is needed for lands to be devoted to mining purposes:

1. Describe kind of material that will be mined or removed: \_\_\_\_\_  
\_\_\_\_\_
2. Has an assay or feasibility report been made to determine the quality and the economics of the venture? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, summarize findings: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Describe the nature and extent, if necessary, of surface disturbance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Provide map of proposed development and indicate map is included by marking an "X" here: \_\_\_\_\_
5. Is a county approved reclamation plan required by the Surface Mining and Reclamation Act and county ordinance for this mine? \_\_\_\_\_ Yes \_\_\_\_\_ No
6. If 5 above is "Yes", has the county approved a Reclamation Plan for the mine? \_\_\_\_\_ Yes \_\_\_\_\_ No (If No, issuance of the conversion permit may be delayed until the county approves the reclamation plan.)

OTHER

Complete applicable detail for intended conversion purpose:

1. Describe soils. Give soil series if known: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Describe any cultural practices to be followed for soil and vegetation management:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Describe any water development: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Describe other management practices intended to maintain the converted use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Provide other pertinent information – attach separate sheets if necessary: \_\_\_\_\_

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