

From: Lennie Roberts <lennie@darwin.ptvy.ca.us>
To: Janneth Lujan <JLujan@smcgov.org>, Melissa Ross <mross@smcgov.org>, Stev...
Date: 5/12/2015 12:34 PM
Subject: PC Agenda Item 3: PLN2014-00459
Attachments: CGF PC Stoddard Trust TPZ.doc

Hi Janneth, Melissa and Steve,

Please see attached my letter on behalf of Committee for Green Foothills for tomorrow's Planning Commission meeting.

Could you be sure that the Planning Commission members receive it?

Thanks very much.

Lennie Roberts



May 12, 2015

Steve Dworetzky and Members
San Mateo County Planning Commission
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Item #3 on the May 13, 2015 Agenda: General Plan Map Amendment from Open Space to Timber Production, and Rezoning from Resource Management (RM) to Timberland Preserve Zone (TPZ), PLN2014-00459, APN 085-170-010

Dear Chair Dworetzky and Planning Commissioners,

On behalf of Committee for Green Foothills (CGF) I request that you continue consideration of this item until the following outstanding questions and issues are resolved:

1. In order to make Finding #2, regarding the General Plan Conformity, a map showing the subject parcel and its relationship to surrounding land uses and (General Plan and Zoning) designations is required. There is no map provided that complies with this requirement.

2. There is insufficient information and analysis as to the proposed rezoning's conformity with Zoning Regulations Section 6721, which requires the following:

- (a) A map showing all permanent roads, improvements, and developments, and approximate location of vegetation type boundaries if vegetation other than timberland is present. There is no map provided that complies with this requirement.
- (b) A timber management plan that must be prepared ... by a registered professional forester. There is no current timber management plan. A Nonindustrial Timber Management Plan (NTMP) for this property was submitted to CALFIRE in 2010, but was never approved. The Pre-Harvest Inspection Team comprised of representatives from CALFIRE, California Geological Survey, and California Department of Fish and Game, found numerous inconsistencies between the written plan and what was observed in the field. Gary Paul and Christopher Hipkin, the two Registered Professional Foresters (RPFs) for this NTMP, were sent a memo from CALFIRE dated September 2, 2010, detailing how the NTMP was not in conformance with the Forest Practice Act and Rules, and recommending that the plan be denied unless the RPFs withdrew it and resubmitted it. There was no action in response by the RPFs and on March 30, 2011, CALFIRE sent another letter to the RPFs reminding them that the Department still had not received a response regarding the questions and recommendations of CALFIRE, California Geological Survey, and Department of Fish and Game. The application was withdrawn by letter from the landowner on June 10, 2014. The Staff Report, at the bottom of page 1, states: "the landowner has... signed a contract for future timber harvesting with a local timber operator in anticipation of a future timber harvest plan submittal". This does not satisfy the requirement for a timber management plan.

3. The Staff Report recommends non-renewal of the Williamson Act Contract, which leaves the Contract in partial (diminishing) effect for nine years. Instead of allowing the Williamson Act contract to non-renew, the County should cancel the contract at the same time the rezoning to TPZ becomes effective. The TPZ gives similar tax breaks as the Williamson Act and there is no need for duplicative tax benefit provisions on a single property. The County has already established a similar procedure to replace a Williamson Act Contract with a Conservation Easement on at least two other properties (Michael Forde on Irish Ridge, and Michael and Marjerie McCracken near La Honda).

Finally, CGF questions whether this property qualifies for the Board of Supervisors decision to waive permit fees for General Plan and Rezoning amendments for this property. The Board directed that the two non-compliant Williamson Act properties that were identified as “having a valid Williamson Act contract and has been harvested pursuant to a Timber Harvest Plan or a Non-Industrial Timber Management Plan” (Staff Report for the Board of Supervisors meeting of March 25, 2014) would have fees waived. This property has not been harvested pursuant to a NTMP, as detailed above.

Thank you for consideration of these comments.

Sincerely,

A handwritten signature in cursive script that reads "Lennie Roberts".

Lennie Roberts, Legislative Advocate