

Memorandum

Ken Delfino, Chief
Forest and Range Management

Date: January 18, 1982

R-7

Telephone: ATSS ()
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From : Department of Forestry

Subject: 5140 TIMBERLAND CONVERSION
AB 1111 Review, Board of Forestry
Conversion Regulations
14 CAC 1103.7 (Coastal Zone Conversions)

The AB 1111 review has resulted in a recommendation for substantial amendment of the subject section (beginning on page 19 of the review). This section, at times in the past, has been somewhat sensitive and controversial. Therefore, it seemed advisable to briefly point out and explain the reasons for the recommended changes.

The existing regulation for coastal zone conversion for other than forest product processing plants set certain conditions. These conditions include limiting the conversion to 15 acres and more than 500 feet from any timberland preserve zone. The governing statute in the Coastal Conservation Act (PRC 30243) limits coastal conversion for other than forest product facilities only to areas of less than a "unit of commercial size" (of timberland).

Consequently, authority is lacking for the limits of area and distance in the existing Board of Forestry regulation. In addition, the present regulation results in a problem, and ambiguity of law and regulation where the conversion area is larger than 15 acres but smaller than the "unit of commercial size" or zoned as other than coastal commercial timberland, as determined by the regional coastal commission or specified in the local certified coastal plan.

The recommended staff proposal would resolve this problem by replacing the 15 acres and 500 feet with the following conditions:

- 1) The conversion area shall not be within an economic size unit as determined by the coastal commission or its successors; and
- 2) The conversion permit shall be conditioned upon issuance of a Coastal Development Permit; and
- 3) The conversion shall not be for uses that would have substantial adverse impacts on coastal resources as judged by the Director or the Board of Forestry upon appeal.

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