

# ATTACHMENT L

## MARTIS VALLEY WEST PARCEL REPORT PERTAINING TO WITHDRAWAL FROM TIMBER PRODUCTION ZONE

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## PURPOSE AND NEED

The immediate rezone subject to this report is one element of a comprehensive planning framework, the Martis Valley West Parcel Specific Plan (MVWPSP), that addresses proposed land use for 7,428 acres located between the Town of Truckee and north shore of Lake Tahoe in Placer County. The proposed MVWPSP has two components: the West Parcel (1,052 acres) and the East Parcel (6,376 acres), both privately owned by Sierra Pacific Industries. The MVWPSP is a conceptual plan to develop residential and commercial uses on a portion of the West Parcel and to place the East Parcel in permanent conservation.

The majority of the 6,376-acre East Parcel is designated Forest and zoned TPZ. Approximately 670 acres, however, are designated Low Density Residential and General Commercial and zoned Single-Family Residential and Neighborhood Commercial. This zoning allows for development of up to 1,360 dwelling units and 6.6 acres of commercial. The MVWPSP proposes the transfer of 760 units and 6.6 acres of commercial from the allowable development on the East Parcel to the West Parcel, which would be partially rezoned from Timber Production Zone to Residential and Neighborhood Commercial. This rezone would allow for the development of residential units and associated commercial, homeowner amenities, and small community retail uses. A total of 662 acres of the West parcel would be withdrawn from TPZ.

The MVWPSP also proposes the permanent retirement of 600 allowable units and redesignation of the 670 acres of the East Parcel currently zoned for development to Forest, with placement of the 670 acres into TPZ. At such time, the entire East Parcel would be TPZ. A conservation easement would be placed over the entire 6,376-acre East Parcel, or it would be sold fee simple to a land trust for permanent conservation. As a result, no development would occur on the East Parcel. Exhibit A shows the general vicinity of the West and East Parcels.

The rezoning of a portion of the West Parcel from TPZ was analyzed in the Martis Valley West Parcel Draft Environmental Impact Report (DEIR). No changes to the conclusions of the Draft EIR resulted from responses to public comments regarding the immediate rezone from TPZ.

As per PRC 4621.2(a), If the timberlands which are to be devoted to uses other than the growing of timber are zoned as timberland production zones under Section 51112 or 51113 of the Government Code, the application shall specify the proposed alternate use and shall include information the board determines necessary to evaluate the proposed alternate use. The board shall approve the application for conversion only if the board makes written findings specific to the existence of multiple factors. This report provides the evidentiary support for the required findings.

SITE SPECIFIC INFORMATION REGARDING THE QUALITY OF TIMBERLAND  
BEING REMOVED FROM TPZ AND THAT WHICH IS BEING ADDED TO TPZ AS  
REPLACEMENT

The West parcel contains both Sierra Mixed Conifer and White fir/Red fir stands at elevations ranging from 6,600' to 7,800' above sea level. Site classification across the parcel is Site Class III. Stand densities range from 150 ft<sup>2</sup>/acre to 180 ft<sup>2</sup>/acre, with a species composition of 62% White fir, 21% Red fir, and 17% Jeffrey pine. Conifer regeneration is generally composed of Red fir and White fir, with nominal presence of Jeffrey pine. Soils are dominated by the Jorge and Tahoma families on slopes ranging from 5% to 45%. Prior harvests have reduced insect and disease infected trees, and maintained stand densities that support increased overall stand vigor.

The East parcel contains very similar site, soils, stand types, and densities. Sierra Mixed Conifer and White fir/Red fir stand types exist at average stand densities of 130 ft<sup>2</sup>/acre to 180 ft<sup>2</sup>/acre, with a species composition of 44% White fir, 30% Jeffrey Pine, and 26% Red fir. Elevations range from 6,200' to 7,200 feet above sea level. Site classification across the parcel is Site Class III. The major soil types present are of the Jorge, Tahoma, and Fugawee families, on slopes ranging from 15% to 32%. Prior harvests in 2004 and 2013 reduced insect and disease infected trees, and maintained stand densities that hastened tree growth. The East parcel contains all necessary infrastructure to support forest management, including ample landings, established skid trails, and legal access to the parcel. A well designed system of seasonal dirt roads is also present within the parcel to facilitate forest management.

## REGULATORY SETTING

### STATE

Public Resource Code 4621.2(a):

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

Withdrawal of the West Parcel from Timberland Production Zoning (TPZ) would provide both environmental and economic benefits for the public. Rezone of the West Parcel would allow for the East Parcel to be placed back into TPZ, so there would be an 8 acre increase in lands zoned TPZ in the Martis Valley. This action would create 6,376 acres east of Highway 267 that would be preserved, which is nearly 25% of the total Martis Valley acreage in Placer County. A conservation easement will be placed upon the entire East Parcel, or will be sold fee simple to a land trust, wherein no development will be allowed.

Further, placement of the East Parcel back into TPZ will permanently retire 600 allowable residential units, thereby reducing overall residential density of the area, and providing increased spatial continuity of the preserved lands within the East Parcel.

Rezone of a portion of the West Parcel from TPZ will also allow 390 acres of the parcel to remain designated Forest, providing public benefit to aesthetic, recreation, and environmental resources.

Partial rezone of the West Parcel from TPZ to Residential and Neighborhood Commercial will also provide benefit to the local tax base through increased property and business tax revenue generated within the new development.

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

Lands located to the west, north, and south will remain zoned TPZ and designated as Forest . No development of these lands is contemplated. The land uses proposed for the rezone area are compatible with the zoning of surrounding lands as the rezone will not interfere with the growing and harvesting of timber as permitted within the TPZ zoning. Surrounding land uses and zoning have been indicated on Exhibit C.

***(3) The soils, slopes, and watershed conditions would be suitable for the uses proposed if the conversion were approved.***

Soils: The project Environmental Impact Report identified 4 potential impacts regarding soils and geology as related to the proposed development of the West parcel: 1) Potential for Substantial Soil Erosion; 2) Risk to Life or Property Through Exposure to Expansive Soils or Unstable Soils; 3) Risk to people and Structures During a Seismic Event, Fault Rupture, or Seismic Shaking; 4) Risk of Exposure to Avalanche; and 5) Cumulative Impacts.

Each of the aforementioned impacts has been appropriately mitigated to a level of Less Than Significant through the application of the MVWPSP Development Standards and Design Guidelines, the MVWPSP (specific policies ER-AG1 – ER-AG4 pertain to soils and geology), compliance with the Lahontan Regional Water Quality Control Board permit conditions, and compliance with Placer County permits, including Improvement Plans, Grading Permit, and required geotechnical reports and/or soil assessment provided by the design engineer. Compliance with all MVWPSP policies would a required condition for the permitting of any project within the MVWPSP project area. Compliance with these State and Local regulatory mechanisms will ensure potential adverse soil impacts are appropriately mitigated, thereby ensuring suitability of the site for the stated conversion use.

The Martis Creek Watershed provides the cumulative context for geologic and soil resources associated with the proposed conversion. Primary land uses have shifted toward recreation and community development during the last 50 years, brining an increase in the area of permanent land disturbance. However, the watershed remains dominated by open space land uses.

The project EIR considers eight other current projects within the Martis Creek Watershed in regards to cumulative impacts. As would happen with the development of the West Parcel, each of the other aforementioned cumulative projects would be subject to the same regulatory measures and permit conditions that require the stabilization and revegetation of disturbed areas, erosion control features, and water quality BMPs. In addition, the Placer County Truckee River Stormwater Management Plan requires long-term erosion control, effective BMPs, and BMP maintenance. Also, the placement of the East Parcel (which composes one-quarter of the Martis Creek watershed land area) into a conservation easement or sale to a Land Trust would ensure that soil and geologic resources are further protected from development. Compliance with the protective provisions of existing regulations and permit conditions and inclusion of land conservation measures in this and other projects would minimize erosion

and its adverse consequences so that the MVWPSP would not result in a cumulatively considerable contribution to a cumulative impact.

***(b) The existence of an opportunity for an alternative use of the land shall not alone be sufficient reason for conditionally approving an application for conversion. Conversion 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.***

Lands west and northwest of the proposed rezone area are designated Forest and zoned TPZ. These lands are held by Trimont Land Company as part of the overall Northstar California ski resort. These lands are unavailable for residential and neighborhood commercial uses as per local zoning ordinance and the Northstar At Tahoe Habitat Management Plan. Lands to the south and southeast of the West parcel fall within the Tahoe Basin, and are also unavailable to residential and neighborhood commercial uses.

***(c) The uneconomic character of the existing use shall not be sufficient reason for the conditional approval of conversion. 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.***

The sale of conifer sawlogs and woods-produced tree chips are the two primary wood products that could be received from the West parcel. Purchasing mills for sawlogs could be Sierra Pacific Industries in Lincoln or Quincy. The lone biomass energy plant available for the purchase of tree chips is near Honey Lake in Lassen County. The transportation of tree chips to Lassen County is greater than the value of that product, creating a negative benefit to cost ratio for chips. The market value of sawlogs is variable, and in recent years, heavily influenced by an excess of fire damaged "salvage" logs flooding the market from the California King and Butte fires, and similar large scale fires in Washington. Until the market can clear the significant salvage inventory, prices for other green timber can be expected to remain suppressed. Additionally, log haul costs for conifer sawlogs from the West parcel to Lincoln or Quincy greatly affects the economic return from the sawlogs. This circumstance compounds the negative benefit/cost ratio of chips, as the value of the

logs, minus trucking costs, does not leave enough profit for which to levy the cost of chip production and transport against.

However, during periods of stronger sawlog market conditions, the economic feasibility of sawlog sale increases, though marginal. For this reason, the existing use of the West parcel cannot be considered to be entirely uneconomic. However, it does give rise to the question of whether timber production is the highest and best use of the West parcel, as the variables that adversely affect the economics of forest management can reasonably be expected to continue.

#### PLACER COUNTY

Placer County Code article 17.16.010 Timberland production (TPZ):

Under Placer County Code, certain findings must be adopted when the County approves immediate rezoning of a parcel in the TPZ district (Placer County Code, § 17.16.010(C)(4)). The required findings are set forth at Government Code sections 511030-51134 (addressed above). The required findings, and the evidence in support of these findings, are as follows:

***(1) "Immediate rezoning is not inconsistent with the purposes of subdivision (j) of Section 3 of Article XIII of the California Constitution and of this chapter." (Gov.Code, §§ 51133, subd. (a)(2), 51134, subd. (a)(4)).***

The purposes of the California Timberland Productivity Act of 1982 are to: "(1) Maintain the optimum amount of the limited supply of timberland to ensure its current and continued availability for the growing and harvesting of timber and compatible uses, (2) Discourage premature or unnecessary conversion of timberland to urban and other uses, (3) Discourage expansion of urban services into timberland, and (4) Encourage investment in timberlands based on reasonable expectation of harvest." (Gov.Code, §51102, subd.(a).)

When considered with the East parcel zoning, the application for immediate rezone for the West parcel is not inconsistent with these purposes. Placing 670 acres of the East parcel back into TPZ would create a contiguous 6,376 acre expanse of TPZ lands devoted entirely to forest management and related compatible uses. The extensive spatial arrangement of the East parcel supports an increased economy of scale in regards to forest management on the subject timberlands. Further, lands withdrawn from TPZ within the West parcel would be converted for the use of single family residential and neighborhood commercial

uses, of which there is substantial demand for within the Martis Valley. The balance of enhancing the TPZ lands within the East parcel, while providing for the residential demands of the area within the West parcel, is the result of lengthy and deliberate consideration, design, and mitigation that is neither premature nor unnecessary in nature.

As part of this rezone application, the project proponent proposes to rezone 670 acres of the East parcel from Single-Family Residential and Neighborhood Commercial to TPZ. The location of this land is shown on Exhibit B. Tree density and species composition within the East parcel is comparable to that being rezoned in the West parcel, as described above.

Under the Placer County Zoning Ordinance, land to be placed in TPZ must meet the following requirements (see Placer County Code X 17.16.010(C)(1)-(C)(2)):

***(1) The application must include a map showing the legal description or APN of the land.***

This information has been attached to this report.

***(2) A forest management plan must be prepared or approved by an RPF setting forth the information required by Placer County Code sections 17.16.010(C)(1)(b)(i)-(viii).***

A forest management plan for the lands to be rezoned TPZ has been submitted to the Placer County.

***(3) The land to be rezoned TPZ must be of site quality class V or higher.***

As described in the Forest Management Plan for the East Parcel, the Site Classification is Class III, which exceeds the minimum standards of this requirement.

***(4) The site must comply with applicable timber stocking standards and forest practice rules.***

The project proponent will require all land zoned TPZ to comply with the applicable stocking standards of the California Forest Practice Rules.

***(5) The property owner must execute an agreement stating the property will meet applicable timber stocking standards and forest practice rules.***

The property owner will execute an agreement stating the property will meet applicable timber stocking standards and forest practice rules.

**(6) The Board of Supervisors must approve the forest management plan.**

The Forest Management Plan for the East Parcel will be presented to the Placer County Board of Supervisors for its approval.

MARTIS VALLEY COMMUNITY PLAN

Implementation Program 20 of the Natural Resources section of the Martis Valley Community Plan (MVCP) states:

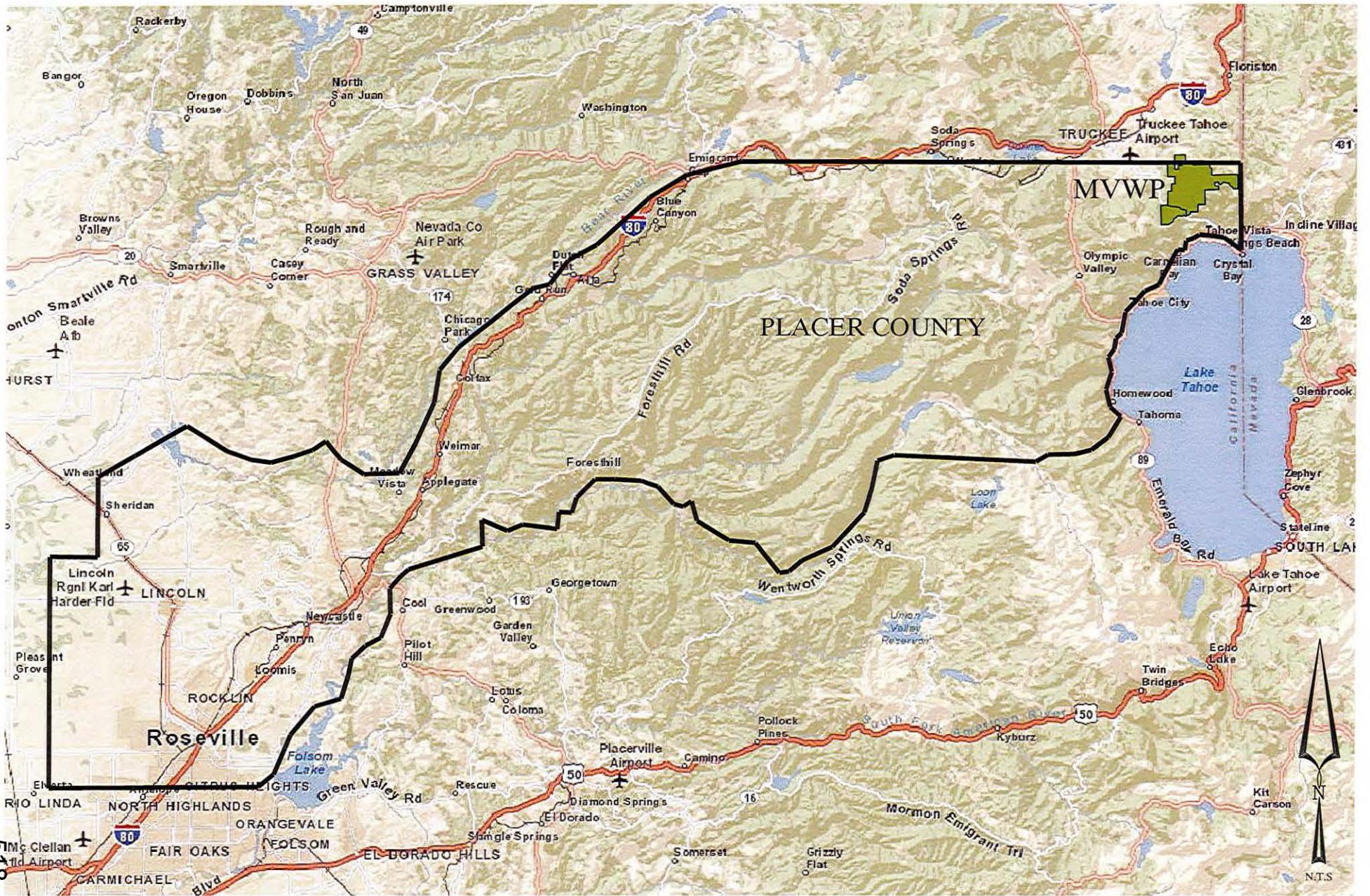
***“Maintain large parcel zoning to protect timber producing lands and large unfragmented areas of the coniferous forest environment.” (MVCP, p. 126)***

The immediate rezone of the West parcel would not alone fulfill this implementation program. However, when considered with the rezone of the 670 acres within the East parcel to TPZ, the rezone request is not inconsistent with this program. Rezone of the West parcel will not result in an island of non-timber uses in the matrix of a larger area zoned TPZ. The conversion of the West parcel will not prevent the continued growing and harvesting of forest products, public and commercial recreational uses of the surrounding parcel zoned TPZ. Further, the rezone of the East parcel will directly comply with the objective of this program, as it will place 6,376 contiguous acres of coniferous forest into TPZ, thereby ensuring the preservation of the coniferous forest environment in that area.

## Conclusion

Withdrawal of 662 acres of the West parcel will create a net increase of 8 acres of TPZ within the Martis Valley. The remaining 390 acres of the parcel would remain designated forest, providing the public with the associated aesthetic, recreational, and environmental benefits. Placement of 670 acres of the East Parcel back into TPZ with permanent retirement of 600 allowable units would reduce potential residential density of Martis Valley. Further, tax revenue generated from the new development of the West parcel can be expected to provide for public benefit in the form of revenue for public expenditures.

While no proximate suitable land exists to accommodate the proposed conversion, the site conditions of the 662 acre rezone area have been found to support the new development. As mitigated, the TPZ withdrawal of the West parcel, when considered with the rezone of the East parcel to TPZ, is consistent with the California Timberland Productivity Act of 1982, and will not interfere with growing and harvesting of timber on adjacent TPZ lands. This cumulative information provides the evidentiary support for the findings required for approval of the subject conversion by State and local agencies.





# Martis Valley Community Plan 2003



**ZORJRG**

Adopted by the B.O.S. Dec. 16th, 2003

## Legend:

### ZONE DISTRICTS:

- AP Airport
- C1 Neighborhood Commercial
- C2 General Commercial
- F Farm
- Forestry
- O Open Space
- OP Office and Professional
- RF Forest Residential
- RM Multi-Family Residential
- RS Single-Family Residential
- TPZ Timberland Production

### COMBINING DISTRICTS:

- AG Agriculture
- B Building Site
- UP Conditional Use Permit Required
- Ds Design Review
- DR Development Reserve
- PD Planned Residential Development

