



GUALALA MUNICIPAL ADVISORY COUNCIL

POST OFFICE BOX 67, GUALALA, CALIFORNIA 95445

July 17, 2007

Rick Miller, Senior Planner
Department of Planning and Building Services
790 S. Franklin
Ft. Bragg, CA 95437
VIA FACSIMILE 961-2427

Dear Mr. Miller,

At our most recent Gualala Municipal Advisory Council (GMAC) meeting held on July 12, 2007, we listened to a presentation from Planning Commissioner Britt Bailey regarding the zoning for the land underlying the proposed Timber Harvest Plan 1-07-067-MEN (known as the Robinson Terrace THP) that has been submitted for second review to California Department of Forestry & Fire Protection (CAL FIRE). The proposed THP proposes 37 acres of clearcut timber harvesting and 37 acres of selective cut timber harvesting on land that is zoned Remote Residential Forty Acre Minimum (RMR 40) and Gualala Planned Development (GPD). GMAC also heard comment from numerous members of the public, as well as from the applicant, John Bower in the two hour long discussion concerning this particular agenda item.

If the THP was proposed for an area that was zoned as a working forest or was located far from the Gualala "downtown" area, GMAC would most likely not have held a public forum on the proposal. However, the Mendocino County Coastal Zoning Code specifically calls for comprehensive two-stage planning before any development occurs at both an overall strategic plan and in a detailed precise plan in the GPD. See Gualala Town Plan G3.3-5, at page 291. (For your ease of reference I include the pertinent pages of the Gualala Town Plan that I cite.) The GPD process "allows for community review and participation." *Id.* GPD lands are "reserved for expansion of commercial and residential uses in Gualala." G3.3-6 at page 291.

Fifty percent of GPD lands must be dedicated to residential uses (Mendocino County Zoning Code Sections 20.407.025), with a minimum ten percent (and not to exceed twenty percent) of the lot area reserved for visitor-serving facilities (Section 20.407.030), and a minimum ten percent of the total lot area consisting of usable activity space (Section 20.404.040). The particular terms of the GPD are codified at Chapter 20.407 of the Zoning Code and the terms governing the Remote Residential District are codified at Chapter 20.380. I include copies of these Chapters for your information as well.

Additionally, development in the GPD must have provisions for retaining mature trees (G3.4-24 at page 294), protecting environmental resources (such as China Gulch and Robinson Gulch), and protecting natural features (including coastal views, wetlands, and stream corridors) (G3.4-1 at page 291 and G3.4-2 at page 292).

Similarly, if the proposed THP was not requesting to clear cut 34 acres (10 acres of which are within the GPD), GMAC would most likely not have made comment on the matter whatsoever. However, the Gualala Town Plan specifically states, "Mature trees are an essential element of the Gualala landscape and can take years to reestablish once removed from a site. Existing groves of trees should be retained and integrated with site development plans, with consideration given to public safety. Trees to be saved shall be noted on site plans and appropriate measures shall be identified to protect the trees during construction activities." G3.4.-24 at page 294. The Plan further states, "Existing groves of trees should be retained and integrated with street landscaping plans, with consideration given to public safety. G3.4-28 at page 295.

Some members of the public and the Council expressed concern that the clear cut areas might be the location of future development and thus short circuit the requirement for the comprehensive two-stage planning expressly required by the GPD. Mr. Bower testified that he has no plans to develop the parcel at this time. Additionally, if there is a conflict between GTP and this THP, it was unclear to those assembled what takes precedence over the other: the Gualala Town Plan's requirement for the retention of mature trees or a Timber Harvest Plan.

Given the time constraints for public comment, GMAC voted 4-3 to write a letter to the Department of Planning and Building Services to draw attention to the specific parts of the Gualala Town Plan that may be in conflict with the proposed THP with copies to our Supervisor David Colfax, and the agency charged with approving the THP. I also include with this letter pages 316 through 319 of the Gualala Town Plan which describe the components of the GPD as a Land Use Classification.

By the way, John Williams, the forester working on the proposed THP for the Bower Limited Partnership, will, in fact, address the specifics of the proposed THP at GMAC's next regularly scheduled meeting on August 2, 2007, at 6:30 p.m. With this letter, I extend an invitation to you to come and listen to this presentation should you have time to do so.

Sincerely,

Velina C. Underwood, Chair
Gualala Municipal Advisory Council

cc: David Colfax, Supervisor, Fifth District Board of Supervisors
Leslie Markham, California Department of Forestry & Fire Protection
John Bower, Bower Limited Partnership
John Williams, Environmental Resource Solutions, Inc.
Planning Commissioner Britt Bailey