

Central Coast Forest Association

Protecting our land and our rights

August 31, 2004

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95061

Directors

Robert Briggs
Joseph Burch
Charles Burton
Richard Burton
Barbara McCrary
Cate Moore
Eric Moore
Gerald Nelson
David Smelt
Peter Twiact

Subject: Unlawful inclusion of TPZ lands as dumpsite candidates.

In reviewing the list of proposed Santa Cruz County dumpsite locations we find that nearly three-quarters of the proposed parcels are forestlands zoned timberland production (TPZ). Considering the preponderance of other, more suitable locations in the county, we wonder why (contrary to State law) timberland has been thusly singled out as the preferred venue to dump the County's trash.

In considering these sites, the County is ignoring the California State Z'Berg-Nejedly Forest Practice Act. Converting timberlands zoned TPZ to a dumpsite would clearly violate the following provisions of the State law.

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 that all of the following exist:

- (1) The conversion would be in the public interest.
 - (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.
 - (3) The soils, slopes, and watershed conditions would be suitable for the uses proposed if the conversion were approved.
- (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.

Plainly, a dumpsite fails to meet the above, State mandated criteria. There is no way in which a landfill is compatible with the growing and harvesting of timber. Further, a landfill is patently unsuitable to the soils, slopes, and watershed conditions of most forested ecosystems in Santa Cruz County.

We respectfully request that all sites zoned TPZ be removed from further consideration as dumpsites. We have asked our attorneys to investigate this proposed illegal use of forestland and the Central Coast Forest Association will aggressively oppose any and all illegal attempts to convert timberlands in Santa Cruz County to a dumpsite.

Sincerely,

Peter Twight
President, CCFA

cc: **Thomas L. Bolich, Director of Public Works, County of Santa Cruz**
R. Patrick Matthews, Solid Waste and Recycling manager, County of Santa Cruz