

Plan Alternatives – Key Issues and Comparison

Section 4.7 Public Lands

Summary of Key Issues and Review of Alternatives

Section 4.7 Public Lands				
Key Topics and Issues	Plan Update Approach (Alternative B)	Existing Framework Plan (Alternative D)	Alternative A	Alternative C
<p>Influencing Public Land Management and Acquisition. A significant portion of county lands are in public ownership. The County does not have regulatory control over land management by other agencies but can influence decisions. State and federal land acquisitions can have a significant affect on open space, economic growth, job creation, tax revenue and adjacent communities.</p> <p>What influence should the County exert on State and federal land management and acquisition decisions?</p>	<p>Encourages land management agencies to prepare management plans that are consistent with this Plan (PL-P1), and requires the use of this Plan in the review of public land plans (PL-P9). Support for acquisition of public lands only from willing sellers (PL-P3), discourages acquisition and conversion of resource lands (PL-P4), and limits the use of eminent domain as a means of County land acquisition (PL-P5).</p>	<p>Similar to Alternative B, with the exception of the proposed new policy requiring this General Plan to be used as the basis for comment on public land plans (PL-P9).</p>	<p>Same as Alternative B.</p>	<p>Same as Alternative D.</p>

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Under what conditions would the use of eminent domain be appropriate?				
<p>Coordination Between Land Management Agencies. The County has the opportunity to comment on proposed State and federal land actions through environmental documents, proposed legislation, and rulemaking. The County can also encourage coordination by participating with agencies in forums of common interest.</p> <p>How should County land use policy be coordinated with other agencies' management plans and doctrines?</p>	Facilitates coordination between land management agencies by encouraging public agencies to prepare land management plans that are consistent with this Plan (PL-P1) as well as by reviewing proposed developments for consistency with specific public land management plans (PL-P2). The proposed Plan carries forward policies allowing the development of privately held lands designated "P," encourages the provisions of access to public lands (PL-P7-8), and has broadened project review to include consistency with applicable land management plans (PL-P6).	Similar to Alternative B. Broadens engagement with agencies beyond Planning Commission (PL-P1 - 2543.3).	Same as Alternative B.	Does not require consistency between development adjacent to public lands and public land management plans and limits the requirements for providing public land access (PL-P6).

Plan Alternatives Comparison Chart

Plan Alternative				Section 4.7 Public Lands	Staff Remarks/ Implementation	Position R,M,D
				4.7.3 Goals		
A	B	C		PL-G1. Encourage Coordination Coordinated Planning. Coordinated planning of public land uses and management between the County of Humboldt and federal and state agencies.		M
				COMMENTS: 6-17-10: The revision was accepted unanimously by a vote of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith).		
			D	2542. To encourage coordinated planning between the County of Humboldt and Federal and State agencies.		D
A	B	C		PL-G2. Public Land Acquisition. Representation of the interests of Humboldt County fully reflected in public land management plans and acquisitions.		R
				COMMENTS: 6-17-10: unanimous vote of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith).		
A	B	C		PL-G3. Working Lands. Resource lands in public ownership managed for resource production purposes when compatible with conservation and recreation goals.		R
				COMMENTS: 6-17-10: unanimous support of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith).		
				4.7.3 Policies		

Plan Alternative			Section 4.7 Public Lands	Staff Remarks/ Implementation	Position R,M,D
A	B	C	<p>PL-P1. Management Plans. Encourage applicable public land agencies to prepare management plans that:</p> <ul style="list-style-type: none"> A. Ensure consistency with the General Plan. B. Promote and protect adjacent private resource production lands. C. Effectively utilize the multiple-use concept. D. Emphasize the provision of low-cost recreational opportunities, provided such opportunities do not unfairly compete with private enterprise. E. Place priority on development and maintenance of facilities over future acquisition. F. Maximize local employment. 	Iss, Prog	R
			<p>COMMENTS: 6-17-10: unanimous support of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith)</p>		

Plan Alternative				Section 4.7 Public Lands	Staff Remarks/ Implementation	Position R,M,D
			D	<p>2543.3. The Planning Commission should encourage applicable public land agencies that prepare management plans to:</p> <ul style="list-style-type: none"> A. Ensure consistency with the General Plan. B. Promote and protect adjacent private resource production lands. C. Effectively utilize the multiple use concept. D. Emphasize the provision of low cost recreational opportunities, provided such opportunities do not compete with private enterprise. E. Place priority on development and maintenance of facilities over future acquisition. F. Maximize local employment. 	Restricted to Planning Commission	D
A	B			<p>PL-P2. In-holdings. Ensure the use of private lands (in-holdings) within the management boundaries of the Six Rivers National Forest and the King Range National Conservation is consistent with the applicable public land agency's management plan.</p>	QJ, Min	Split vote 3-3
				<p>COMMENTS: 6-17-10: Commissioners Faust, Gearheart and Emad support the language as written. Commissioners Smith, Nelson and Mayo request to delete the policy.</p>		

Plan Alternative			Section 4.7 Public Lands	Staff Remarks/ Implementation	Position R, M, D
A	B	C	<p>PL-P3. Acquisitions. Full-fee acquisitions, <u>other than eminent domain</u>, should only be supported by the County where the acquisition:</p> <ul style="list-style-type: none"> A. Is a part of an adopted management plan; and B. Is within the management boundaries of the public lands, or is for the consolidation of management units; and C. Is made from willing sellers; and D. Is the last option after discussion with the property owner of all less than full fee alternatives, such as, easements and acquisition of development rights. <p><u>E. Is consistent with the agricultural “No Net Loss” policy.</u></p>	Iss, Prog	M
			<p>COMMENTS: 6-24-10: The revision was accepted unanimously by a vote of 6-0 (Faust, Mayo, Gearheart, Krebs, Nelson and Smith).</p>		
		D	<p>2543.4. Full fee acquisitions should only be supported by the County where the acquisition:</p> <ul style="list-style-type: none"> A. Is a part of an adopted management plan; and B. is within the management boundaries of the public lands, or is for the consolidation of management units; and C. is made from willing sellers; and D. is the last option after discussion with the property owner of all less than full fee alternatives. 		D

Plan Alternative				Section 4.7 Public Lands	Staff Remarks/ Implementation	Position R,M,D
A	B			PL-P4. Resource Production Lands. Discourage acquisition and conversion of resource production lands to other uses. Encourage lease-back options and deed requirements for continued agricultural and timber operations.	Iss, Prog	R
				COMMENTS: 6-17-10: unanimous support of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith).		
			D	2543.5. Discourage acquisition and conversion of resource production lands to other uses.		D
A	B	C	D	PL-P5. Eminent Domain. The County shall not support <u>State or federal</u> acquisitions through eminent domain, unless it is found to be: <ul style="list-style-type: none"> a. The last option after the opportunity for mutual agreement has been exhausted; or <u>and</u> b. In the interest of public health, safety, and welfare; or c. Required to protect public rights; or d. Necessary to national security. <p>B.</p>	Iss, Prog Framework Plan 2543.6.	M Split Vote 5-1
				COMMENTS: 6-24-10: The revision was accepted by Commissioners Smith, Krebs, Nelson, Mayo and Gearheart agreed. Commissioner Faust could not support with subsection A included. 5/1		
A	B			PL-P6. Planning Adjacent to Public Lands. Land use planning and discretionary review of permit and subdivision applications adjacent to public lands shall consider impacts to public lands and consistency with applicable management plans.	Leg, QJ, Min	R
				COMMENTS: 6-17-10: unanimous support of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith).		

Plan Alternative				Section 4.7 Public Lands	Staff Remarks/ Implementation	Position R,M,D
A	B			<p>PL-P7. Public Access. Encourage the provision of the maximum amount of access to public lands and waterways, accommodating multiple modes of access, consistent with:</p> <ul style="list-style-type: none"> A. Public safety; B. Consideration of nearby access alternatives; C. Rights of private property owners; D. Natural resource protection; and, E. Subdivision Map Act requirements for access to navigable waterways; and, F. <u>Special needs of handicap and elderly persons.</u> 	Prog	M Split vote 3-3
				<p>COMMENTS: 6-24-10: Commissioner Gearheart, Faust, and Kreb supported the revision of P7 noted in red above. Commissioners Smith, Mayo, and Nelson supported the “alternate” version of P7 which includes both the red and green revisions.</p>		
		C	D	<p>2543.11 The County should encourage the provision of the maximum amount of access to public lands and waterways consistent with:</p> <ul style="list-style-type: none"> A. Public safety; B. Nearby access; C. Rights of private property owners; D. Natural resource protection; and E. The Map Act. 		D

Plan Alternative			Section 4.7 Public Lands	Staff Remarks/ Implementation	Position R, M, D
A	B	C	<p>PL-P8. Private Ownership. Private ownerships designated Public Lands (P) may be developed where the proposed development is:</p> <ul style="list-style-type: none"> A. Consistent with the resource production policies; or B. When in or adjacent to a Community Planning Area or Rural Community Center consistent with existing or planned uses of the adjacent properties. 	QJ, Min	R
			<p>COMMENTS: 6-17-10: unanimous support of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith).</p>		
		D	<p>2543.13 Private ownerships designated Public Lands (P) may be developed, consistent with other regulations, where the proposed development is:</p> <ul style="list-style-type: none"> A. Consistent with the resource production policies; or B. When in, or adjacent to a Community Planning Area, or Rural Community Center, consistent with existing or planned uses of the adjacent properties. 		D
A	B		<p>PL-P9. Comments on Public Lands Proposals. Utilize this Plan to guide review and comments on state and federal land acquisition and management proposals.</p>	Iss, Prog	R
			<p>COMMENTS: 6-17-10: unanimous support of 6-0 (Faust, Mayo, Gearheart, Emad, Nelson and Smith).</p>		
		D	<p>2543.1 The Planning Commission shall be utilized as the advisory agency to the Board of Supervisors in coordinating with planning activities of public land agencies.</p>		D
		D	<p>2543.2 The Planning Commission should be responsible for reviewing public land management and environmental documents.</p>		D

Plan Alternative	Section 4.7 Public Lands			Staff Remarks/ Implementation	Position R,M,D
			D 2543.7 Development adjacent to multiple use public lands shall be consistent with applicable resource production policies of the General Plan.		D
			D 2543.8 Development in areas adjacent to public lands where resource production activities are not permitted shall be consistent with applicable rural development policies.		D
			D 2543.9 Development within community planning areas adjacent to public lands shall be compatible with the management doctrines of applicable public land agencies.		D
			D 2543.10 Subdivision of land within community planning areas adjacent to public lands should not be permitted, unless it can be found that creation and development of additional parcels will not be detrimental to the quality or activities conducted on public lands.		D
			D 2543.12 The County supports the disposal of surplus public lands to private ownership.		D