

Timberland Conversion Evaluation Report

June 21, 2021

As mandated by:

Humboldt County Code, Ordinance No. 2599 (Commercial Cannabis Land Use Ordinance for areas outside the Coastal Zone), Section 55.4.12.2.4:

"All terms of any permit or exemption approved by the California Department of Forestry and Fire Protection (CAL-FIRE), including a less-than-3-acre conversion exemption or timberland conversion permit.

Where existing or proposed operations occupy sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall circulate the report to CAL-FIRE for review and comment."

Contact Information

1. Timberland Owners(s): **Kevin Peak**
Phone: **(707) 223-1422**
2. Timber Owner(s): **Same as above**
3. Registered Professional Forester (preparing report): **Thomas Blair**
RPF Number: **2607**
Address: **Blair Forestry LLC**
PO Box 2517
McKinleyville, CA 95519
Phone: **(707) 834-2990**

Location of Project

Legal Description of Ownership:
Address: **1340 Bell Springs Rd.**
Harris, CA 95542

APN: **216-082-006**

Section 25 of Township 4 South, Range 4 East, HBM

Parcel Size: **173 (Assessed)**

Approximate Unauthorized Converted Acreage: **2.24 acres**



Project Description

Property History

Note: Property boundaries are based on the Humboldt County Assessor's APN parcel map and may vary geographically. Assessor's Parcel data in the GIS mapping program differed slightly geographically. The property background has been summarized using personal accounts of current landowners, historic orthographic photography, Humboldt County Web GIS, and CAL FIRE Watershed Mapper v2. This conversion evaluation report will focus on unauthorized conversion activities from the last 5 years.

Review of historic imagery of the parcel does not show any apparent changes to the timberland until 2020. Personal communication with the landowner was consistent with these changes. The landowner explained that a large oak had fallen onto an existing well and that he removed it along with a handful of other trees creating the open space. Approximately 10 to 13 trees were removed including 3 Douglas-firs and true oaks (mostly black oak).

Project Description

The current landowner, Kevin Peak, purchased the property in 2000. Timberland conversion activities (approximately 2.24 acres) took place under current ownership. In 2021, CalFire submitted a comment to The Humboldt Building Inspection Department concerning the landowner's grading application for the conversion site stating:

"It appears from the air photo that trees may have been removed in late 2018 to create a large clearing. A CAL FIRE harvest document should have been obtained prior to conversion activities. Land use activities may have resulted in harvest without a permit and harvesting without a plan or a license. More information is required for a proper evaluation. A Registered Professional Forester may be required to advise the landowner of necessary permits from CAL FIRE"

As such, a Registered Professional Forester (RPF) will address any remedial actions necessary to bring the Conversion Sites into compliance with provisions of the Forest Practices Act, specifically 14 CCR 1104.1. The landowner intends on maintaining the converted area for a project.

The total acreage of converted timberland on the property is approximately 2.24 acres which is consistent with the total acreage allowed to be converted under a Less Than 3-acre Conversion Exemption (14 CCR 1104.1).

Humboldt County has zoned this parcel **Agriculture Exclusive (AE)**. AE applies to bottomland farms and lands that can be irrigated; also used in upland areas to retain agricultural character. Typical uses include dairy, row crops, orchards, specialty agriculture and horticulture.

A field inspection of the property and conversion area was conducted on June 16, 2021, by representatives of Blair Forestry Consulting LLC. All relevant sites concerning the past conversion areas were examined. Findings from this evaluation are summarized below.

Timber Stand Description

Tree composition and habitat adjacent to the conversion area is of a mixed true-oak woodland interspersed with occasional Douglas fir. Much of the habitat to the east and northeast of the conversion site is composed of prairie habitat and dominated with grasses. Young Douglas-fir is seen encroaching into the oak woodland and prairie habitat in this area of the property and older conifer are generally associated with proximity to drainages. Review of aerial imagery and inspection of the conversion area indicates that at least 80% of trees removed were likely black oak including a few Douglas-fir.

The property is located within Humboldt County, which is in the Zone of Infestation for Sudden Oak Death (SOD). No symptoms or signs of SOD were observed during evaluation.

Analysis of Consistency Between Unauthorized Conversion and Applicable California Forest Practice Rules (CFPRs)

Timber Harvesting and Operations

14 CCR 914.1 Felling Practices

14 CCR 914.2 Tractor Operations

14 CCR 914.7 Timber Operations, Winter Period

Although there are no documents or records of timber harvesting, personal communication with the landowner indicates that operations involved hand felling with chainsaws and tractor skidding. The conversion area consisted almost entirely of black oak and Douglas-fir. Some stumps may have been removed from the conversion area. Felling practices and tractor operations appear to have been consistent with 14 CCR 914.1 and 914.2.

Although no winter operations plan was proposed prior to operations, the landowner claims that operations were conducted in dry non-saturated conditions. Ground conditions on site do not indicate that operations were conducted during saturated conditions. The site was treated for erosion control and no erosion points were observed. The RPF has no recommendations concerning Timber Harvesting and Operations.

Roads, Soil Stabilization and Erosion Control

14 CCR Article 12 Logging Roads, Landings, and Logging Road Watercourse Crossings

14 CCR 914.6 Waterbreaks

Historic logging and cattle ranching operations are responsible for most of the current road system within the subject parcel and roads associated with access to the timberland conversion site. One road spur approximately 215 feet in length appears to have been put in sometime prior to 2014. A portion of this road falls within the current conversion area footprint but was possibly put in place to access an existing well. Through the process of permitting the landowner's current project on this site, erosion control measures for all roads and the conversion area will be implemented and enforced and should adhere minimally to all road work rules described in 14 CCR Article 12.

There were no observed inconsistencies with 14 CCR Article 12 concerning erosion control. The landowner has stabilized the entire site with straw and applied cover crop (State Mix and Horse Pasture Mix).

The soils, slope and aspect in the conversion area all suitable for the converted uses concerning soil stabilization and erosion control. The RPF has no recommendations concerning soil stabilization and erosion control.

Watercourses and Water Resources

14CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

All areas around, and adjacent to, the conversion site were inspected for Class I through IV waters. No timber operations were conducted within Watercourse and Lake Protection Zone (WLPZ) buffers required by Humboldt County or the California Forest Practice Rules. No watercourses or Water Resources were affected by conversion activities.

The conversion area appears to comply with 14 CCR 1104.1(a)(2)(F). No recommendation is suggested regarding Watercourses and Water Resources.

Hazard Reduction

14 CCR 1104.1(a)(2)(D)(6): "Full slash and woody debris treatment may include any of the following: a. burying; b. chipping and spreading; c. piling and burning; or d. removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated."

The conversion site and the surrounding timber stand was walked and assessed for debris resulting from timberland conversion activities. The conversion sites and surrounding areas were clear of slash and woody debris associated with conversion activities.

The RPF has no recommendations concerning 14 CCR 1104.1(a)(2)(D)(6).

Biological Resources

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895. 1"

No surveys were conducted on this parcel for Northern Spotted Owls (NSOs) or other potential Rare, Threatened or Endangered Species or Species of Special Concern (RTES or SSC) associated with timberland conversion operations. Protocol level surveys are intended to assess potential impact to habitat prior to harvest operations. Without survey information prior to conversion activities, it is impossible to know whether RTES or SSC were historically present or that the conversion activities negatively affected known or unknown occurrences of these species.

The California Natural Diversity Database (CNDDDB) showed no known sites of RTES or SSC on or around the subject parcels or Conversion Sites. Less Than 3 Acre Conversion Exemptions under 14 CCR 1104.1 are generally exempt from biological surveys but require that disturbance to any known or discovered sensitive, rare, threatened, or endangered species (RTES) or species of special concern (SSC) be avoided.

A CNDDDB map showing known occurrences of RTES is included at the end of this report. No recommendation is suggested regarding biological resources.

Cultural Resources

14 CCR 1104.1 (2)(1): "No timber operations are allowed on significant historical or archeological sites."

Although no thorough archaeological investigation was completed, no archeological sites were observed during the field evaluation of the conversion area. The landowner claims he has not found any archaeological sites or artifacts in or around the conversion area. The conversion area appears to comply with 14 CCR 1104.1 (2)(1). No recommendation is suggested regarding cultural resources.

Summary

Overall, it is the opinion of the RPF that the unauthorized conversion generally meets the standards set forth in the CFPRs concerning 14 CCR 1104.1. The conversion does not exceed 3 acres and the RPF has no recommendations required to bring the Conversion Sites into compliance with provisions of the Forest Practices Act, specifically 14 CCR 1104.1.

Site Maps

General Location Map: Shows ownership boundary in proximity to recognizable landmarks and general location of conversion within property boundary.

Timberland Conversion Evaluation Map: Location of timber conversion operations, Boundary of the conversion area, location and classification of watercourses, Observation Sites and roads.

California Natural Diversity Database (CNDDDB) Assessment Area Map: Location of timber conversion in relation to biological resources.

Resources

California Forest Practice Rules 2020. Sacramento: CAL FIRE, 2020. Print.

California Natural Diversity Database. California Department of Fish and Wildlife. Web. <https://www.wildlife.ca.gov/Data/CNDDDB>. Version 5.94.01. Accessed March 8, 2021.

California Native Plant Society, Rare Plant Program. 2021. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed 08 March 2021].

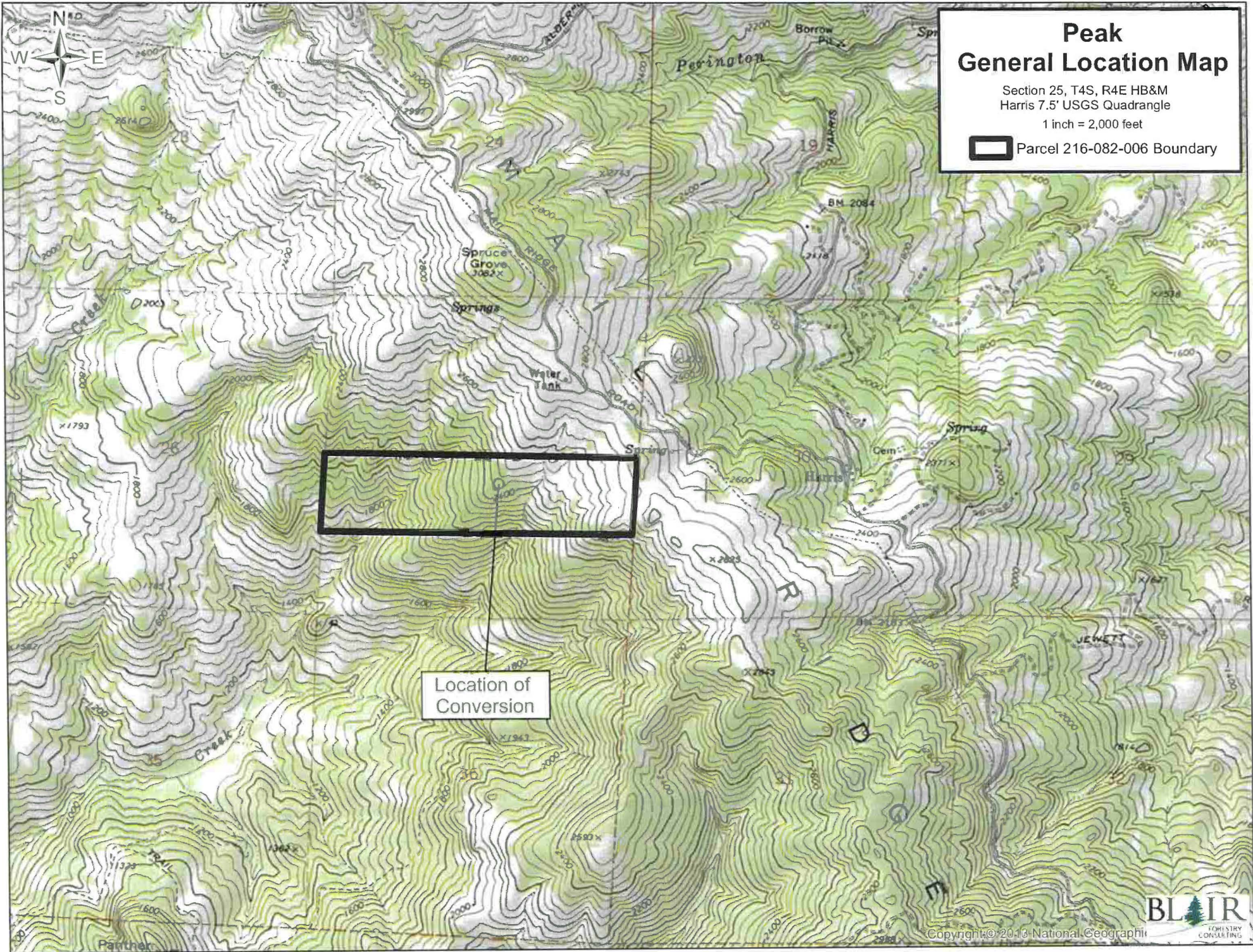
Forest Practice Watershed Mapper v2. CAL FIRE. Web. http://egis.fire.ca.gov/watershed_mapper/. Accessed March 1, 2021.

Handbook of North American Indians: volume 8 – California, Robert Heizer - 1978

Humboldt County Web GIS. County of Humboldt. Web. <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>. Accessed March 1, 2021.


Google Earth Pro. Accessed February 25, 2021.

Weaver, W.E., Weppner, E.M. and Hagans, D.K., 2015, Handbook for Forest, Ranch and Rural Roads: A Guide for Planning, Designing, Constructing, Reconstructing, Upgrading, Maintaining and Closing Wildland Roads (Rev. 1st ed.), Mendocino County Resource Conservation District, Ukiah, California.



**Peak
General Location Map**

Section 25, T4S, R4E HB&M
Harris 7.5' USGS Quadrangle
1 inch = 2,000 feet

 Parcel 216-082-006 Boundary

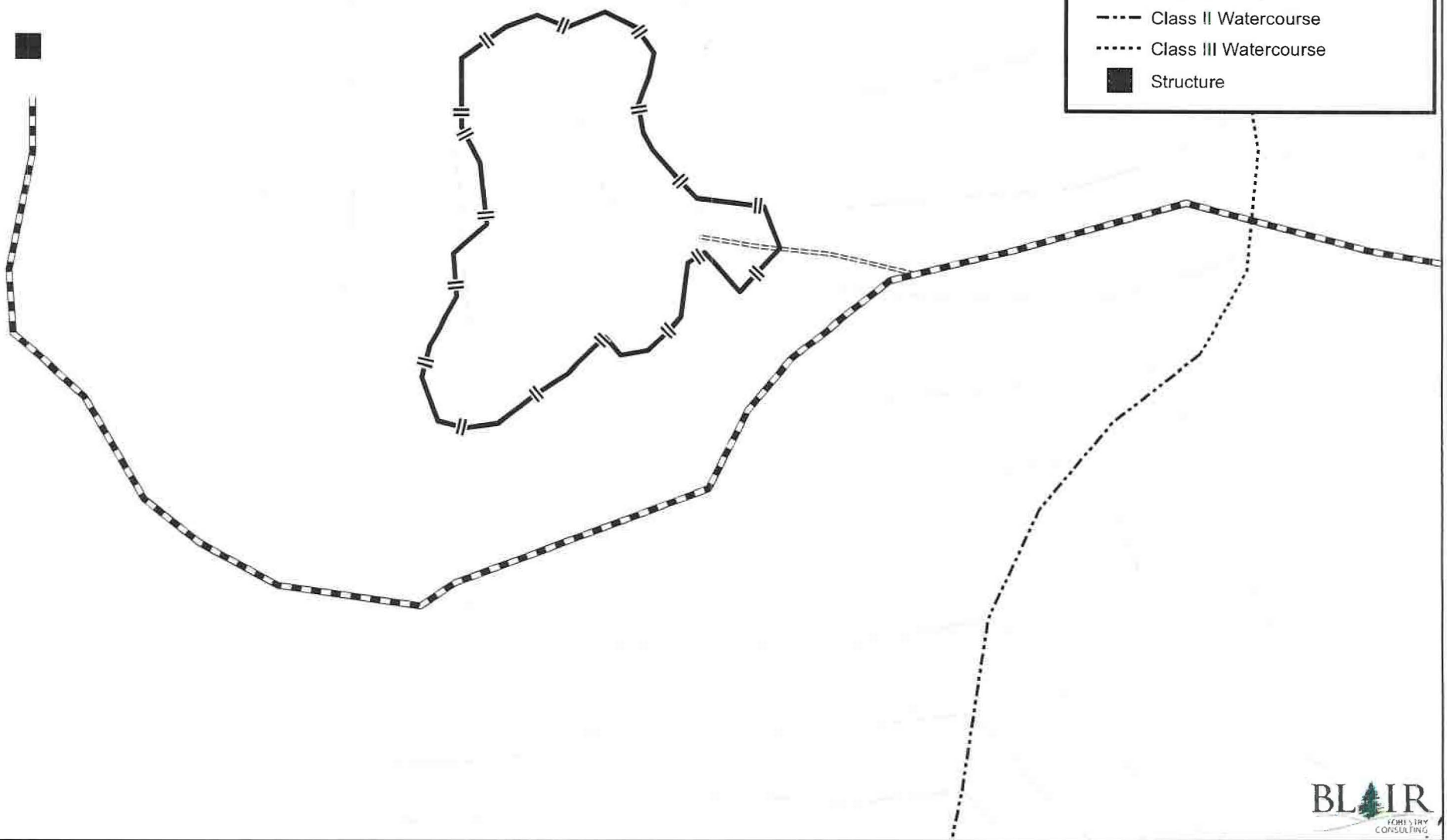
Location of
Conversion



Peak Timberland Conversion Evaluation Map

Section 25, T4S, R4E HB&M
Harris 7.5' USGS Quadrangle
1 inch = 158 feet



-  Parcel 216-082-006 Boundary
-  Conversion Area
-  Permanent Rocked Road
-  Seasonal Road
-  Class II Watercourse
-  Class III Watercourse
-  Structure



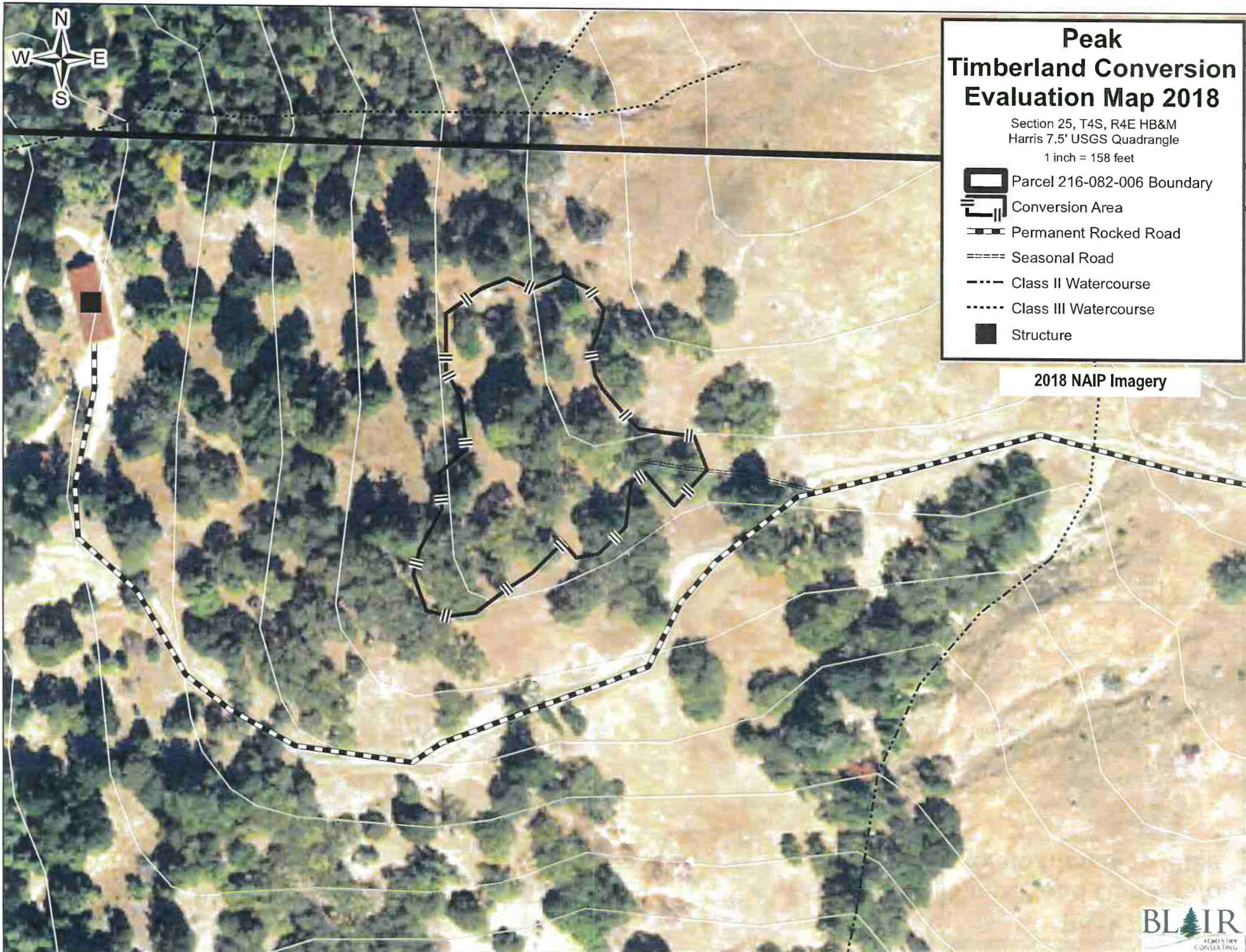


Peak Timberland Conversion Evaluation Map 2018

Section 25, T4S, R4E HB&M
Harris 7.5' USGS Quadrangle
1 inch = 158 feet

-  Parcel 216-082-006 Boundary
-  Conversion Area
-  Permanent Rocked Road
-  Seasonal Road
-  Class II Watercourse
-  Class III Watercourse
-  Structure

2018 NAIP Imagery





Peak Timberland Conversion Evaluation Map 2020

Section 25, T4S, R4E HB&M
Harris 7.5' USGS Quadrangle
1 inch = 158 feet

-  Parcel 216-082-006 Boundary
-  Conversion Area
-  Permanent Rocked Road
-  Seasonal Road
-  Class II Watercourse
-  Class III Watercourse
-  Structure

2020 NAIP Imagery

