



COUNTY OF HUMBOLDT

For the meeting of: 6/4/2019

File #: 18-1675

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

License Agreement with Humboldt Redwood Company, LLC for the Dyerville Stockpile Site, APN 211-141-003, Dyerville Loop Road (6D100), Dyerville

RECOMMENDATION(S):

That the Board of Supervisors:

1. Grant a waiver of the Nuclear Free Ordinance;
2. Authorize the Chair of the Board to sign, in duplicate, the License Agreement between the County of Humboldt and Humboldt Redwood Company, LLC. (Attachment 1); and
3. Direct the Clerk of the Board to return one of the executed License Agreements to the Land Use Division for further processing.

SOURCE OF FUNDING:

Roads Maintenance 1200325

DISCUSSION:

The county first entered into a license agreement with Pacific Lumber Company for the subject property, APN 211-141-003, in 1980, and has continuously used the site since the agreement was finalized. The parcel is now under ownership of Humboldt Redwood Company, LLC.

The Dec. 16, 2014 License Agreement has expired and the Department of Public Works recommends executing a new license agreement that is consistent with the county's current compensation rates for similar agreements, which includes standard agreement provisions.

The proposed License Agreement includes Humboldt Redwood Company, LLC's standard Compliance Clause which calls for the county's observation and compliance with the terms and provisions of:

- (a) that certain Final Environmental Impact Statement/Environmental Impact Report and Habitat Conservation Plan/Sustained Yield Plan for the Headwaters Forest Project, dated January 1999;
- (b) any Implementation Agreement with regard to Habitat Conservation plans for the properties of Humboldt Redwood Company, LLC by and among the United States Fish and Wildlife Service, the National Marine Fisheries Service, the California Department of Fish and Wildlife (CDFW), the

California Department of Forestry and Fire Protection (Cal-Fire) and Humboldt Redwood Company, LLC including those agreements assumed by Humboldt Redwood Company, LLC in the reorganization of the Pacific Lumber Company, Scotia Pacific Lumber Company and Salmon Creek Corporation dated February 1999;

(c) any Habitat Conservation Plan for the properties of Humboldt Redwood Company, LLC including that certain Habitat Conservation plan of February 1999 that was assumed by Humboldt Redwood Company, LLC in the reorganization of Pacific Lumber Company, Scotia Pacific Lumber Company and Salmon Creek Corporation;

(d) any Streambed Alteration Agreement with regard to Humboldt Redwood Company, LLC including that certain Streambed Alteration Agreement with regard to the Pacific Lumber Company, Habitat Conservation Plan, by and among CDFW and Pacific Lumber and Salmon Creek dated February 1999 that was assumed by Humboldt Redwood Company, LLC in the reorganization of Pacific Lumber Company and Salmon Creek Corporation, to the extent any of the above documents bind the logging road and other lands of Humboldt Redwood Company, LLC and are applicable to county's activities on the logging road or other lands of Humboldt Redwood Company, LLC. The county is committed to observing and complying with the terms and provisions of the aforementioned documents.

The new license agreement (Attachment 1) shall commence upon the date of execution and expire on Dec. 31, 2021. The county shall have 6 months beyond the final termination date to remove equipment and stockpiled river-run aggregate from the site.

The new license agreement shall have a rental rate \$50 per month paid in advance, at the sum of \$600 per year, and paid prior to July 1 of each calendar year.

FINANCIAL IMPACT:

The new license agreement provides for annual rental payments of \$600 to be made payable to Humboldt Redwood Company, LLC. The Roads Maintenance budget 1200325-2121 Rents & Leases-Structures shall bear the cost of all payments. There is no impact to the General Fund.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to execute a new License Agreement. The Department of Public Works recommends executing the new License Agreement because of the county's need to stockpile aggregate resources and store equipment located on sites throughout the county's road system. By executing this new agreement, the continued utilization of this site shall offset expenses associated with importing necessary road construction materials from distant locations.

ATTACHMENTS:

File #: 18-1675

New License Agreement in duplicate

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-16

Meeting of: December 16, 2014

File No.: N/A