



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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Title: Bob Howard Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)
APNs: 223-044-010, 223-045-007
Case Nos.: LLA-18-013, JTMP-18-004

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment A - Declaration of Covenants.pdf, 3. Attachment B - JTMP.pdf, 4. Attachment C - FRC Minutes.pdf, 5. Attachment D - LLA Findings.pdf

Date	Ver.	Action By	Action	Result
8/20/2019	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Bob Howard Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)
APNs: 223-044-010, 223-045-007
Case Nos.: LLA-18-013, JTMP-18-004

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the Joint Timber Management Plan (JTMP) and Guide (Attachment B) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.) (4/5 vote required);
2. Find the project exempt from environmental review pursuant to Sections 15061(b)(3) and 15305 of the State California Environmental Quality Act (CEQA) Guidelines and make the required findings (Attachment D) to approve the Lot Line Adjustment;
3. Direct the Planning Division staff to record the Declaration with the JTMP and the Notices of Lot Line Adjustment and Certificate of Subdivision Compliance;
4. Direct the Clerk of the Board to give notice of the decision to owners, the County Assessor's Office and any other interested party.

SOURCE OF FUNDING:

Applicant fees deposited into Current Planning budget 277.

DISCUSSION:

This project consists of two parts: a Joint Timber Management Plan and Guide (JTMP) prepared for Bob Howard covering approximately 343 acres of Timberland Production Zone (TPZ) land; and an application for a Lot Line Adjustment (LLA) to reconfigure two parcels.

The reconfigured parcels will result in the division of TPZ zoned land and one of the resultant parcels will contain less than 160 acres of land zoned TPZ. Therefore, a JTMP is required to demonstrate that the resulting legal parcels can be managed as separate units and provide periodic sustainable return while balancing growth and yield over time. The JTMP prepared for Bob Howard includes the two parcels, however, stand data and future growth tables are only provided for the parcel that contains less than 160 acres of land zoned TPZ. The other parcel, at approximately 253 acres, is only included with respect to access to the potential harvest areas.

The JTMP fulfills a required finding that the resultant parcels are consistent with the purpose of the TPZ, i.e., for the continued growing and harvesting of timber. As the size of a timberland parcel becomes smaller (below 160 acres), certain factors affecting the viability of the property to continue in a manner meeting the purpose of the zone become more important. The purpose of the JTMP is to ensure that the resultant parcels meet minimum stocking requirements, have adequate access to public roads and recorded access to private access roads, where needed, and are covered by a management guide which describes recommended silvicultural techniques, cutting cycle, stand regulation and regeneration, immediate stand treatments, fire protection, and other similar management practices.

The LLA will utilize two parcels containing various amounts of land zoned TPZ and reconfigure them into two parcels, one which will contain less than 160 acres of TPZ. While the adjustment is to create better management units, it is a division under the statute requiring approval of a JTMP concurrent with the LLA. The property is located approximately three miles southwest of Benbow. The LLA involves two separate, legal parcels of approximately 41 acres and 302 acres in size and adjusts the boundaries between them to result in two timber management units of approximately 90 acres and 253 acres. The JTMP indicates that the property is comprised of stands containing 21% Douglas-fir, 45% liveoak and 34% other hardwoods. The average age of the stand is 45 years. Planning staff believes that the findings for the LLA can be made based on upon the submitted evidence (Attachment D).

Section 51119.5 of the California Government Code (C.G.C.) and Section 314-7.4.1.3 of the Humboldt County Code (H.C.C.) require the preparation of a JTMP and Guide for the "division" of land into assessor parcels containing less than 160 acres of TPZ. Parcel is defined as "*that portion of an assessor's parcel that is timberland*" (C.G.C. Section 51104(i)). The JTMP and Guide is intended to guide the management and harvesting of timber on these smaller TPZ ownerships that result from the division of assessor parcels zoned TPZ into assessor parcels containing less than 160 acres of TPZ. Activities that may result in such a division include subdivision, lot line adjustment, and conveyances of existing land units (e.g. land patents) underlying an assessor's parcel zoned TPZ, when any such created lot, reconfigured parcel or parcel to be conveyed contains less than 160 acres of TPZ land. Such circumstances require the preparation, review and approval of a JTMP and Guide per State law and local ordinance.

Consistent with Section 51119.5 of the C.G.C., a JTMP was prepared by Timberland Resource

Consultants. The County's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on January 15, 2019. Pursuant to Section 51119.5, the JTMP must receive a 4/5's affirmative vote of the Board of Supervisors to become effective.

Based on the FRC's favorable recommendation, Planning Division staff believes that the JTMP shows that the parcels can be managed consistent with these requirements.

FINANCIAL IMPACT:

There will be no impact on the General Fund. The applicant is responsible for paying all actual costs involved in the processing of the application.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by managing our resources to ensure sustainability of services .

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies, including the FRC which approved the JTMP on January 15, 2019.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the project. Planning Division staff does not recommend this alternative. The JTMP shows that the management units within the LLA resultant parcels can be managed for continued timber production.

ATTACHMENTS:

Attachment A: Declaration of Covenants, Conditions and Restrictions Implementing the Bob Howard Joint Timber Management Plan and Guide

Attachment B: Copy of the Joint Timber Management Plan

Attachment C: County Forestry Review Committee Draft Minutes of January 15, 2019

Attachment D: Lot Line Adjustment Findings and Maps

PREVIOUS ACTION/REFERRAL:

Board Order No.: N.A

Meeting of: N/A

File No.: N/A