



COUNTY OF HUMBOLDT

Legislation Text

File #: 19-873, **Version:** 1

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Boyle Forests, LP Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)
APNs: 215-151-002 et seq.
Case No.: LLA-17-023, JTMP-17-008

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.) (4/5th vote is 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; and
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.

DISCUSSION:

This project consists of two parts: a Joint Timber Management Plan and Guide (JTMP) prepared for Boyle Forests, LP covering approximately 327 acres of Timberland Production Zone (TPZ) land; and an application for a Lot Line Adjustment (LLA) to reconfigure three parcels.

The reconfigured parcels will result in the division of TPZ zoned land and two 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 Boyle Forests, LP includes the three parcels, however, stand data and future growth tables are only provided for the two parcels that contain less than 160 acres of land zoned TPZ. The third parcel, at approximately 172 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 three parcels containing various amounts of land zoned TPZ and reconfigure them into three parcels, two which will contain less than 160 acres of TPZ. While the adjustment is to create better management units and to provide additional buffer to APN 215-151-002, it is a division under statute requiring approval of a JTMP concurrent with the LLA. The property is located approximately one and one-half (1.5) air miles north of Whitethorn. The LLA involves three separate, legal parcels of approximately 202 acres, 85 acres and 40 acres in size and adjusts the boundaries between them to result in three timber management units of approximately 172 acres, 62 acres and 93 acres. The JTMP indicates that the property is comprised of stands containing similar conifer and hardwood species in various stages of stand structure, composition, and density. These stages of stand structure, composition and density vary due to different periods of harvest and silviculture methods. The JTMP area is mostly made up of Site III timberlands with minor amounts of Site II timberlands. 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 Blair Forestry Consulting. The County's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on April 2, 2018. Pursuant to Section 51119.5, the JTMP must receive a 4/5's affirmative vote of the Board of Supervisors to become effective.

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 April 2, 2018.

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 Boyle Forests, LP Joint Timber Management Plan and Guide

Attachment B: Copy of the Joint Timber Management Plan

Attachment C: County Forestry Review Committee Draft Minutes of April 2, 2018

Attachment D: Lot Line Adjustment Findings and Maps

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A