



COUNTY OF HUMBOLDT

For the meeting of: 1/23/2024

File #: 24-98

To: Board of Supervisors
From: Planning and Building Department
Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

Restoration Forestry, Inc. Lot Line Adjustment and Joint Timber Management Plan
APNs: 215-192-005, 215-192-018, 215-232-002, and a portion of 215-232-001 Record Number: PLN-2023-18209 Whitethorn area (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

Adopt the Resolution (Attachment 1) to:

- a. Find the project exempt from environmental review pursuant to Sections 15061(b)(3) and 15305(a) of the State CEQA Guidelines; and
 - b. Make all the required findings to approve the Lot Line Adjustment; and
 - c. Approve (by 4/5 vote) the Joint Timber Management Plan (Attachment 4) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.) (Note: A 4/5 vote is required) and to approve the Lot Line Adjustment; and
2. 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
 3. 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:

The basic request is a Lot Line Adjustment (LLA) between three parcels of approximately 40 acres, 20 acres, and 160 acres resulting in three parcels of approximately 50 acres (Parcel A), 90 acres (Parcel B), and 80 acres (Parcel C). The purpose of the LLA is to segregate a quarry site and operations onto a single parcel. Other than the quarry, the parcels are utilized for timber production. A Joint Timber Management Plan (JTMP) has been prepared for the resultant parcels because there are below 160 acres. There are no issues associated with this request.

Project Location: The project is in the Whitethorn area, on the east and west sides of Baker Creek Road, approximately one mile east-northeast from the intersection of Briceland Thorne Road and Baker Creek Road, in the 18000 block of Baker Creek Road.

Present Plan Land Use Designations: Timberland (T) Humboldt County General Plan (GP), Density: 40-160 acres per dwelling unit. Slope Stability: Moderate Instability (2).

Present Zoning: Timberland Production Zone (TPZ).

Environmental Review: The project is exempt from environmental review pursuant to Sections 15061 (b)(3) and 15305(a) of the State CEQA Guidelines.

State Appeal Status: Project is located outside of the Coastal Zone and is therefore not appealable to the California Coastal Commission.

Major Issues: None

Executive Summary: This project consists of two parts: a Joint Timber Management Plan (JTMP) prepared for Lost Coast Forestlands, LLC covering Timberland Production Zone (TPZ) lands on APNs 215-192-005, 215-192-018, 215-232-001, and 215-232-002; and an application for a Lot Line Adjustment (LLA) to reconfigure three parcels of approximately 40 acres, 20 acres, and 160 acres resulting in three parcels of approximately 50 acres (Parcel A), 90 acres (Parcel B), and 80 acres (Parcel C). The purpose of the LLA is to segregate a quarry site and operations onto a single parcel. Other than the quarry, the parcels are utilized for timber production.

The project site is composed of three legal parcels and four assessor's parcels. A review of creation documents to determine the legal status of the parcels found that the three involved parcels were created in compliance with the Subdivision Map Act per Certificate of Subdivision Compliance, Instrument No. 2004-44335-10. APNs 215-192-018 and a portion of 215-232-001 are both separate legal parcels, and APNs 215-192-005 and 215-232-002 combined, are one separate legal parcel.

The reconfigured parcels will result in the division of TPZ zoned land, and all the resultant parcels will contain less than 160 acres of land zoned TPZ. Therefore, a JTMP is required to demonstrate that the resulting parcels can be managed as separate units and provide periodic sustainable return while balancing growth and yield over time.

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.

Parcel A will be approximately 50 acres in size, Parcel B will be approximately 90 acres in size, and Parcel C will be approximately 80 acres in size. All three parcels are entirely zoned TPZ. The JTMP indicates that the timbered areas on Parcels B and C both have over one million board feet (MBF) of merchantable conifer timber, while Parcel A has approximately 617 MBF of merchantable conifer timber. The findings for the LLA can be made based on upon the submitted evidence (Attachment 6).

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 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 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 per State law and local ordinance.

Consistent with Section 51119.5 of the California Government Code, a JTMP was prepared by Baldwin, Blomstrom, Wilkinson, and Associates, Inc. The county’s Forestry Review Committee (FRC) reviewed and recommended conditional approval of the JTMP on Oct. 26, 2023. The condition requires that the legal description on Page 8 of the JTMP be corrected to reflect the legal description of the involved parcels and to verify that the corresponding Deeds are correct. This condition has been satisfied. 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 concludes that the JTMP shows that the resultant 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 priority of managing our resources to ensure sustainability of services

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies, including the FRC which conditionally approved the JTMP on Oct. 26, 2023.

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:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Lot Line Adjustment Map
2. Location Map
3. Declaration of Covenants, Conditions and Restrictions Implementing Joint Timber Management Plan
4. Joint Timber Management Plan
5. Forestry Review Committee Meeting Draft Minutes, October 26, 2023
6. Applicant's Evidence in Support of the Required Findings
7. Referral Agency Comments and Recommendations

Applicant

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c/o Tim Metz
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Garberville, CA 95542

Owner

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c/o Ter Services, LLC - Alice Bailey
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Houston, TX 77019

Agent

LACO Associates
c/o Megan Marruffo
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Please contact Rodney Yandell, Senior Planner, at 707-445-7541 or by email at ryandell@co.humboldt.ca.us, if you have any questions about the scheduled item.