

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 25-

Record Number PLN-2025-19191

Assessor's Parcel Numbers: 211-141-003

Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the Dyerville Bar (Palco Bar) Conditional Use/Mining Permit and Reclamation Plan 15-year Reapproval

WHEREAS, Humboldt County Department of Public Works staff submitted an application and evidence in support of approving a 15-year reapproval of the Dyerville Bar Conditional Use/Mining Permit and Reclamation Plan (CUP-09-092XX/PLN-13823-SMA/RP-01-92X); and

WHEREAS, the Humboldt County Planning Division has reviewed the submitted application, PLN-2025-19191, and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, no further environmental review is required as no changes to the mining operation are proposed as part of this reapproval; and

WHEREAS, the Humboldt County Planning Division, has reviewed the submitted application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, a Mitigated Negative Declaration was adopted with the original permit in 1993, and a Subsequent Mitigated Negative Declaration was prepared for an extension of the project in 2009; and

WHEREAS, the Humboldt County Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed 15-year reapproval of the surface mining operation; and

WHEREAS, on December 18, 2025, a public hearing was held to receive public testimony on the proposed project.

THEREFORE, BE IT RESOLVED, that the Planning Commission makes all the following findings:

1. FINDING: **Project Description:** Reapproval of a 15-year term of a previously approved, existing instream gravel bar mining operation on the Eel River near Weott. The operation includes annual extraction and processing of up to 28,000 cubic yards of gravel every three years, as frequently as annually for 15 years. No changes to the extraction volume, location or Reclamation Plan are proposed. The annual volume, locations and extraction methods will be consistent with the recommendations of the CHERT and other regulatory agencies.

EVIDENCE: a) Project File: PLN-2025-19191

2. FINDING: **CEQA:** A Mitigated Negative Declaration was adopted with the original permit in 1993. A Subsequent Mitigated Negative Declaration was prepared for the modified project in 2009. No further environmental review is required as no changes to the mining operation are proposed as part of this reapproval.

EVIDENCE: a) No changes are proposed.

 b) The project was previously subject to CEQA review, mitigation measures were incorporated and are now part of the project.

 c) The project is subject to review and approval by CHERT and other affected agencies annually.

Mining Permit Approval

(Title III, Div. 9, Chapter 1, §391-4(b)(3), Term, of the Humboldt County Code)

3. FINDING: The application and supporting documents adequately describe the proposed surface mining operation, and adequate measures are incorporated to mitigate the probable or known significant environmental effects which have been or may be caused by the proposed operation.

EVIDENCE: a) The project has been reviewed by County Staff and outside agencies which have confirmed the operation has been designed to mitigate any environmental or health and safety

concerns. The operation is inspected annually by County Planning staff for compliance with the Reclamation Plan and permit conditions. The last inspection report from November 2024 shows no violations or other issues. The site has been infrequently mined since 1994.

- 4. FINDING:** The proposed use and location of the surface mining operation is properly located in accordance with the General Plan and any relevant element thereof to the community as a whole, and to other land uses in the vicinity.

EVIDENCE: a) The location of the mining operation occurs in the Agricultural Exclusive land use designation under the Current General Plan. The Agricultural Exclusive designation is a resource production land use designation and production of minerals is consistent with resource production. Affected agencies have reviewed the proposal and no new conditions of approval are proposed. There are no other known changes in the law or circumstances that warrant additions or changes to conditions that staff is aware of.

- 5. FINDING:** The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

EVIDENCE: a) The proposed use and location of the surface mining operation is properly located in accordance with the General Plan and any relevant element thereof to the community as a whole, and to other land uses in the vicinity. The location of the mining operation occurs in an Agricultural Exclusive designation which is a resource production designation. The AE designation is also an implementing designation in the county's Open Space Plan and Open Space Action Program and the re-approval of this expired permit will not affect existing open space uses, as no additional ground disturbance is proposed beyond that considered with the original permit. The permit would authorize removal of gravel from the stream channel during the low flow months, and the site will be returned to its open space use after each seasons gravel operation

6. FINDING: The proposed development is consistent with the purposes of the existing zone in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone.

EVIDENCE: a) The property is zoned Unclassified which allows for surface mining with a Conditional Use Permit. The surface mining area is located within a rural portion of Humboldt County. Aside from agriculture, timber, and mining, development is limited.

7. FINDING: The proposed development conforms with all applicable standards and requirements of these regulations.

EVIDENCE: a) The proposed development is temporary and will be mitigated at the end of each season's operation and the end of the permit term if not renewed. All equipment will be removed prior to an increase in river flows after each mining season. The operation is in conformance with all required setbacks and zoning restrictions and will be required to be approved by CHERT prior to and following each annual harvest.

8. FINDING: The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE: a) The project has been reviewed by County Staff and outside agencies which have confirmed the operation has been designed to mitigate any environmental or health and safety concerns. The operation is inspected annually by County Planning staff for compliance with the Reclamation Plan and permit conditions. The last inspection report from November 2024 shows no violations or other issues. The operation be required to be approved by the County of Humboldt Extraction Review Team prior to and following each annual harvest to ensure that the removal of gravel is in accordance with best practices and will have no adverse impact on habitat and species.

9. FINDING: The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence and not have a detrimental effect of the housing of Humboldt County.

EVIDENCE: a) As the property and operation in question occurs on a river bar that is consistently manipulated by river flows, no housing is possible on this site and will not have a detrimental effect on the housing stock in Humboldt County.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the 15-year reapproval of the Dyerville Bar Conditional Use/Mining Permit and Reclamation Plan subject to the conditions of approval attached hereto as Attachment 1A and Attachment 1B.

Adopted after review and consideration of all the evidence on **December 18, 2025**.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

John H. Ford, Director
Planning and Building Department