

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of November 5, 2024.

RESOLUTION NO. 24 – 119

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,
ADOPTING FINDINGS OF FACT, AND CONDITIONALLY APPROVING THE GREEN
DIAMOND RESOURCE CO. LOT LINE ADJUSTMENT AND JOINT TIMBER MANAGEMENT
PLAN**

WHEREAS, the owner submitted an application and evidence in support of approving the Lot Line Adjustment and Joint Timber Management Plan; and

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

WHEREAS, the Humboldt County Board of Supervisors held a public hearing on November 5, 2024, and reviewed, considered, and discussed the application for the Lot Line Adjustment and Joint Timber Management Plan and reviewed and considered all evidence and testimony presented at the hearing.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that the Board of Supervisors makes all the following findings:

- 1. FINDING:** A Merger and Lot Line Adjustment (LLA) of remnant parcels resulting from the Green Diamond Resource Co. dedication of land to the McKinleyville Community Services District for the creation of the McKinleyville Community Forest. Five remnant parcels will be merged into one parcel followed by a LLA of the merged parcel and three separate remnant parcels into reconfigured parcels (Parcels 1 – 4). The LLA will create new parcel boundaries and more manageable land units to be used for timberland. A Joint Timber Management Plan (JTMP) has been prepared for resulting Parcel 4 which will be less than 160 acres in size and is zoned Timberland Production Zone. The parcels are vacant and used for timber production.

EVIDENCE: a) Project File: PLN-2024-19021

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2. FINDING: **CEQA:** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Board of Supervisors have found the project exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA).

EVIDENCE: a) The project is exempt pursuant to Sections 15061(b)(3) and 15305(a) of the CEQA Guidelines. Section 15061(b)(3) applies to projects when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The LLA does not result in a change in land use or overall density and is intended to adjust remnant parcel boundaries resulting from the Green Diamond Resource Co. dedication of land to the McKinleyville Community Services District for the creation of the McKinleyville Community Forest. The resulting parcels will continue to be used for timberland. There is no evidence that the adjustment of parcel boundaries to create more manageable land units to be used for timberland will have a significant effect on the environment. Section 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel.

LOT LINE ADJUSTMENT

3. FINDING: The Lot Line Adjustment application is complete.

EVIDENCE: a) Project File: PLN-2024-19021

4. FINDING: The project is consistent with the Subdivision Map Act.

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EVIDENCE: a) A review of creation documents to determine the legal status found that APNs 510-011-020 (portion A), 510-011-023 (portions B, E1, and E2), 510-011-022 (portions C1, C2, D, and E1), 509-076-005 (F), 509-061-001 (portions G and H1), and 509-051-008 (portion H2) were created in compliance with the Subdivision Map Act. The parcel origins are listed alphabetically and described on the Lot Line Adjustment and Merger Map (Attachment 1B) and are referenced above and listed and described below as Parcels A – H in accordance with the map.

- A. Parcel C of Notice of Lot Line Adjustment and Certificate of Subdivision Compliance Recorded in Instrument No. 2023-011189, excepting Instrument No. 2024-001387.
- B. Instrument No. 2023-014382, excepting Instrument No. 2024-001387
- C. Parcel Six of Certificate of Subdivision Compliance Recorded in Instrument No. 2022-009535, excepting Instrument No. 2024-001387.
- D. Parcel Eight of Certificate of Subdivision Compliance Recorded in Instrument No. 2022-009535, excepting Instrument No. 2024-001387.
- E. Parcel Five of Certificate of Subdivision Compliance Recorded in Instrument No. 2022-009535, excepting Instrument No. 2024-001387.
- F. Parcel Eighteen of Certificate of Subdivision Compliance Recorded in Instrument No. 2022-009535.
- G. Parcel Seventeen of Certificate of Subdivision Compliance Recorded in Instrument No. 2022-009535, excepting Instrument No. 2024-001387.
- H. Parcel Nineteen of Certificate of Subdivision Compliance Recorded in Instrument No. 2022-009535, excepting Instrument No. 2024-001387.

5. FINDING: The project is consistent with the General Plan.

EVIDENCE: a) The Timberland (T) designation applies to land that is primarily suitable for growing, harvesting and production of timber. The Residential Agriculture (RA) designation applies to large lot

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residential uses that typically rely upon on-site water and wastewater systems. The Residential Low Density (RL) designation applies to areas suitable for residential use where urban services are available or are anticipated to be available. Timber production is an allowable use type in both the T and the RA designations. Although timber production is not an allowable use type in the RL designation, the LLA will not prohibit future residential development of the approximately 3.39 acres designated RL within resultant 26-acre Parcel 2. Parcels 1-4 will continue to be utilized for timber production. The project is therefore consistent with the goals of the Land Use Element of the General Plan.

- b) No development is proposed with the LLA, and future development and uses on the project parcels will have minimal impacts on lands planned for preservation and conservation of Open Space. With the reconfiguration of the parcel boundaries, the project is consistent with the Open Space Plan and the Open Space Action Program.
- c) There are several watercourses that transect the parcels, and any future development will be subject to the policies of the General Plan as they apply to protection of Streamside Management Areas (SMAs). According to the County GIS there is mapped habitat for Fisher, running-pine, coastal cutthroat trout, and maple-leaved checkerbloom; however, no development is proposed as part of the project. The project was referred to the California Department of Fish and Wildlife and they did not respond with any concerns.
- d) The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, and the Wiyot Tribe. NWIC responded recommending further study and that the County consult with local tribes. The Bear River Band responded stating that they are satisfied that the activities of the project do not appear to

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represent a source of significant impacts on cultural resources and requested that standard inadvertent archaeological discovery protocols be in place for any ground disturbing activities of the proposed project. This has been made a condition of project approval.

- e) The site is in an area of relatively stable to high slope instability. An Alquist-Priolo Fault Hazard Zone transects the parcels from north-northwest to south-southeast and there is a mapped historic landslide in the northerly portion of the project area. The parcels are outside of any flood zone. The parcels are located within a moderate fire hazard severity zone and within the State Fire Responsibility Area where the State of California has the primary responsibility for the prevention and suppression of wildland fires. The parcels are also within the Arcata Fire Protection District who provides structural fire protection as well as responding to medical emergencies. No new development is proposed, and the project is not projected to increase hazard risk.

6. FINDING: The project conforms to zoning and building ordinances.

- EVIDENCE:**
- a) The parcels are zoned Timberland Production Zone (TPZ), Agriculture Exclusive (AE), Agriculture General (AG), and Residential One-Family (R-1). The project will adjust the parcel lines for remnant parcels resulting from the McKinleyville Community Forest acquisition. The LLA will not cause a non-conformance or increase the severity of any preexisting nonconformities with zoning and building ordinances as the reduction of TPZ zoned Parcel 4 below 160 acres, but no smaller than 40 acres, is permitted with an approved JTMP, and existing amounts of AE, AG, and R-1 zoned land will remain unchanged.
 - b) Proposed Parcel 4 is consistent with the minimum parcel size allowed in TPZ zones. Parcels less than 160 acres but larger than 40 acres may be created in the TPZ zone provided that the

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requirements of Government Code Section 51119.5 are met. Consistent with Section 51119.5 of the California Government Code, a JTMP was prepared by Craig A. Compton, Registered Professional Forester. The County's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on August 26, 2024. Pursuant to Section 51119.5, the JTMP must receive a 4/5's affirmative vote of the Board of Supervisors to become effective.

7. FINDING:

The Project and the 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) All reviewing referral agencies that responded to the County have approved or conditionally approved the proposed project. The application is complete. Parcels to be adjusted are found to be in compliance with the Subdivision Map Act. The proposal neither causes non-conformance nor increases the severity of preexisting nonconformities with zoning and building ordinances.
- b) The project results in a reconfiguration of remnant parcels resulting from the McKinleyville Community Forest acquisition for better management of timberland resources and therefore ensures the economic viability of maintaining these properties in such open space uses.

8. 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.

EVIDENCE:

- a) Parent Parcel F was included in the County 2019 Housing Element Inventory; however, the LLA will not change the

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current R-1 zoning of the parcel or prohibit future residential development of that portion of resultant Parcel 2 zoned R-1.

9. FINDING:


The Joint Timber Management Plan provides for the management and harvesting of timber by the original and any subsequent owners and shall be recorded as a deed restriction.

EVIDENCE:

- a) The County's Forestry Review Committee has reviewed the JTMP for its effectiveness for maintaining the ability of the resultant Parcel 4 to be effectively managed and harvested for timber and at its meeting of August 26, 2024, they recommended that the Board of Supervisors approve the JTMP.
- b) The JTMP declaration has been executed by the property owner and will be recorded simultaneously with the Notices of Lot Line Adjustment.

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Dated: November 5, 2024



Supervisor Rex Bohn, Chair
Humboldt County Board of Supervisors


Adopted on motion by Supervisor Bushnell, Seconded by Supervisor Arroyo, and the following vote:

AYES: Supervisors: -- Bohn, Bushnell, Wilson, Madrone, Arroyo
NAYES: Supervisors: --
ABSENT: Supervisors: --
ABSTAIN: Supervisors: --

STATE OF CALIFORNIA
County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



NIKKI TURNER

Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California