

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 26-

Record Number: PLN-2021-17462

Assessor's Parcel Number: 105-031-040

Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the follow-up Safier Coastal Development Permit.

WHEREAS, an Emergency Coastal Development Permit was issued on April 9, 2019 (PLN-2019-15434E) after vegetation and debris blocked a downstream County maintained culvert during an extreme rain and tidal event and flooding occurred on private property; and

WHEREAS, Roger Safier submitted an application and evidence in support of approving the follow-up Coastal Development Permit pursuant to Section 312-15.5; and

WHEREAS, the County Planning Division has 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 Zoning Administrator held a duly-noticed public hearing on January 15, 2026, and reviewed, considered, and discussed the application for the follow-up Coastal Development Permit, and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

- 1. FINDING:** A Coastal Development Permit (CDP) pursuant to Section 312-3.1.2 & 3.1.5, for long term remediation and restoration of the stream bed, banks and riparian protection zone of Stansberry Creek. This permit is a follow-up to the approved Emergency CDP (PLN-2019-15434E), approved on April 9, 2019, pursuant to Section 312-15.5. An extreme rain event with high downstream peak water flow occurred concurrent to a high tide of the Mattole River, resulting in flooding when vegetation and debris temporarily blocked a downstream County maintained culvert. The area of impact was approximately 20,000 square feet and approximately 44

cubic yards of grading was required. This permit is intended to approve the follow-up remediation and restoration of Stansberry Creek, per CDFW's Lake and Streambed Alteration (LSA) Agreement (Attachment 3) that was issued October 23, 2019, and all work was completed by October 2021. No additional development is proposed as part of this project.

EVIDENCE: a) Project File: PLN-2021-17462

2. FINDING: **CEQA:** The requirements of the California Environmental Quality Act (CEQA) have been complied with. The project is exempt from environmental review per section 15333 of CEQA.

EVIDENCE: a) As lead agency, the Planning and Building Department found the project to be categorically exempt pursuant to CEQA guidelines. The proposed project is for after-the-fact remediation and restoration of the stream bed, banks and riparian zone of Stansberry Creek. Section 15333 of the CEQA guidelines exempts small habitat restoration projects, consisting of projects not to exceed 5-acres in size. The area of impact was approximately 20,000 square feet and approximately 44 cubic yards of grading was required. The area has been restored to pre-disturbance conditions, per a CDFW qualified restoration ecologist (Attachment 4).

3. FINDING: The project is consistent with the development policies of the South Coast Area Plan (SCAP).

EVIDENCE: a) Land Use 5.30: The purpose of the Agriculture Exclusive/Grazing Lands (AEG) land use designation is to protect coastal grazing lands for long-term productive grazing use. This permit is a follow-up to the approved Emergency CDP (PLN-2019-15434E), approved on April 9, 2019, pursuant to Section 312-15.5. An extreme rain event with high downstream peak water flow that occurred concurrently during a high tide of the Mattole River, resulted in flooding when vegetation and debris temporarily blocked a downstream County maintained culvert. The follow-up

permit will have no impact on past or future land use.

- b) Hazards 3.28: Minimize risks to life and property in areas of high geologic, flood and fire hazards. The subject parcel is located in an area of both low and moderate instability. The area in which the follow-up CDP is addressing has a slope of under 15% and is relatively flat. There are no earthquake fault lines or hazard zones identified within the area. The parcel is located within a State Responsibility Area for fire protection and within a moderate fire hazard severity zone. The parcel is also served by Petrolia Fire Protection District, which provides structural fire protection and responds to medical emergencies.
- c) Archaeological and Paleontological Resources 3.29 and 3.39: The proposed after-the-fact project is not anticipated to impact any cultural resources or Tribal cultural resources. The project was referred to the NWIC and the Bear River Band. NWIC expressed a concern for potential undiscovered archaeological sites and recommended referral to the other tribes. There was no response from the Bear River Band. The inadvertent discovery protocol language was included in the Emergency CDP conditions of approval.
- d) Housing 3.26 and 3.37: New housing in the Coastal Zone shall be consistent with the goals, policies, standards, and programs of the Humboldt County Housing Element. The subject parcel was not included in the 2019 Adopted Housing Element Inventory. The project does not add or subtract from the housing inventory.
- e) Natural Resource Protection Policies and Standards 3.40 and 3.41: Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses dependent on such resources shall be allowed within such areas. The subject project location is in an area that requires special attention in regard to sensitive and critical resource habitats since the area that the vegetation and restoration occurred is within a Streamside Management Area (SMA). Minimal grading was required to repair the breached berm, with the repair zone dimensions approximate 50 feet by 4 feet by 6 feet, translating to roughly 44 cubic yards. Per CDFW's October 23, 2019 LSA

Agreement (Attachment 3), an addendum to the original emergency restoration plan was completed June 6, 2024, which showed the progression of natural re-vegetation from multiple years (Attachment 4). A biological survey was conducted after the emergency event to describe the terrestrial animal and plant species occurring in the project parcel disturbance area, as well as determining whether habitat exists for special status species. The foothill yellow-legged frog is identified as a rare and endangered species that was last seen within range of the area in September of 1998. A survey was conducted in 2021 by a fisheries biologist for the Mattole Salmon Group, and no adult foothill yellow-legged frogs were encountered. No special status species were observed within or near the project parcel during the site visit. There is no new development associated with this project and therefore it is not anticipated to impact natural resources.

- f) Visual Resource Protection 3.42: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. The subject parcel is not within Coastal Zone Scenic Views or Areas. There is no new development associated with this project and therefore it is not anticipated to impact visual resources.
- g) Urban Limits 3.21: New development shall be located within existing developed areas or in areas with adequate public services. The project is for a follow-up CDP to the original Emergency CDP. No new development is proposed and the site is back to pre-disturbance conditions.

4. FINDING: The proposed development is consistent with the Humboldt County Coastal Zoning Code.

EVIDENCE: a) The parcel is zoned Agriculture Exclusive, with a minimum lot size of 600 acres, with combining zones Flood Hazard (F) and Stream and Riparian Corridor Protection (R). The subject parcel is approximately 113-acres and is a legal parcel with multiple APNs per Lot Line Adjustment 09-82. The proposed CDP is to follow up the previously issued Emergency CDP per Section 312-15.5, for the major vegetation removal and

excavation of a streambank during an extreme rain and tidal event that led to flooding due to a downstream County maintained culvert getting plugged with debris.

- b) The Flood Hazard (F) combining zone is intended to minimize public and private losses due to flood and tsunami conditions in specific areas of the County. This permit is to follow-up the emergency CDP that was approved April 9, 2019 after an extreme rain event with high downstream peak water flow occurred concurrently to a high tide of the Mattole River, resulting in flooding when vegetation and debris temporarily blocked a downstream County maintained culvert. The area of impact was approximately 20,000 square feet and approximately 44 cubic yards of grading was required. This permit is intended to approve the follow-up remediation and restoration of Stansberry Creek, per CDFW's Lake and Streambed Alteration (LSA) Agreement (Attachment 3) that was issued October 23, 2019, and all work was completed by October 2021. No additional development is proposed as part of this project.
- c) The Stream and Riparian Corridor Protection (R) combining zone is to provide for the maintenance, enhancement, and, where feasible, restoration of water resources by restricting development, and by minimizing adverse effects of runoff, interference with surface waterflow, and alteration of natural streams, and by protecting riparian habitats. The proposed project is a follow up CDP for work conducted within the Stansberry Creek in response to flooding during a major rain event when a County maintained culvert was blocked with debris. The original Emergency CDP was issued with guidance from the County and CDFW. Findings required in the R combining zone are discussed in further detail below in Finding number 5.

5. FINDING:

Under the Streams and Riparian Corridors Protection Combining Zone (R), a Coastal Development Permit for development or activity within stream channels and riparian corridors shall be approved only if the applicable Resource Protection and Impact Findings in Chapter 2, Procedures, Supplemental Findings, are made. Per Section 312-39.4,

Coastal Streams and Riparian Areas require there are no significant adverse affects on habitat areas, there is no less environmentally damaging feasibility alternative, and the best mitigation measures have been provided to minimize adverse environmental effects.

EVIDENCE:

- a) There are no significant adverse affects on habitat areas, per Section 312-39.4.1. CDFW issued a LSA Agreement on October 23, 2019, and all work was completed by October 2021. A completion and revegetation report was submitted to CDFW January 2022. The final addendum to the original emergency restoration plan was submitted June 6, 2024, which showed the progression of natural re-vegetation from multiple years. The CDFW approved restoration ecologist, Thomas Dunklin, stated that since the initial levee failure and subsequent repair work, no further equipment work was required, and the channel was back to pre-disturbance conditions. No additional development is proposed.
- b) There is no less environmentally damaging feasible alternative, per Section 312-39.4.2. Prior to work being started, the applicant applied for an emergency CDP and County Planning and CDFW authorized work. The area of impact was approximately 20,000 square feet and approximately 44 cubic yards of grading was required. This permit is intended to approve the follow-up remediation and restoration of Stansberry Creek, per CDFW's Lake and Streambed Alteration (LSA) Agreement (Attachment 3) that was issued October 23, 2019, and all work was completed by October 2021. CDFW approved restoration ecologist, Thomas Dunklin, stated that since the initial levee failure and subsequent repair work, no further equipment work was required, and the channel was back to pre-disturbance conditions. No additional development is proposed as part of this project.
- c) The best mitigation measures feasible have been provided to minimize adverse environmental effects, per Section 312-39.4.3. This permit is intended to approve the follow-up remediation and restoration of Stansberry Creek, per CDFW's Lake and Streambed Alteration (LSA) Agreement (Attachment 3) that was issued October 23, 2019, and all

work was completed by October 2021. CDFW's LSA Agreement specifically addresses avoidance and minimization measures to avoid or minimize adverse impacts on fish and wildlife resources. CDFW approved restoration ecologist, Thomas Dunklin, stated in the June 6, 2024 Restoration and Monitoring Plan addendum, that since the initial levee failure and subsequent repair work, no further equipment work was required, and the channel was back to pre-disturbance conditions. No additional development is proposed as part of this project.

6. FINDING: The project conforms with all applicable standards and requirements of these regulations.

EVIDENCE: a) The proposed project will conform with all applicable standards and requirements with the approval of the follow-up CDP. Grading permits are required for over 50 cubic yards of disturbance. According to the Restoration and Monitoring Plan from a CDFW approved restoration ecologist, the grading required to repair the breached berm was approximately 44 cubic yards, and therefore a grading permit is not required. With the approval of the follow up CDP, the project conforms to all standards and requirements of the zoning ordinance and the South Coast Area Plan.

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) The proposed CDP is to follow up the previously issued Emergency CDP for the major vegetation removal and excavation of a streambank during an extreme rain event that led to flooding due to a downstream County maintained culvert getting plugged with debris. No other development is proposed at this time. Based on staff analysis and the findings, there is no evidence that the proposed historic grading will be materially injurious to properties or improvements in the vicinity.

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) The subject parcel was not included in the 2019 Adopted Housing Element Inventory and will not reduce the residential density below that utilized by the Department of Housing and Community Development.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Approve the Follow-up Coastal Development Permit to the Emergency Coastal Development Permit based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachments 1A and incorporated herein by reference.

Adopted after review and consideration of all the evidence on **January 15, 2026**.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

John H. Ford, Zoning Administrator
Planning and Building Department