

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

Resolution Number 25-

Record Number PLN-2025-19192

Assessor's Parcel Number 216-184-001

Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the Fort Seward Quarry 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 reapproving a recently expired 15-year term of the Fort Seward Quarry Conditional Use/Mining Permit and Reclamation Plan (CUP-01-93XMX/SMT-01-93XMX); and

WHEREAS, the Humboldt County Planning Division has reviewed the submitted application, PLN-2025-19192, and evidence and has referred the application and evidence to reviewing agencies for site inspections, comments and recommendations; 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 for the original permit in 1994, a Subsequent Mitigated Negative Declaration was adopted for the permit renewal in 2012, and no changes are proposed to the approved permits, therefore no additional environmental review is required; 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 August 21, 2025, a public hearing was held to receive public testimony on the proposed project.

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

- 1. FINDING:** **Project Description:** Reapproval of a 15-year term of a previously approved, existing surface mining permit. The

operation includes annual extraction and processing of up to 5,000 cubic yards (cy) of material with a total amount not to exceed 15,000 cy over 15 years. No changes to the extraction volume, location or Reclamation Plan is proposed. The annual volume, locations and extraction methods will be consistent with the prior approval and other regulatory agencies.

EVIDENCE: a) Project File: PLN-2025-19192

2. FINDING: **CEQA:** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Zoning Administrator has considered the Mitigated Negative Declaration previously adopted for the original project in 1994, and the Subsequent Mitigated Negative Declaration adopted for the project renewal in 2010 pursuant to Section 15164 of the CEQA guidelines.

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

b) No expansion is proposed; no changes are proposed.

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

Conditional Use Permit (Title III, Div. 1, Chapter 2, §312-17.1, Required Findings, of the Humboldt County Code)

3. FINDING: The proposed development is in conformance with the County General Plan

EVIDENCE: a) Mining permits are conditionally permitted in all land use and zoning designations (2017 General Plan, Chapter 10, Mineral Resources, Section 10.4.4, Surface Mining Standards).

4. FINDING: The proposed development is consistent with the purposes of the existing zone in which the site is located.

EVIDENCE: a) Mining permits are conditionally permitted in all land use and zoning designations (Humboldt County Code (HCC), Section

391-1, Surface Mining Ordinance). Final reclamation will return the land consistent with surrounding rural residential and agricultural uses.

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

EVIDENCE: a) Notwithstanding the requirement for a Conditional Use Permit for the removal of natural material for commercial purposes for inland areas, and compliance with the development standards of the base and combining zones, general regulations applicable to all zones, several zones and special areas as listed apply to the project. These regulations are contained in the County's Mining Ordinance (HCC Section 391-1 *et seq.*) and require that:

- The proposed surface mining operation incorporates adequate measures to mitigate the probable or known significant environmental effects caused by the proposed operation.
- The proposed surface mining operation and use 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.

These findings are largely incorporated within plan conformance findings for Conditional Use Permits and as directed under CEQA.

In addition to the above approval criteria, HCC Section 313-61.2.6 establishes mining permit standards above and beyond that minimally required under SMARA. These standards include:

- All private encroachments leading to a surface mining operation shall be adequately surfaced to prevent aggregate or other materials from being drawn into the public way.

- All haul roads and driveways shall be maintained as necessary to minimize the emission of dust and prevent the creation of a nuisance to adjacent properties.
- Any water discharges from the mined lands shall meet all applicable water quality standards of the Regional Water Quality Control Board and other agencies with authority over such discharges.
- Adequate measures shall be taken to assure the prevention of erosion from mined lands and adjacent properties during the life of the operation. The reclamation plan shall insure the prevention of erosion subsequent to surface mining operations.
- Unless specifically authorized for the purposes of environmental enhancement by the California Department of Fish and Wildlife (and the U.S. Army Corps of Engineers, if necessary), grades and land forms in mined lands shall be maintained in such a manner so as to avoid accumulations of water that will serve as breeding areas for mosquitoes or sites for fish entrapment.
- Excavations, which could affect groundwater, shall not substantially reduce the quality or quantity of groundwater available in the area surrounding the mined lands.
- Surface mining operations in areas where other agencies have regulatory jurisdiction shall be operated so as to comply with all applicable rules and regulations.

Based on information contained in the application and environmental documentation, the project has been designed or is being conditioned to assure compliance with these standards.

6. 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) See Findings and Evidence for Approving Reclamation Plans, below.

Conditional Use Permit for Surface Mining (Title III, Div. 9, Chapter 1, §391-4(b)(3)(a) and (b), Procedure for Review and Action on Applications, of the Humboldt County Code)

7. FINDING (a): The application package adequately describes the proposed surface mining operations and adequate measures are incorporated to mitigate significant environmental effects which may be caused by the proposed operation.

EVIDENCE: a) The application is for reapproval of a mining permit for continued quarry mining operations. The 15-year term of the prior approval expired prior to submitting application for renewal. A Mitigated Negative Declaration was adopted in 1994 for the original permit approval and a Subsequent Mitigated Negative Declaration (SMND) was adopted in 2010 for a 15-year permit renewal. The SMND included mitigation measures that along with the original conditions of approval were incorporated into the project and are, in effect, part of the project that is being considered. These measures have been and will continue to be in force and monitored annually by County Planning staff. There are no changes in operations, law, or the environment that warrant further environmental review. The requested permit renewal can be found exempt from the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption, Existing Facilities.

8. FINDING (b): The proposed use and location of the surface mining operation is properly located in accordance with the General Plan.

EVIDENCE: a) Mining permits are conditionally permitted in all land use and zoning designations (2017 General Plan, Chapter 10, Mineral Resources, Section 10.4.4, Surface Mining Standards).

15-Year Permit Term (*Title III, Div. 9, Chapter 1, §391-4(b)(6), Term, of the Humboldt County Code*)

- 9. FINDING:** The life expectancy of the operation justifies a 15-year term.
- EVIDENCE:** a) The quarry is bowl-shaped, cut into the hillside, with a face about 150' long by 30' high. The historical extraction amount and the size of the quarry indicates there is at least 15,000 cubic yards of material remaining.
- 10. FINDING:** There are no special circumstances related to the operation that would cause the term to be set for less than 15 years.
- EVIDENCE:** a) Referral notices were sent to regulatory agencies, and no agency indicated that the term should be less than 15 years. County staff are not aware of any special circumstances that should limit the term.
- 11. FINDING:** The mine has been conducted in compliance with permit conditions.
- EVIDENCE:** a) The operation has been inspected annually by County Planning staff for compliance with the Reclamation Plan and conditions of approval and mitigation measures. The most recent inspection report from October 2024 shows no violations or issues.
- 12. FINDING:** Existing Mitigation Measures and Conditions reduce environmental impacts to less than significant and all impacts are addressed.
- EVIDENCE:** a) Following review of relevant regulations and consultation with interested agencies, there are no changes in the law or circumstances that warrant additions or changes to conditions or mitigation measures.

Reclamation Plan (*Title III, Div. 9, Chapter 1, §391-5(b)(2), Approval, of the Humboldt County Code*)

Public Resources Code (PRC) Sections 2772, 2773 and 2774 specify the information and documents required for all reclamation plans.

The full contents to satisfy required Findings A through P are found in the Reclamation Plan for the Fort Seward Quarry submitted for this project, unless otherwise noted.

The name and address of operator and agent.

Page 4 of Reclamation Plan (RP) -

Operator/Agent: Humboldt County Department of Public Works (HCPW), 1106 Second Street, Eureka, CA 95501

The names and addresses of the owners of all surface and mineral interests of such lands.

Page 4 of RP -

Norman G. Satterlee, 2604 G Street, Eureka, CA 95501

The anticipated quantity and type of minerals for which the surface mining operation is to be conducted.

Page 4 of RP –

Extractions as large as 5,000 cubic yards, or smaller extractions, as frequently as annually, totaling 15,000 cubic yards over 15 years.

The proposed dates for the initiation and termination of such operation.

Page 4 of RP –

Date of start-up May 11, 1994; estimated date of closure 2040. The Surface Mining Ordinance allows for up to a 15-year permit term subject to future extensions.

The maximum anticipated depth of the surface mining operation.

Page 4 of RP –

50 feet.

The size and legal description of the lands that will be affected by such operation.

Page 1, 4 of RP -

Size: Total area to be disturbed and reclaimed 2.5 acres.

Legal Description: Section 23, T3S R4E, H.B. & M.

A map that includes the boundaries and topographic detail of such lands, the location of all streams, roads, railroads, and utility facilities within, or adjacent to, such lands, the location of all proposed access roads to be constructed in conducting such operation,

Pages 26-29 of RP -

Project Vicinity, Project Location, Mining Plan (Aerial Photograph), Site Plan (Process Site Close-Up), Proposed Final Reclamation Plan.

A description of the general geology of the area, a detailed description of the geology of the area in which surface mining is to be conducted,

Page 8 of RP -

The quarry lies within a region of the Franciscan Formation of volcanic and meta volcanic rock. This is principally comprised of massive greywacke and contains minor amounts of shale, chert, greenstone and schist.

A description of and plan for the type of surface mining to be employed and a time schedule that will provide for the completion of surface mining on each segment of the mined lands so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation

Page 12-13 of RP -

The landowner anticipates post reclamation land use may include any combination of mining, forestry/logging, and livestock grazing. The Reclamation Plan is written with the intention of reclaiming the site to simulate productivity of the surrounding areas.

A description of the proposed use or potential uses of the land after reclamation and evidence that all owners of a possessory interest in the land have been notified of the proposed use or potential uses.

Page 12-13 of RP -

The landowner anticipates post reclamation land use may include any combination of mining, forestry/logging, and livestock grazing. The Reclamation Plan is written with the intention of reclaiming the site to simulate productivity of the surrounding areas.

A description of the manner in which contaminants will be controlled, and mining waste will be disposed.

Page 13-14 of RP -

There are no contaminants associated with this operation. quarry face will be a maximum of 50' high and will be finish graded to a 2:1 slope. The quarry floor will be designed to slope gently (~1%) toward a centralized detention areas at the center of the quarry to most effectuate percolation. The existing access road will not be decommissioned or altered, as it is the intent of the landowner to utilize the site as a "borrow pit" for ranch related activities.

A description of the manner in which rehabilitation of affected streambed channels and streambanks to a condition minimizing erosion and sedimentation will occur.

Page 17 of RP -

There are no watercourses in the quarry. Final grading of the quarry face and floor will direct stormwater runoff to retention areas or saturation trench at the base of the face where runoff will collect onsite and evaporate or percolate

into the grounds.

An assessment of the effect of implementation of the reclamation plan on future mining in the area.

Page 12-13 of RP -

He landowner anticipates the site will be used as a "borrow pit" after HCPW ceases its use of the quarry.

A statement that the person submitting the reclamation plan accepts responsibility for reclaiming the mined lands in accordance with the reclamation plan.

Page 23 of RP -

The Statement of Responsibility follows County accepted form and content for such acknowledgments.

A cost estimate prepared by a qualified individual for financial assurances to ensure reclamation is performed in accordance with the reclamation plan.

Pages 9 of RP -

A Cost estimate was provided with the reapplication and will be updated yearly consistent with SMARA. Financial Assurances to ensure reclamation is performed in accordance with the approved reclamation plan shall be entered into with the County of Humboldt and the Department of Conservation per PRC Section 2773.1.

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 Fort Seward Quarry Conditional Use/Mining Permit and Reclamation Plan for a 15-year term.

Adopted after review and consideration of all the evidence on **August 21, 2025**.

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, Director,
Planning and Building Department