



COUNTY OF HUMBOLDT

For the meeting of: 11/6/2025

File #: 25-1308

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Sacred Groves Kneeland Cemetery Conditional Use Permit

Assessor Parcel Numbers (APN): 314-131-088, 314-131-092, and 314-131-091 which includes a portion of 314-131-051

Record No.: PLN-2024-19115

Kneeland area

A Conditional Use Permit for a green burial cemetery. Burials of human remains are proposed to occur in single plots and family groves at a maximum density of 120 graves per acre. Graves will be dug by hand to minimize impacts on plants and soil. Bodies and biodegradable burial materials will be buried in the root zone at a minimum depth of 18 inches. The site is currently managed for hay production, grazing and forest health and will continue with cemetery operations. Ceremonial tree plantings will be watered for one year with water from a rainwater catchment tank. The project will result in conversion of some hay field to oak savannah. The property entrance will be improved, and a short driveway, parking area, and a non-residential ceremonial structure will be constructed. Visitation to the cemetery will be limited by a locked gate.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Attachment 1), which does the following:
 - a. Adopt the Mitigated Negative Declaration prepared for the Sacred Groves, Inc. project pursuant to Section 15074 of the State CEQA Guidelines; and
 - b. Adopt the Mitigation Monitoring and Reporting Program (Attachment 1B); and
 - c. Make all required findings for approval of the Conditional Use Permit; and
 - d. Approve the Sacred Groves, Inc. Conditional Use Permit as recommended by staff and

subject to the recommended conditions of approval (Attachment 1A)

DISCUSSION:

Project Location: The project site is located in the Kneeland area, on the north side of Kneeland Road, approximately 1.5 miles southeast of the intersection of Butler Valley Road and Kneeland Road, on the property known to be in the southeast quarter of the northeast quarter of Section 9, Township 4N, Range 2E, Humboldt Base & Meridian.

Present General Plan Land Use Designation: (all three parcels) Agricultural Grazing (AG) and Timberland (T)

Present Zoning: (all three parcels) Agricultural Exclusive (AE); Timber Production Zone (TPZ)

Environmental Review: An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and processed in compliance with CEQA and was circulated for public review from September 23, 2025, through October 23, 2025 (SCH# 2025091001). Based on the whole of the record, there is no substantial evidence that the project will have a significant impact on the environment and the Mitigated Negative Declaration reflects the county's independent judgement and analysis.

State Appeal:

Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Major Concerns:

None

Monitoring Required:

CEQA Mitigation Monitoring

Executive Summary:

Project Description: An application for a Conditional Use Permit for a Green Burial Cemetery. Burials of human remains are proposed to occur in single plots and family groves at a maximum density of 120 graves per acre. Graves will be dug by hand to minimize impacts on plants and soil. Bodies and biodegradable burial materials will be buried in the root zone at a minimum depth of 18 inches. The site is currently managed for hay production, grazing and forest health and will continue with cemetery operations. Ceremonial tree plantings will be watered for one year with water from a rainwater catchment tank. The project will result in conversion of some hay field to oak savannah. Entrance to the property will be improved and a short driveway, parking area, and a non-residential ceremonial structure will be constructed. Visitation to the cemetery will be limited by a locked gate.

The proposed cemetery is on two parcels. APN 314-131-092 is a 40-acre parcel and makes up the bulk

of the cemetery. APN 314-131-091 and a portion of 414-131-056 is a 160-acre parcel with two APN's and is on the northern side of the project area; approximately 7 acres of this parcel will be used for the cemetery. This area will include the proposed non-residential structure, up to 1,500 square feet, to be used for gatherings, the ADA compliant parking area, portable toilets and path, ten standard parking spots and a short driveway of the existing gravel road. The project will not use electricity, nor will it install lighting. A 4,000-gallon rainwater catchment tank will store water collected off the non-residential structure's roof. This water will be used for the first-year plantings of native trees. Each newly planted tree, estimated to be between 40 and 100 trees per year, will be watered with approximately 20 gallons its first summer. A 2,500-gallon water tank that meets CalFire's State Responsibility Area requirements will store water for fire suppression. The Project's driveway is on APN 314-131-088 and APN 314-131-092 and is accessed from Kneeland Road. The location and orientation of these items are shown on the site plan included in the Initial Study, Mitigated Negative Declaration (IS/MND) and as **Attachment 2 Site Plan**.

Un-embalmed bodies and cremains will be interred at the cemetery. Shrouds and caskets must be made from biodegradable materials. Three burial options will be available for cemetery patrons. The first is forest burial. Graves will be dug by hand in forested areas with care taken to avoid damage to root systems. The second option is grassland burial. This area will continue to be managed for hay production and grazing. The third option is the Oak Savannah Restoration area. In this area cemetery patrons will have the opportunity to plant native trees in family groves where families or groups will have the option of being buried under trees of their choosing. Grazing and hay production will continue in this area but will decrease over time as trees are planted. Caskets, or shrouded bodies will be buried at a minimum depth of 18" below ground surface as required by state law. The purpose of burying bodies at this depth is to speed decomposition in the aerobic zone of the soil and to achieve timely nutrient cycling between soil and plants.

The cemetery is organized as a Registered California Religious Corporation and an IRS 501(c)(3) Nonprofit. The cemetery has an estimated 104-year operational timeline until it becomes full. The maximum proposed burial density of 120 graves per acre will not be reached for the entirety cemetery, the establishment of family groves and dispersed burials in the forested area will result in a lower overall density. Graves will not have above ground markers. Passive tags that can be located and read with a reader will be placed at each burial site. GPS and GIS-based mapping will be employed to accurately record each burial site. Each burial and scattering site will be plotted with coordinates relative to fixed reference points. A digital and physical burial register will be maintained with individual site information with maps and diagrams. For funeral services access will be limited to 10 vehicles per event and will need to be pre-arranged with the cemetery manager. Visitation will be limited to one weekend per month, all other visits will need to be arranged with the cemetery manager or property owner. The cemetery will not have waste disposal facilities, visitors will pack out any refuse generated during their visits. Burial processes and information on the reasons for and safety of green burial are more fully described in the Operations Plan (**Appendix B - IS/MND**).

Certificate of Subdivision Compliance (COSC), recorded as document number 1998-291-3 documents the legality of the project parcels. Assessor's Parcel Number (APN) 314-131-091 and a portion of APN 314-131-057 are one legal parcel described as Parcel 2 in the COSC. APN 314-131-092 is described in the COSC as Parcel 4. APN 314-131-088 is two legal parcels with one APN and identified in the COSC as Parcel 3 and Parcel 4.

Required Findings:

The project includes a Conditional Use Permit. Humboldt County Code and California Government Code require certain findings to be addressed for these actions. The findings are addressed in detail in the attached resolution; however the project must be generally found:

- a) to be in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.
- b) to be consistent with the applicable zoning regulations.
- c) not detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity; and
- d) to 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 certain site-specific findings are made.
- e) that there is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines.

Supplemental Agricultural Use Findings:

The project includes a Conditional Use Permit in the Agricultural Exclusive Zone. The findings are addressed in detail in the attached resolution; however the project must be generally found:

- a. proposed use will not impair the continued agricultural use on the subject property or on adjacent lands or the economic viability of agricultural operations on the site.

Public Health and Safety:

The proposed project was referred to and reviewed by numerous agencies, including the Humboldt County Planning Division, County Building Inspection Division, County Department of Public Works, County Division of Environmental Health (DEH), California Department of Fish and Wildlife (CDFW), California Department of Forestry and Fire Protection (CALFIRE), local Native American Tribes, and the Kneeland Fire Protection District, among others. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of people either residing or working in the area. No evidence has been submitted that the project, as conditioned and mitigated, will be detrimental to public health, convenience, safety, and welfare. Early in the project development a neighbor expressed

concern that the burial of human remains could lead to groundwater contamination or interference with a waterline that supplies water for a residence to the west of the project area. The applicant revised the project to address these concerns. The property was surveyed and a 30-foot buffer was applied to the property line. The waterline was located and excluded from the project area. Furthermore, no evidence has been submitted that indicates that properties within the vicinity will be physically damaged by the proposed conditional use permit and subsequent operation of the green burial cemetery. The applicant submitted a soil suitability analysis (**IS/MND - Appendix H**) that examined the types of soil present in the project area and the hydrological potential of the soil to accumulate and transport groundwater. In summary, the soils in the project area are well drained, do not show evidence of an elevated water table, have good aeration and potential for active decomposition, and have good fertility for the production of biomass. The soils are well suited for the burial and decomposition of dead bodies. The safety of dead bodies is discussed in Operations Plan for the project (**IS/MND - Appendix B**). The Operations Plan provides a variety of sources that document the lack of evidence for disease transmission or groundwater contamination from the burial of human remains. In response to the public circulation of the Initial Study and Mitigated Negative Declaration, no comments were received.

The proposed development has been analyzed in the IS/MND and was shown to have a less than significant impact to natural resources because the project as proposed and conditioned will protect soil and water resources, and will not have negative impacts on wildlife or ecosystems.

Land Use:

The project site is located on land with a General Plan designation of Agriculture Grazing (AG) and Timber (T). In the Agricultural Grazing (AG) and Timber (T) land use designations cemeteries are considered a compatible use and are allowed with a conditional use permit. The cemetery will host funerals, allow for burials and visitation on a controlled basis. The non-residential structure, parking area and driveway will be developed to serve visitors to the cemetery. The mission of the cemetery is to foster a deeper connection with natural resources and the natural world, even in death. Many of the patrons of the cemetery seek a deeper connection with trees, hence their wish to be buried among them and ultimately become part of them. The development of this cemetery will not impede or restrict the use of the land for timber production or agriculture. Grazing and hay production will continue with the operation of the cemetery; there will be no net loss in the agricultural production of the lands associated with the project. There is no timber harvest planned for the project area, the northern portion of the project area is included in a Non-Commercial Timber Management Plan (**IS/MND Appendix G**). The areas under consideration for forest burials are categorized as young hardwood forest dominated by tanoak with lesser components of pacific madrone and California Bay. Conifer stocking in this type is minimal; near term value for timber harvest is minimal. The property owner proposes minimal tree cutting in these areas for the purpose of hazard reduction and habitat enhancement. No trees will need to be cut down for the development of the non-residential structure, driveway, or parking area. The existence of the cemetery will provide a dynamic educational resource for understanding forest ecology, nutrient cycling and the role of carbon

sequestration in reducing the greenhouse gas contents in the atmosphere.

Agricultural and Land Use Policy: Agricultural Land Conversion - No Net Loss, Agricultural Production in Conservation Areas, and Protect Productive Agricultural Soils.

The General Plan's Land Use Element identifies "Other Compatible uses" on lands designated AE (Agriculture Exclusive) (Table 4-G) as an "allowable" use of the land. This is balanced with policies, implementation measures and standards that call for preservation of prime farmland and conservation easements. Two of these policies significant to the proposed project are AG-P6 which calls for a "no net loss" of agricultural lands and AG-P16 which calls for the protection of productive agricultural soils. AG-P7 calls for continued agricultural production in conservation areas, the project is not located in a conservation area however the project is conditioned to develop and record a notice of development plan that will preclude future development in areas where bodies are proposed to be buried, creating a de-facto conservation area.

General Plan Policy AG-P6 reads as follows:

Agricultural Land Conversion - No Net Loss. Lands planned for agriculture (AE, AG) shall not be converted to non-agricultural uses unless the Planning Commission makes the following findings:

- A. There are no feasible alternatives that would prevent or minimize conversion;
- B. The facts support an overriding public interest in the conversion; and
- C. For lands outside of designated Urban Development Boundaries, sufficient off-setting mitigation has been provided to prevent a net reduction in the agricultural land base and agricultural production. This requirement shall be known as the "No Net Loss" agricultural lands policy. "No Net Loss" mitigation is limited to one or more of the following:
 - 1. Re-planning of vacant agricultural lands from a non-agricultural land use designation to an agricultural plan designation along with the recordation of a permanent conservation easement on this land for continued agricultural use; or
 - 2. The retirement of non-agricultural uses on lands planned for agriculture and recordation of a permanent conservation easement on this land for continued agricultural use; or
 - 3. Financial contribution to an agricultural land fund in an amount sufficient to fully offset the agricultural land conversion for those uses enumerated in subsections a and b. The operational details of the land fund, including the process for setting the amount of the financial contribution, shall be established by ordinance.

General Plan Policy AG-P16 reads as follows:

Protect Productive Agricultural Soils. Development on lands planned for agriculture (AE, AG) shall be

designed to the maximum extent feasible to minimize the placement of buildings, impermeable surfaces or non-agricultural uses on land as defined in Government Code Section 51201(c) 1- 5 as prime agricultural lands.

The current use of the property is for hay production and grazing. The applicant proposes to continue these uses for the life of the project to achieve the no net loss provision of AG-P6. The design of the project and the conditions of approval will allow the agricultural and timber use of the project area and project parcels to continue. The application of a development plan that will limit future development could mean that the agricultural value of the land is better preserved with the project than without. The lack of traditional headstones will allow the area to be grazed and harvested for hay. The forested portions of the project area may also be grazed and in some cases wood or timber may be harvested. The project will not interfere or limit these uses.

Measures are in place for the project to maintain consistency with General Plan Policy AG-P6, and this applies to AG-P7 as well, to prevent a net reduction in land base and agricultural production. The Project sponsor will maintain continual operation of agricultural uses on the property. The project area is not currently subject to a conservation agreement; however the project will result in the creation of a de-facto conservation easement whereby development will not occur where graves are proposed.

At the end of the project period, estimated to be in 104 years, agricultural and timber production will continue without impediment from the project. Restoration efforts will not be required because the agricultural and timber production uses would not have ceased. The project will not result in a net loss of agricultural land and will protect productive agricultural soils and is consistent with Plan Policy AG-P6 and Plan Policy AG-P16. The project design, which proposes a 44.7-acre green burial cemetery will continue agricultural production on the project site. Hay production and grazing will continue, some areas of the project will be converted to savannah habitat. Grazing will continue in the savannah areas; the production of trees is a compatible use in the AE zone.

Public Interest:

The project is in the public's interest because it proposes a burial method that emits less carbon dioxide than conventional burials or cremation. The reduction of energy consumption of Green Burial compared to traditional burial or cremation is described in Appendix B - IS/MND. Green Burial's carbon footprint is 1/15 that of traditional burial and is 1/10 that of cremation.

Circulation:

The IS/MND analyzed the project's contribution to vehicle trips to the access road. The access road starts at Kneeland Road (F6F060) which has a 24-foot-wide asphalt traveled way with varying one- to two-foot-wide gravel shoulders, lying within a 40-foot County Right of Way. The existing gate on the Road lies fully outside the County Right of Way. The private access road owned by the Almquist Family

Trust has three right-of-way easements: 1) for an AG/TPZ parcel (AP 314-131-077) with a residence to the west of the project, 2) for a TPZ parcel north of the project owned by Humboldt Redwood Company (AP 314-131-028), and 3) for an AG parcel (AP 314-131-094) with a residence southeast of the project near Kneeland Road. Current vehicular traffic on the private access road is estimated at 12 vehicles in and out per day (365/month) and special events traffic is 0.5 per day (15/month). Project operations are expected at a maximum to require 0.7 vehicles in and out per day for burial visits, 1 vehicle in and out per day for special permission visits, and 1.3 vehicles in and per day for burial services for a total project related increase of up to 3 vehicles per day, a 24% increase over current vehicle traffic volume. In The Technical Advisory on Evaluating Transportation Impacts in CEQA, Governor's Office of Planning and Research, 2018, specific thresholds for determining the significance of transportation impacts based on Vehicle Miles Traveled (VMT) are set. The technical advisory from the Office of Planning and Research determined that projects generating fewer than 110 trips per day may be screened out from performing a detailed VMT analysis. The proposed project estimates the project associated trip increase is 3 trips per day, well under the threshold of significance.

The applicant supplied a Road Evaluation prepared by a licensed engineer (**Appendix D - IS/MND**). The road evaluation documented that the one-way road was at least 12 feet in width, and that the six established turnouts were intervisible and spaced within 400 feet of each other. The road features five turnarounds for fire engines. The road evaluation and completed a fire safe road checklist have been included in the IS/MND (**Appendix J - IS/MND**). The road length to the project area is 0.8 miles and is a one-way road in places with six developed turnouts. Signage will show the locations of turnouts and a 5 mile per hour speed limit will be posted.

Project conditions of approval require that the intersection at Kneeland Road will be improved to County standards for commercial access: asphalt paved with required flares. Prior to conducting project activities, the permittee must apply for and obtain an encroachment permit to retrofit the entrance to the existing access road to meet current County standards for a commercial access road off Kneeland Road (**Condition of Approval A-5**). The road will remain a private road with no public access. The improvement of the entrance to the county road will improve the safety of the intersection of the private access road and Kneeland Road for existing and new road users.

Housing:

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 parcels involved were not included in the 2019 County Housing Inventory. The proposed cemetery will reduce the residential development potential for APN 314-131-092 but parcels 314-131-088 and 314-131-091 will be mostly available for permitted residential development.

Biological Resources:

The proposed project is to conduct a conditionally permitted use in the Agricultural Exclusive(AE) and Timber Production Zones (TPZ). The areas specified for development including the non-residential

structure, driveway, and parking area, and the areas planned for burials are located outside of all SMA buffers, and no trees would be removed as part of the project. Further, the site does not contain any mapped wetlands (USFWS National Wetland Inventory, 2024), with the nearest mapped wetland associated with Black Creek, approximately 75 feet southwest of project parcel 314-131-092. The project is designed with a 100-foot radial buffer from the southwest corner of APN 314-131-092, giving an effective buffer distance of 175 feet from Black Creek. As part of the soil suitability analysis, **(IS/MND Appendix H)** a seasonal ephemeral watercourse, was identified in the project area. A 50-foot buffer to project activities was incorporated into the project design. Buffered areas and watercourses are shown on the site plan **(IS/MND - Appendix A)**. The entirety of the project area is either under agricultural management for grazing and hay production or subject to a non-commercial timber management geared towards forest health and oak woodland restoration **(IS/MND Appendix G)**.

The ISMD considered the possibility that the burial of un-embalmed bodies and biodegradable burial materials could impact the current biological resources on the property. A 2015 botanical survey of the project area located a small (6' x 5' area) population of Siskiyou checkerbloom (*Sidalcea malvaeflora* ssp. *Patula*); no other sensitive species were found **(IS/MND - Appendix E)**. In August 2025, A California Sensitive Plant Review was conducted for the project area **(IS/MND - Appendix F)**. The botanical review surveyed the area where the 2015 occurrence of Siskiyou checkerbloom was recorded. Jennifer Wheeler, botanist, inspected the reported site in consultation with the landowner on August 11, 2025, and conducted a passive meander survey on June 29, 2024. No *Sidalcea* species were present during these inspections. Siskiyou checkerbloom is not listed pursuant to the Federal or State Endangered Species Acts. The California Native Plant Society has listed this species 1B.2 Rare, threatened or endangered in California and elsewhere, moderately threatened in California.

There are no sensitive wildlife species known to utilize the project area's 44.7 acres: 27.9 acres of predominately open grassland and 16.8 acres of second-growth oak-conifer woodlands. The second-growth oak-conifer woodland consists of three separate areas ranging from less than 1.5 acres, less than 4 acres and 11.5 acres. The project area is and has been actively managed for agricultural uses (grazing and hay production) and timber production under an approved NTMP which are principally permitted uses that do disturb existing vegetation. Currently there are no known natural sensitive plant communities or wildlife habitats in the 44.7-acre project area.

A review of the California Natural Diversity Database (CNDDB) shows that a documented occurrence of *Usnea longissima*, or Methuselah's beard lichen, was noted in 2000, 248 feet west of the project area. *Usnea longissima* is not currently listed as threatened or endangered in California or federally, but it is considered a sensitive species and is on the California Rare Plant Rank 4.2 Watch List, indicating a limited distribution and a moderate level of threat within the state. The project will not impact this species because the lichen grows on trees, the project does not propose any tree cutting.

In 2004 six coast fawn lily (*Erythronium revolutum*) plants were identified on the embankment of a

class II stream that is a tributary to Black Creek as part of a pre-timber harvest botanical survey. This occurrence was approximately 1,200 feet east of the project site. CNDDDB data suggest that suitable habitat for coast fawn lily (*Erythronium revolutum*) may exist on mesic sites on adjacent property to the east. To address this concern a botanical survey was conducted on August 11, 2025. Though early August is at end of the fawn lily detection period, drying leaves, if present, would likely be identifiable to genus, certainly to family. The Survey did not identify any *Erythronium revolutum* in the project area, nor did the survey identify any special status plants or botanical ecosystems. *Erythronium revolutum* has no State or Federal listing status, however it is ranked as “S3” Vulnerable in the state due to a restricted range, with relatively few populations. It is unlikely that *Erythronium revolutum* will be impacted by project activities because project does not include action in the streamside management areas that the species favors.

The project area is and has been actively managed for agricultural uses (grazing and hay production) and Timber production (NTMP) which are principally permitted uses that do disturb existing vegetation. Mowing and haying is conducted on the grassland area and light grazing in the pasture and oak-woodland areas are projected to continue.

The development of the project included referrals to and consultation with the California Department of Fish and Wildlife (CDFW) who provided recommendations regarding project design and project mitigation measures which have been considered and, where feasible, incorporated into the project. At CDFW’s request a project specific Botanical Survey was conducted and the species list for the oak Savannah restoration planting was amended (IS/MND - Appendix B). A condition of approval would require a Development Plan to be filed that would preclude any new development in the areas where bodies are proposed to be buried and would restrict ground disturbance in the streamside management areas (**Conditions of Approval A-2, A-3**).

According to a staff review CNDDDB records and the U.S. Fish and Wildlife Service (FWS) laqua Butte Quad species list (FWS. 2015), given the range of habitats present, and the geographical range of the sensitive animal species, the species considered most likely to occur in the vicinity of the Site are included Sharp-shinned hawk, Golden Eagle, and Northern Spotted Owl and American Badger. None of the listed sensitive animal species below were identified onsite. While it is possible that these species may be present in the project area from time to time, project activities have been designed to minimize potential disturbance. The project does not include the cutting of trees, or the generation of ongoing noise or light.

Safety and Hazards:

The project site is located within an SRA and within the Kneeland Fire Protection District. According to Humboldt County Web GIS mapping (2024), the Proposed Project Area is in a Zone of High Fire Hazard Severity. The Proposed Project involves a conditional use permit, with no inherent risk of fire increase; no new residents will be exposed to fire hazards. Any onsite development facilitated with the approval of the Proposed Project would be designed to meet current building code standards for fire

safety. The project includes the provision of a SRA compliant fire suppression water tank. The Proposed Project would be required to comply with the State's "Minimum Fire Safe Regulations" which establish the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection. State Minimum Fire Safe Regulations provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space. There are three existing spur driveway intersections that fully comply with the spacing, dimensional and drivability requirements to provide the necessary safe and adequate locations for Fire Engines to turn around.

The subject parcel is in an area of high instability; however, slopes are gentle across the project area, from 0-8% and there is no evidence of mass movement (landsliding, slumping, earthflows, etc.) (**IS/MND Appendix H**) in the project area. The project is located east of the Kneeland Ridge which has been mapped as part of the Mad River Earthquake Fault Zone but is not designated an Earthquake Hazard Zone. The project is not located in a mapped Potential Liquefaction area. The project area is predominately 8% slope or less. The project is in a Type C Hazard Zone (very dense soil and soft rock) National Earthquake Hazards Reduction Program. The only structure proposed is a 1,500 square foot shelter/sanctuary structure that will be used for funerals and ceremonies particularly during periods of rain or other inclement weather. This structure will be constructed to building code and will be designed to withstand earthquakes and high winds. The structure will not be used for residential occupancy, and it will resemble a picnic pavilion seen at local parks and rest areas. The proposed project will not expose people or structures to potential adverse effects, including the risk of loss, injury, or death.

Tribal Consultation:

Native American Tribes were consulted during discretionary project review for the identification, protection and mitigation of adverse impacts to significant cultural resources and were afforded the opportunity to review and provide comments to the County early in project review and planning. The Wiyot Tribe, Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, and Cher-Ae Heights Indian Community of the Trinidad Rancheria were contacted as part of the referral process as soon as the project was submitted to the County. The Tribal Historic Preservation Officer of the Bear River Rancheria (Wiyot tribe) reviewed previous archaeological and cultural surveys of the project and adjacent areas and conducted a site visit. The THPO site visit concluded that the inadvertent discovery protocol would be sufficient to address tribal concerns. One tribal cultural resource site has been identified (April 2000) in the project area. To ensure that the project does not impact the cultural resource, the project will be conditioned to submit a Development Plan to the Planning Division for review and approval. The Development Plan Map will exclude culturally sensitive areas from project activities and will exclude the project area, burial grounds, from any future development not specifically authorized by the Conditional Use Permit. Once the map is reviewed and approved by the Humboldt County Planning and Building Department the applicant shall record a "Notice of Development Plan" with the Humboldt County Recorder's Office (**Condition of Approval A-2, A-3**). Additionally, formal consultation pursuant to SB 18 and AB 52 was offered. Representatives either

responded that no further consultation was desired or chose not to respond. Standard inadvertent discovery protocols for any future development are provided as project conditions.

Hazards and Hazardous Materials:

Environmental Review:

The Conditional Use Permit is discretionary in nature and constitutes a “project” subject to compliance with the California Environmental Quality Act (“CEQA”). Substantial evidence supports the conclusion that there will be no significant adverse effects on the environment, based upon the Lead Agency’s independent judgment and analysis.

The project involves the establishment of a green burial cemetery that requires a conditional use permit. The Initial Study/Mitigated Negative Declaration has found that there would be a Less than Significant Impact from the proposed project. Based on the whole of the record, there is no substantial evidence that the project will have a significant impact on the environment and the Mitigated Negative Declaration reflects the county’s independent judgement and analysis.

The draft Initial Study/Mitigated Negative Declaration was circulated for public review from September 22, 2025, to September 23, 2025. No comments from public agencies were received nor were any comments from the public received.

Staff Recommendation

Based on a review of Planning Division reference sources, applicant submittals, and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 4).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. Modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

Staff prepared a thorough environmental analysis which included the preparation of an IS/MND pursuant to the CEQA Statute (Public Resources Code 21000-21189) and Guidelines (California Code

of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387). The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant unmitigable impacts.

ATTACHMENTS:

Attachment 1 - Draft Resolution

Attachment 1A - Conditions of Approval

Attachment 1B - Mitigation Monitoring and Reporting Program

Attachment 1C - Site Plan

Attachment 2 - Map Set

Attachment 3 - CEQA - Initial Study / Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program

Attachment 4 - Referral Agency Comments and Recommendations

Attachment 4A - Humboldt County Public Works Comments

Attachment 4B - Humboldt County Division of Environmental Health

Applicant:

Sacred Groves Inc
Michael Furniss
1144 Bayview Street
Arcata CA, 95521

Owner:

Eric and Mary Almquist Trust
467 Essex Ln
McKinleyville, CA 95519

Agent: N/A

Please contact Andrew Whitney, Associate Planner, at awhitney2@co.humboldt.ca.us or 707-268-3735 if you have questions about this item.