

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

Resolution Number: 25-

Record Number: PLN-2025-19287

Assessor's Parcel Numbers: 402-031-029, 402-032-052, 403-011-018, 403-011-037, 403-011-040, 403-011-048, 403-011-055, 403-011-061, 403-061-027, 403-061-030, 501-181-009, 501-201-013, 501-261-014, 501-261-039, 501-261-044, 501-261-045, 506-071-025, 517-142-013, 517-142-014, 517-142-015, 517-155-006, 517-155-012, 517-155-015, 518-012-002, 518-012-007, 518-012-025, 518-012-026, 518-012-027, 518-052-023, 518-062-004, 518-062-030, 518-072-002, 518-072-008, 518-075-001, 518-075-005, 518-112-005, 518-112-006, 518-121-001, 518-121-009, 519-252-009, 519-311-008, 519-322-020, 519-322-021, 520-161-004, and 520-171-005.

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Pacific Gas & Electric Company Vegetation Management and Tree Removal Coastal Development Permit and Special Permit.

WHEREAS, Pacific Gas & Electric Company has submitted an application and evidence in support of approving a Coastal Development Permit (CDP) for routine vegetation management along two 60 kilovolt transmission lines within Humboldt County covering the Humboldt Bay area up to the Orick area. The proposed scope of work includes the removal of 225 trees at 221 locations. These locations are subject to the requirements of PG&E's Multiple Region Habitat Conservation Plan (MRHCP). A Special Permit is required for Design Review where necessary; 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 Planning Division, as the Lead Agency, has determined that the project qualifies for categorical exemptions from environmental review pursuant to Section 15301 *Existing Facilities* and Section 15304 *Minor Alterations to Land* of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Coastal Development Permit and Special Permits (Record Number PLN-2025-19287; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on November 6, 2025, and reviewed, considered, and discussed the application for the Coastal Development Permit and Special Permits, 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) for routine vegetation management along two 60 kilovolt transmission lines within Humboldt County covering the Humboldt Bay area up to the Orick area. The proposed scope of work includes the removal of 225 trees at 221 locations. These locations are subject to the requirements of PG&E's Multiple Region Habitat Conservation Plan (MRHCP). Equipment to be utilized for this project will include hand and gas-powered tools: chainsaws, hand saws, pruners, chippers, and lift truck where accessible. No ground disturbance in the form of excavation is associated with this work, nor would herbicide be utilized. Tree crews will use existing roadways, driveways, and hiking trails as appropriate. A Special Permit is required for Design Review where necessary.

EVIDENCE: a) Project File: PLN-2025-19287

- 2. FINDING:** **CEQA:** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds the proposed project is exempt from environmental review pursuant to Section 15301 *Existing Facilities* and Section 15304 *Minor Alterations to Land* of the State CEQA Guidelines.

EVIDENCE: a) The Class 1 exemption applies to the operation, repair, maintenance, permitting, licensing, or minor alterations of existing or private structures, facilities, mechanical equipment, or topographical features, including existing facilities of both investor and publicly owned utilities to provide electric power, involving negligible or no expansion or existing or former use. No work is proposed to the electrical transmission lines themselves. However, vegetation management activities would occur to maintain safe and reliable electric service and mandated clearance to comply with federal and State regulatory requirements for public safety and fire prevention.

- b) The Class 4 exemption applies to public and private alterations in the condition of vegetation that do not involve the removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Vegetation to be removed poses a threat to overhead electrical facilities.
- c) A project can be disqualified from using a Categorical Exemption if any of the exceptions listed in 15300.2 apply. However, none of these exceptions apply to the proposed project.

FINDINGS FOR COASTAL DEVELOPMENT PERMIT AND SPECIAL PERMITS

3. FINDING: The proposed development is in conformance with all applicable policies and standards in the Humboldt Bay Area Plan, and the North Coast Area Plan of the Humboldt County Local Coastal Program.

EVIDENCE: a) The subject properties are currently utilized for a variety of uses, including rural residential, timberland, agriculture, and public uses. The proposed tree removal is an accessory to the current residential, agricultural, timberland, and public uses of the subject properties. The purpose of the tree and vegetation removal is to remove vegetation that poses a threat to existing overhead electrical facilities to provide safe and reliable electrical service and maintain the mandated clearance levels to comply with federal and State regulatory requirements for public safety and fire protection.

b) The project will not add to nor subtract from the Housing Inventory. The project permits the removal of vegetation along existing electrical distribution lines, including the removal of 225 trees at 221 locations, and will not affect the existing residential, agricultural, timberland, and public use of the properties. The project is consistent with the County's Housing Element.

c) The project is not expected to have significant impacts on sensitive species, watercourses, or sensitive habitats. Work site locations 47 will include tree removal in freshwater emergent wetlands, and tree removal will occur in riparian setback areas located at sites 109 and 110.

Policies within these plans (HBAP 3.30, and NCAP 3.41) allow for very limited development within wetlands and wetland buffer

areas however incidental public services, such as the proposed tree removal for fire safety related to electrical distribution, are permitted. Additionally, this type of development within the wetland buffer is permitted provided that it does not degrade from the natural resource value of the wetland and riparian buffer areas. The project is conditioned to retain snags within wetland areas where possible.

Conditions of the project require that cut vegetation and debris be kept out of waterbodies. With the implementation of the Avoidance Mitigation Measures, no impacts are anticipated on aquatic species. Work associated with the project falls within PG&E's *Multi-Region Operations and Maintenance Habitat Conservation Plan* (MRHCP). All work locations fall under the MRHCP activity type E10a (Vegetation Management Routine Maintenance). The MRHCP provides PG&E with federal take authorization for all gas and electric operation and maintenance activities in the Plan Area during the 30-year permit term. The Biological Constraints Report states that the "nesting bird season" is from February 15 to August 31. The project is conditioned to occur outside of this nesting bird season.

A desktop review of California Natural Diversity Database (CNDDDB) conducted as part of the Biological Constraints Report, ERM, April 2025, identified twelve special-status plant species that may be present within a search radius of 1.5 miles around the project locations. Species include Alpine marsh violet, Bristle-stalked sedge, Deceiving sedge, Ghost-pipe, green yellow sedge, Howell's montia, Maple-leaved checkerbloom, Marsh pea, Minute pocket moss, Running-pine, Seaside bittercress, and Woodnymph. The project does not include grading or ground disturbing activities, because of this, impacts to understory plants will be limited. With the implementation of Best Management Practices in the Biological Constraints Report (Attachment 2B), impacts to these species are not expected.

The Biological Review provided by the applicant found that Work area 109 is within 15 ft of Tom Creek and work area 110 is within 50 ft of Tom Creek. Fish passage data shows there is no barrier between work areas and the Pacific Ocean and Big Lagoon, and this species has potential to occur at work areas 109 and 110. A biological monitor is required at work areas 109, 110 (within streamside management area of Tom Creek, and work area 217 (within 50 feet of NWI mapped wetlands). The Vegetation

Management Contractor must contact the Environmental Field Coordinator for a minimum of two weeks prior to work to schedule biological monitor (Condition of Approval 6 and Condition of Approval 2a). With the implementation of Aquatic and Riparian AMMs and BMPs and the presence of a biological monitor, impacts are not expected to occur.

The PG&E Best Management Practices require trees within 250 feet of aquatic habitat to be felled directionally away from water courses or that the trees be brought down in pieces to minimize impacts. The implementation of PG&E's Multiple Region Operations and Maintenance Habitat Conservation Plan (MRHCP) will reduce impacts to aquatic resources and species to a less-than-significant level for the proposed removal of trees and brush.

The Northern Spotted Owl (NSO) is listed as Threatened under both the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA). It is also recognized as a sensitive species by the California Department of Fish and Wildlife (CDFW) and the U.S. Forest Service. The species is covered under the Pacific Gas and Electric Company (PG&E) Multiple Region Operations and Maintenance Habitat Conservation Plan (MRHCP). A review of the California Natural Diversity Database (CNDDB) identified 318 records within 1.5 miles of the project area (1977–2023), including 72 positive detections and nine activity centers. The closest known nest is approximately 0.9 miles from Work Areas 49–50. While old-growth forest is absent within the specific work areas, potentially suitable habitat exists within 825 feet of work locations 49-132, 139, 140, 159-201, and 213-220. Thus, NSO could be present in adjacent habitat, and project-generated noise may affect individuals during the breeding season. Based on "Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California" (U.S. Fish and Wildlife Service 2006), the existing ambient conditions would be considered 'moderate' for work areas near small roads and residential homes, and "high" near major highways such as Highway 101. Project work would be very high due to the use of a chipper in addition to other equipment. According to the document, 'very-high' action-generated activities occurring in 'moderate' ambient conditions can cause project attenuation to

exceed established take thresholds within 330 feet of the project work areas. All work will be conducted in compliance with this permit and the MRHCP. All work locations fall under the MRHCP activity type E10a (Vegetation Management Routine Maintenance). The MRHCP provides PG&E with federal take authorization for all gas and electric operation and maintenance activities in the Plan Area during the 30-year permit term. In addition, PG&E proposes implementation of standard Vegetation Management best management practices (BMPs) and Avoidance and Mitigation Measures (AMMs) in accordance with the MRHCP. Implementation of AMM (NSO-1) in the Biological Constraints Report minimizes impacts below a level of likely significance. Conditions of approval require implementation of these measures (Condition of Approval 2) and prohibit the use of herbicides under the project (Condition of Approval 5) to ensure impacts associated with the project are minimized. The BMPs, AMM, and MRHCP applied for the northern spotted owl provide habitat and take protections for marbled murrelet, northern spotted owl, ospreys, and other nesting birds.

There are two CNDDDB records of this species within 1.5 miles of the work areas (2008 and 2022). Additionally, an unmapped known bald eagle nest has been used in previous years, approximately 0.1 mile west of work area 83. Nests are usually located within one mile of key foraging areas that support a resident population of prey-sized fish. These raptors characteristically choose large conifers in relatively secluded areas away from human disturbance to build nests. The breeding season for this species typically extends from February through July, with peak nesting activity occurring from March through June. Work areas 21-47 fall within 0.2-0.8 miles of both the 2008 and 2022 occurrences for this species. Additionally, work areas 133-158 fall within one mile of mapped old growth forest in Redwood National Park and are situated between suitable nesting habitat and the foraging grounds of Stone Lagoon and Freshwater Lagoon. With implementation of AMMs and BMPs, and pre-activity surveys conducted at work areas 21-47, 49-152, and 159-221, impacts to this species are not expected to occur (Condition of Approval 7 and Condition of Approval 2).

- d) The project was referred to the Northwest Information Center, and the Bear River Band of the Rohnerville Rancheria, the Wiyot

Tribe, the Trinidad Rancheria, and other local tribes. A referral response from the Northwest Information Center indicated that cultural resources could be encountered within the work sites based on past studies. It was recommended to contact local tribes for referral responses, which was done on July 3, 2025. No responses were received. The standard inadvertent discovery protocols will be included in the conditions of approval. The proposed vegetation management work requires standard Best Management Practices (BMPs), which include the Inadvertent Discovery and Human Remains protocols. In addition, RPMs, including an archaeologist-led cultural resources tailboard, are recommended for specified areas. A Cultural Resources Summary was provided by the applicant (on file and confidential). Due to the lack of ground disturbance associated with the project, the Report noted there is a low risk of impacting cultural resources. The proposed work will include the implementation of standard BMPs, which include the Inadvertent Discovery and Human Remains protocols, and additional Resource Protection Measures as recommended by The Northwest Information Center, as described in the Cultural Resources Summary. Compliance with these measures has been included in the conditions of approval.

- e) There would be no significant change to visual resources resulting from the proposed project. The project involves 23 parcels within the design review combining zone. Of those, four are in the Humboldt Bay Area Plan and the remaining 19 are in the North Coast Area Plan. Of these 23 parcels there are three that are in the Appeal Jurisdiction of the Coastal Zone. Within these three parcels there are five trees planned for removal as part of this project. These trees are also located in a Coastal Zone Scenic Area. Two of these trees, tree I.D. 207 and 209, are located to the east of Highway 101 in a viewshed that includes the electrical transmission line. These trees are spruce and redwood, 87 and 98 feet tall respectively. Two of the trees in the coastal scenic area are west of Highway 101. These trees are a 98-foot-tall Alder, tree I.D. 211, and a 20-foot-tall Willow, tree I.D. 212.

Per section 3.42 of the North Coast Area Plan, in Coastal Scenic Areas and Coastal View Areas, tree removal must minimize visual impact and adhere to standards for protecting natural landforms and scenic views. Given their location next to critical electrical

infrastructure and the fact that they are nestled amongst similar trees, the impact on scenic views is limited. Coastal views are typically focused on the coast. The two trees on the west of Highway 101 are deciduous trees, shorter in stature and not the iconic redwoods that are fixtures of north coast coastal views. The purpose of the proposed tree removals is to maintain existing critical infrastructure and maintain mandated clearance distances to vegetation. The removal of these trees may make the visual impact of the power lines more prominent in the viewshed, however this is not a new impact on the viewshed and as such is not in conflict with the standards set in the North Coast Area Plan and the design review combining zone.

The Humboldt Bay Area Plan (HBAP), design review standards were also considered and reviewed. the Humboldt Bay Area Plan (HBAP), A review of the HBAP plan asserts that the removal of vegetation for both public safety and in support of existing vital public infrastructure is allowable under the plan.

4. FINDING:

The proposed development is consistent with the purposes of the existing zoning in which the sites are located.

EVIDENCE:

- a) The parcels involved in the project are planned and zoned for Commercial Timber, Public Recreation, Agriculture, and Residential Uses. General Plan Designations and Zoning districts of the work areas are listed in Attachment 1D. Tree removal on property utilized for residential, agricultural and public use is an allowed accessory use of land. Tree removal on lands planned for Commercial Timber is a principally permitted use. Due to the adjacency to critical public infrastructure and the habitat conservation conditions applied to the project, the proposed tree removal is deemed consistent with the Streams and Riparian Corridor Protection, Flood Hazard Area, Coastal Wetlands, and Transitional Agricultural Lands combining zone criteria needed to make a finding of approval for the Coastal Development Permit in the combining zone. Where the tree removal involves a commercial species and generates a profit, the tree removal would constitute commercial timber production, and a use permit would be required in non TPZ zones. In the present case, the tree removal would not constitute commercial timber production because the removal will not result in a net profit after deducting the cost of permitting and tree removal. The project is conditioned to require the applicant to furnish documentation verifying that the activity upon completion is not

a for-profit operation. If the property owner requests it, the fallen trees will be left onsite.

- b) The proposed development is also consistent with the purposes of the existing Archaeological Resource Area Outside Shelter Cove (A), Beach and Dune Areas (B), Transitional Agriculture (T), Flood Hazard Area (F), Streams and Riparian Corridor (R), Manufactured Home (M), Elk Habitat (E) and Coastal Wetlands (W) combining zones in which the sites are located. Technical documentation has been submitted showing that the vegetation removal is consistent with applicable development standards of the zone districts. As previously discussed, the project is not anticipated to have significant impacts on sensitive species, watercourses, or sensitive habitats, and, due to the lack of ground disturbance associated with the project, it is anticipated that there would be a low risk of impacting cultural resources. However, to minimize potential impacts to the greatest extent feasible, the applicant proposes implementing best management practices (BMPs) related to the protection of biological and cultural resources. Conditions of approval require the implementation of BMPs and prohibit the use of herbicides under the project to minimize impacts associated with the project.
- c) The parcels for work areas 14-18 and 44-47 fall within the Coastal Transitional Agricultural Land Combining Zone (T). The Humboldt Bay Area Plan of the Humboldt County Local Coastal Program specifies that transitional agriculture lands planned for Agriculture Exclusive (AE) are subject to additional findings of allowable uses. Work areas 14-18 have the (T) combining zone applied, however the underlining zoning for these areas is RA-5 not AE. In addition, the trees to be removed are Redwoods that are on the inland side of Myrtle Avenue. Based on the type and location of the trees it is unlikely that they are in a transitional agricultural wetland area and thus the consistency finding can be made. Work Areas 44-47 also have the (T) combining Zone applied to the parcels they inhabit and have an underlying zoning of AE. Work areas 44-46 exist outside of the mapped transitional agriculture area. Only work area 47 is in the transitional agriculture (T) mapped area. In this case the trees slated for removal are three Alder located 287 feet away from Rocky Gulch. This zone requires a supplemental finding summarized as

follows: There is no less environmentally damaging feasible alternative; the best feasible mitigations are included; and the vegetation removal will result in no significant adverse impacts to habitat values. With the implementation of Multiple Region Operations and Maintenance Habitat Conservation Plan (MRHCP) and associated BMP's these findings can be made based on the project description and project conditions of approval.

5. FINDING: Development permits shall only be issued for a lot that was created in compliance with all applicable State and local subdivision regulations.

EVIDENCE: a) The Coastal Development Permit will authorize PG&E to maintain its existing easement and does not authorize any structural development that would require a Building Permit, which would in turn legitimize a parcel created in violation of the Subdivision Map Act.

6. 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 project will not pose detrimental threats to properties in the vicinity nor pose any public health hazard. The applicant provided Attachment 2A – Tree Data Table that describes the trees proposed for felling. The applicant has determined that these trees pose a hazard to safe reliable electrical service. These trees have the potential to fall, damaging powerlines and potentially starting vegetation fires. Furthermore, falling trees can be dangerous to people and wildlife. Trees often fall or shed branches during winter storm or high wind events. It is easier and safer for workers to address tree hazards in periods of good weather than to have to address trees and electrical infrastructure damage after a winter storm or wind event. The interruption of electrical service can be dangerous for certain people suffering from medical conditions; performing routine vegetation management preemptively reduces the likelihood of outages and their duration, which may save some lives among the physically infirm.

7. 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) No additional development is proposed. The project is consistent with the County's Housing Element.

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
- Conditionally approve the Coastal Development Permit and Special Permit for the Pacific Gas & Electric Company, subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **November 6, 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