

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

Resolution Number: 25-

Record Number: PLN-2025-19272

Assessor's Parcel Numbers: 015-071-013, 015-192-034, 016-172-001, 016-172-013, 017-161-022, 100-221-012, 200-043-006, 308-141-018, 308-241-029, 308-251-001, 308-261-029, 309-011-001, 309-021-011, 309-041-008, 309-041-017, 402-032-002, 403-011-035, 403-031-015, 403-061-022, 403-061-027, 403-061-030, 403-011-051, 403-011-058, 015-071-012, 403-011-037, 403-022-007, 403-022-002, 403-051-003, 403-051-030, 403-051-031, 403-022-001, 403-022-017, 511-331-005, 511-371-033, 513-171-008, 513-171-009, 515-181-004, 515-181-003, 517-101-001, 517-111-001, 517-121-005, & 520-261-005.

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.

WHEREAS, Pacific Gas & Electric Company has submitted an application and evidence in support of approving a Coastal Development Permit (CDP) and Special Permit for routine vegetation management along several 12-kilovolt distribution lines within Humboldt County, covering the Humboldt Bay area up to the Orick area. The proposed scope of work includes the removal of 84 trees at 75 work locations, and the removal of 213 brush units at 33 locations for a total of 108 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-2025-19272; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on October 2, 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) and Special Permit for routine vegetation management along several 12-kilovolt distribution lines within Humboldt County, covering the Humboldt Bay area up to the Orick area. The proposed scope of work includes the removal of 84 trees at 75 locations and the removal of brush units at 33 locations for a total of 108 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. Equipment to be utilized for this project will include hand and gas-powered tools (chainsaws, hand saws, pruners, chipper, 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. No other development is proposed under the project.

EVIDENCE: a) Project File: PLN-2025-19272

- 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 distribution 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 Eel River Area Plan, Humboldt Bay Area Plan, McKinleyville Area Plan, North Coast Area Plan, and the Trinidad 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 84 trees at 75 locations, and the removal of 213 brush units at 33 locations for a total of 108 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 93 and 94 will include brush removal in emergent wetlands, while brush removal will occur in wetland and riparian setback areas located at sites 74-76 and 84-86. Other wetland and riparian setback areas that include tree removal will occur at sites 25, 26, 36, 41, 42, 100, and 101.

Policies within these plans (ERAP 3.41, HBAP 3.30, MCAP 3.40, NCAP 3.41, TAP 3.30) allow for very limited development within wetlands and wetland buffer areas however incidental public services, such as the proposed tree and brush 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.

Pacific Gas and Electric prepared a *Biological Constraints Report* (Biological Report) on March 19, 2025. The Biological Report notes that the project work would occur in areas with potential habitat for exceptional status wildlife and nesting birds. Nesting habitat for Northern Spotted Owls and Marbled Murrelets is in the vicinity of the project. However, given the limited scope of work, selective removals of hazard trees, the surrounding development, and overwhelmingly negative survey occurrences per the Biological Report and with the implementation of the Avoidance and Mitigation Measures (AMM) in the Multiple Region Operations and Maintenance Habitat Conservation Plan (MRHCP), impacts to Physical and Biological Features will be

minimized. Critical habitat for steelhead (northern California DPS) and the Tidewater Goby and other aquatic species of concern are within 250 feet of several work areas.

Additionally, PG&E proposes implementing standard Vegetation Management best management practices (BMPs) and avoidance and mitigation measures by the MRHCP. Implementation of these practices and measures would minimize impacts, and no risk of substantial adverse impacts is anticipated. The California Department of Fish and Wildlife (CDFW) had no comments in response to the project referral. Conditions of approval require implementation of these measures and prohibit the use of herbicides under the project to ensure impacts associated with the project are minimized.

- 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 were done on June 12, 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 would result in the removal of 84 trees adjacent to or under electrical distribution lines. Tree removal for the maintenance and

protection of public infrastructure is an allowed accessory use to the residential, agricultural, timberland, and public uses of the sites. There are 13 trees proposed to be removed in the Coastal Scenic areas with this project. Of these 13 trees, 12 are on California State Park lands. In total, 23 trees will be removed from publicly owned lands.

Due to the various locations of the trees and bush units scheduled for removal, several County Planning Areas must be considered and reviewed. These Planning Areas include the Trinidad Area Local Coastal Plan (TAP), the North Coast Area Local Coastal Plan (NCAP), the McKinleyville Area Coastal Plan (MCAP), the Humboldt Bay Area Plan (HBAP), the Eel River Area Local Coastal Plan (ERAP). A review of these plans permits the removal of vegetation for both public safety and economic considerations.

4. FINDING:

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

EVIDENCE:

- a) The project areas encompass lands Agriculture Exclusive (AE), Public Facility-Urban (PF1), Public Facilities-Rural (PF2), Public Recreation (PR), Residential Agriculture (RA), Residential Single Family (RS). The project would authorize the removal of 84 trees and 213 brush units to maintain electrical infrastructure, which will not conflict with the allowable uses of the zoning districts.
- b) The proposed development is consistent with the purposes of the existing Archaeological Resource Area Outside Shelter Cove (A), Beach and Dune Areas (B), Alquist-Priolo Fault Hazard (G), Transitional Agriculture (T), Flood Hazard Area (F), Streams and Riparian Corridor (R), 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) A review by County staff of the proposed work site locations found tree removal will result within Coastal Scenic Areas, as well as, Coastal View Areas. Fourteen (14) trees are proposed for removal in these locations. However, none of these trees themselves are identified as significant visual resources. The tree removal is intended 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.

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 reasons for the removal of each tree. Of the 84 trees to be removed, 24 are dead or dying. These dead or dying trees have the potential to fall, damaging powerlines and potentially starting vegetation fires. Furthermore, falling trees can be dangerous to people and wildlife. The remaining 61 trees to be removed have been deemed incompatible with the safe, reliable operation of the 12KV distribution lines; trees often fall or shed branches during winter storm 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 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 **October 2, 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