



# COUNTY OF HUMBOLDT

## Legislation Text

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File #: 24-1118, Version: 1

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**To:** Zoning Administrator

**From:** Planning and Building Department

**Agenda Section:** Consent

**SUBJECT:**

Charles Bar Conditional Use Permit, Surface Mining Permit and Reclamation Plan Renewal  
Assessor Parcel Numbers (APN) 217-053-004 and 217-053-005  
Record No.: PLN-2023-18275  
Garberville area

A 15-year extension to the Charles Bar Mining Permit. The mining operation was originally permitted in 1993 for the extraction and crushing of up to 25,000 cubic yards of gravel every 3 to 5 years for County road maintenance. The Humboldt County Department of Public Works has performed four extractions at the site. Crushed material will be stockpiled at designated permanent areas. When no crushing is done, extracted material will be transported to a job site. The bar will be accessed via the designated haul road on the bar directly off of Alderpoint Road. Gravel extraction will be intermittent, with each extraction period lasting approximately three to four weeks. No changes to the original approval are proposed.

**RECOMMENDATION(S):**

That the Zoning Administrator:

1. Adopt the resolution (Resolution 24-\_\_\_). (Attachment 1) which does the following:
  - a. Finds that the project complies with the California Environmental Quality Act and no further environmental review is necessary for the Charles Bar Conditional Use Permit Renewal project; and
  - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Approves the Permit renewal subject to the recommended conditions of approval (Attachment 1A).

**DISCUSSION:**

**Project Location:**

The project is located in Humboldt County, in the Blacksburg area, on the north side of Alderpoint

Road, approximately 14.6 miles south from the intersection of State Highway 36 and Alderpoint Road, on the properties known to be in Section 36 Township 01 South Range 04 East.

**Present General Plan Land Use Designation:**

Agriculture Grazing (AG), Timber Production (T); Framework Plan (FRWK). Density: 160 to 20 acres per dwelling unit. Slope Stability: Low (1) and High (3) Instability.

**Present Zoning:**

Agriculture Exclusive (AE); Timberland Production (TPZ).

**Environmental Review:**

A Negative Declaration was adopted with the original permit approval, and a Subsequent Mitigated Negative Declaration is proposed for adoption with the current project.

Environmental review has been completed. A Subsequent Mitigated Negative Declaration was adopted on December 18, 2008, by the Humboldt County Planning Commission for the surface mining permit. No changes to the mining operation are proposed as part of this renewal.

**State Appeal:**

Project is NOT appealable to the California Coastal Commission

**Major Concerns:**

None.

**Executive Summary:**

The applicants seek a fifteen-year (15) renewal of Charles Bar SMARA Permit consisting of Conditional Use Permit, Surface Mining Permit, Reclamation Plan, and Financial Assurance.

The project involves renewal and modification of Conditional Use/Surface Mining Permits, approval of Reclamation Plan and review of Financial Cost Estimates for the existing Charles Bar in-stream mining operation on Larabee Creek off Alderpoint Road. The mining operation was originally permitted in 1993 for the extraction and crushing of up to 25,000 cubic yards of gravel every 3 to 5 years for county road maintenance. The modified project proposes extraction and processing of up to 25,000 cubic yards of gravel as frequently as annually. The increase in extraction frequency is supported by the large volume of gravel currently at the site, and the continuous gravel recruitment from two tributaries to Larabee Creek. The permit term will expire July 22, 2023.

The Charles Bar on Larabee Creek is located approximately 5.5 miles north of Blacksburg and 15 miles south of Bridgeville. The surrounding areas consist of heavily forested hillsides and pastures. Land uses near the gravel bar are livestock grazing and timber production. There are no residential communities in the area; the nearest residence is approximately 1.5 miles south of the project site.

The Humboldt County Department of Public Works has performed several extractions at the site with

the most recent extraction occurring in 2023. Based on extraction history, dry trenching is the extraction method used for the site. The volume, configuration and location of the trench will be consistent with the recommendations made by CHERT and other responsible agencies. Gravel extraction will be intermittent and completed during the summer when the bar is dry.

Equipment includes a bulldozer or excavator, front-end loader, a haul truck and/or dump trucks and portable crusher. Access from Alderpoint Road to the bar is via the existing private, gravel road through the ranch property. The haul road consists of the established access road from Alderpoint Road to the gravel bar and a temporary haul road on the bar that runs from the bar access point along the extraction area and is the most direct route from the crusher to the location of the extraction activities.

Larabee Creek flows in a braided pattern of shallow channels at this site which run under the gravel during the dry season. There is no riparian vegetation bordering any of the channels at the project site. Gravel extraction involves widening and deepening the pools and runs of the existing channel. Riffle areas will not be altered.

Gravel crushing will typically be done on the bar. A portable crusher assembly will be set up on the bar and will crush gravel for stockpiling. Crushing will take place concurrently with trench excavation. Gravel will be temporarily stockpiled at the crusher, and the crushed material will be stockpiled at designated permanent areas. When no crushing is done, extracted material will be transported to a job site.

The project will be subject to extensive local, state and federal regulation. In any given year, project extraction volumes, locations and methods will be submitted by the applicant for approval by local, state and federal agencies, including the County of Humboldt, Department of Fish and Game, CalFire, Office of Mine Reclamation and the Army Corps of Engineers.

The actual and potential environmental effects reviewed by County staff and referral agencies in relation to the project include: noise and hazards, traffic, dust, safety concerns, water quality degradation, impacts to sensitive habitat areas, and depreciation in open space aesthetics. Staff supports approval of the application because, as mitigated and conditioned, it is anticipated to have less than significant impact on residential uses; and potential impacts to resources have been addressed through mitigation and operations restrictions. Based upon the operational and performance standards included in the mining operation and reclamation plan, staff and the referral agencies have concluded that the operation can be conducted in a safe and appropriate manner provided these standards are made conditions of project approval.

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Office of Mine Reclamation and the Army Corps of Engineers.

The County's most recent annual mine inspection report found the mine to be in good operating order, and there were no noted mining compliance issues or adverse findings noted. The 2023 report noted:

“No extraction occurred in 2023. Material was removed from the stockpile in the approved area near the entrance to the haul road and appeared stable. Access road was in good shape.”

The operation will continue to be subject to on-going, annual mitigation per the adopted Mitigation Monitoring and Reporting Program, and, upon cessation of the mine, reclamation measures. These include set operational hours for blasting, extraction, processing, and hauling, and final reclamation of the site at the end of the permit term.

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 5)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Zoning Administrator could elect not to approve the renewal. This alternative is not recommended as the mining operation has been operated and maintained in good standing and no changes from the original approval are proposed.

ATTACHMENTS:

1. Resolution
  - A. Conditions of Approval
  - B. Cultivation Operations Plan
  - C. Site Plan
2. Location Maps
  - A. 18275 Location Map
  - B. 18275 Charles Bar Location
3. Subsequent Mitigated Negative Declaration
4. Applicant's Evidence in Support of the Required Findings
  - A. Reclamation Plan
5. Referral Agency Comments and Recommendations
  - A. PGE response 1
  - B. PGE Response 2
  - C. Humboldt Dept. of Public Works - Response
  - D. CDFW Response

**Applicant:** Humboldt County Public Works c/o Robert Vogt, 1106 Second Street Eureka, CA 95501-0579

**Owner:** Jacquelyn Pricer, 29415 Alderpoint Road Blocksburg, CA 95514

**Agent:** Robert Vogt, 1106 Second Street Eureka, CA 95501-0579

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