

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of May 12, 2026

RESOLUTION NO. 26 –

RESOLUTION BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT FOR THE WESTFALL AGRICULTURAL PRESERVE GENERAL PLAN AMENDMENT, ZONE RECLASSIFICATION AND PARTIAL CANCELLATION OF A WILLIAMSON ACT CONTRACT ON PROPERTY BEING DEDICATED TO THE BUREAU OF LAND MANAGEMENT FOR HABITAT CONSERVATION PURPOSES FOR RECORD NO. PLN-2025-19187.

WHEREAS, on December 31, 2008, the Board of Supervisors recorded a Resolution (AGP #08-109) establishing the Westfall Agricultural Preserve; and

WHEREAS, the Save the Redwoods League purchased the Westfall Agricultural Preserve (8224 Elk River Road, Eureka) in 2016, with the intention of dedicating the land to the Bureau of Land Management (BLM), for habitat conservation and public access ; and

WHEREAS, the Westfall property contains significant redwood forest, floodplain meadows, and a mile-long frontage of the imperiled Elk River, and is adjacent to the 7,472-acre Headwaters Forest Reserve where restoration for Coho salmon habitat is underway ; and

WHEREAS, the property also contains an approximately 1,200 square foot house and small barn, both of which have been maintained and cared for during Save the Redwoods League's ownership through the employment of live-in caretakers. The BLM has an agency-wide policy of not accepting property that contains improvements. Due to this fact, removing the house from the Save the Redwoods League and BLM transaction is a requirement. Respecting the County's desire to preserve its housing stock, the Save the Redwoods League and BLM have searched for alternatives to demolishing the house and barn; and

WHEREAS, the parties have engaged with the Humboldt County Planning & Building Department, County Counsel and the State Department of Conservation to arrive at the solution of creating a separate 4.36-acre parcel for the house, nearby barn, and its surrounding land. BLM would then be able to acquire the remaining approximately 73-acres of vacant property from the League, while the Save the Redwoods League retains the house and barn for subsequent sale to a private buyer; and

WHEREAS, a General Plan Amendment (GPA) and Zone Reclassification (ZR) is required on the 4.36-acre parcel to change the General Plan Land Use Designation from Residential

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Agriculture (RA10) to Residential Agriculture (RA4) and to change the zoning from Agriculture Exclusive (AE) to Agriculture General (AG-B-5(4)); and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing, on **April 16, 2026**, and reviewed, considered, and discussed the application for the General Plan Amendment, Zone Reclassification and recommended that the Board of Supervisors approve the action; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing, on **May 12, 2026**, and reviewed, considered, and discussed the application for the General Plan Amendment, Zone Reclassification and partial cancellation of a Williamson Act Contract on a 4.36-acre parcel in order to facilitate the transfer of property to the BLM for public access and conservation purposes.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Supervisors makes all the following findings;

- 1. FINDING:** A General Plan Amendment (GPA), Zone Reclassification (ZR) and Williamson Act Contract Partial Cancellation on a 4.36-acre portion of the approximately 77-acre Westfall Agricultural Preserve property in Elk River. The project is to facilitate the transfer of the remaining approximately 73-acres to be dedicated to the Bureau of Land Management (BLM) for conservation. The proposal includes changing the General Plan Land Use Designation from Residential Agriculture (RA10) to Residential Agriculture (RA4) and changing the zoning from Agriculture Exclusive (AE) to Agriculture General (AG-B-5(4)). The 4.36-acre proposed parcel is developed with an existing 1,200-square-foot single-family residence and barn and would be removed from Williamson Act Contract to be retained as housing stock and subsequently sold to a private buyer. The Williamson Act Advisory Committee recommended approval of the partial cancellation on July 31, 2025. A petition to change the General Plan designation and Zone Reclassification was accepted by the Board of Supervisors on March 24, 2026. The Planning Commission reviewed and recommended the Board of Supervisors approve the project at the hearing of April 16, 2026.

EVIDENCE: Project File: PLN-2025-19187

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2. FINDING: **CEQA.** The action is statutorily exempt from the California Environmental Quality Act per Section 15305, 15325 and 15061(b) of the CEQA Guidelines.

EVIDENCE:

- a) The requirements of the California Environmental Quality Act have been complied with. The project is exempt from environmental review per Section 15305- Minor alterations in land use limitations of the California Government Code.
- b) CEQA Guidelines Section 15325 exempts from environmental review the transfer of ownership of interests in land in order to preserve open space, habitat, or historical resources. The fundamental action contemplated with this action is dedication of open space to the Bureau of Land Management and preserving existing housing.
- c) CEQA Guidelines Section 15061(b) finds a project is exempt from CEQA if: (3) The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed activity does not propose a new activity on the site and proposes no new construction. The project will allow an existing occupied dwelling to continue to be an occupied dwelling.

GENERAL PLAN AMENDMENT (GPA)

3. FINDING: The proposed revision is in the public interest.

EVIDENCE:

- a) Protecting contiguous open space for public access and habitat conservation and retaining existing housing is in the public interest. By changing the land use designation from RA10 to RA4, the proposed 4.36-acre parcel would be consistent with the 4-acre minimum parcel size, which would maintain the existing character of the area. Should the 4.36-acre developed parcel not be separated from the 77-acre Agricultural Preserve, the structures would need to be destroyed. This would result in the loss of a residential unit which

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would be detrimental to a housing supply shortage and property tax revenue. It is in the public interest to preserve existing housing stock when feasible. This action will enable Save the Redwoods to retain the residence as a separate parcel and convey the remainder of the property to BLM to support habitat conservation and public access.

- 4. FINDING:** The proposed revision is consistent with the Guiding Principles in Section 1.4 of the Humboldt County General Plan.

- EVIDENCE:**
- a) The proposed General Plan Amendment and Zone Reclassification are consistent with the Guiding Principles of the County General Plan. The existing land use designation on the proposed 4.36-acre parcel is Residential Agriculture with a minimum parcel size of 10-acres (RA10) and is proposed to change to Residential Agriculture with 4-acre minimum parcel size (RA4). The change in land use designation would allow a smaller parcel to be retained and held privately after a conveyance of all other land to the BLM. This will maintain the existing character of the area and preserve a housing unit. The Guiding Principles of the General Plan focus on preserving the County's unique character and quality of life, specifically focusing on preserving and enhancing the diverse character of Humboldt County (Guiding Principle 2).
 - b) By accepting the amendment on a 4.36-acre portion of the larger 77-acre Westfall Agricultural Preserve, the house will be retained, and the remaining 73-acre portion will be dedicated to the BLM. The existing 1,200 square foot residence, which was built in 1923, contributes to the unique and diverse character of the area and adds value to existing housing stock. Promoting and facilitating the creation of affordable housing opportunities for current and future demands for all income levels is also one of the Guiding Principles (Guiding Principle 3). This will preserve and enhance the diverse character of Humboldt County.
 - c) Encouraging, incentivizing and supporting compatible uses on resource lands is further supporting the Guiding Principles (Guiding Principle 6). As identified within the Public Lands Section of the General Plan, the Headwaters Forest is one of the four most significant publicly owned areas within Humboldt County. The BLM

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owns multiple properties along the Elk River, adjacent and contiguous to the subject property, and by acquiring the property, conservation and public access will expand along this water way. Maximizing the long-term public and economic benefits from biological resources within the county by facilitating the protection of resource lands is consistent with the Guiding Principles. Approving the amendment to change the Land Use Designation and zoning of the 4.36-acre property will retain the residence as a separate legal parcel and allow the remainder of the property to be conveyed to BLM. The conveyance will be consistent with the comprehensive view of the General Plan.

5. FINDING: The proposed revision is applicable to the goals of the Plan.

- EVIDENCE:**
- a) The goal of the Humboldt County General Plan is to establish the kinds, locations, and intensities of land uses as well as applicable resource protection and development policies. By changing the General Plan Land Use Designation from Residential Agriculture (RA10) to Residential Agriculture (RA4), the proposed 4.36-acre parcel will retain existing housing and facilitate the transfer of the remaining land to the BLM for habitat preservation and public access, which is consistent with the comprehensive view of the General Plan.
 - b) The Housing Element identifies existing and projected housing needs and establishes goals, policies and standards to implement the preservation, improvement and development of housing. Goal number 2 of the General Plan Housing Element focuses on providing an adequate supply of all types of housing, affordable for all income levels in all areas of the County. Approving the amendment to change the Land Use Designation and zoning of the 4.36-acre property will retain the residence as a separate legal parcel and allow the remainder of the property to be conveyed to BLM.
 - c) Within the Conservation and Open Space Element Biological Resources section of the General Plan, policy number BR-G3, fish and wildlife habitats should also be protected on a sustainable basis to generate long-term public, economic, and environmental

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benefits. As identified within the Public Lands Section of the General Plan, the Headwaters Forest is one of the four most significant publicly owned areas within Humboldt County. Maximizing the long-term public and economic benefits from biological resources within the county by maintaining and restoring fish and wildlife habitats is a core focus of the General Plan.

ZONE RECLASSIFICATION (ZR)

6. FINDING: The proposed project is in the public interest.

EVIDENCE: a) The proposed approximately 73-acres of land being transferred to BLM for public access and habitat conservation purposes as well as the 4.36-acre portion to be retained for a residence and barn, is in the public's interest. Existing zoning is Agriculture Exclusive (AE) and proposed zoning is Agriculture General (AG-B-5(4)). Minimum parcel size in the AE zoning district is 60-acres. By changing the zoning to AG-B-5(4), minimum parcel size would change to 4-acres. The proposed Zone Reclassification on the 4.36-acre portion of the 77-acre Westfall Agricultural Preserve will help facilitate the transfer of the remaining approximately 73-acres of land to BLM to be added to the Headwaters Forest Reserve for public access and habitat conservation purposes. Should the 4.36-acre developed parcel not be separated from the 77-acre Agricultural Preserve, the structures would need to be destroyed. This would result in the loss of a residential unit which would be detrimental to a housing supply shortage and property tax revenue. It is in the public interest to preserve existing housing stock when feasible. This action will enable Save the Redwoods to retain the residence as a separate legal parcel and convey the remainder of the property to BLM to support habitat conservation and public access.

7. FINDING: The proposed change is consistent with the General Plan.

EVIDENCE: a) The main objective of the proposed Zone Reclassification (ZR) is to change the existing zoning of Agriculture Exclusive (AE) which has a

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minimum parcel size of 60-acres, to Agriculture General (AG-B-5(4)) which has a minimum parcel size of 4-acres. The Guiding Principles of the General Plan focus on preserving the County's unique character and quality of life, specifically focusing on preserving and enhancing the diverse character of Humboldt County.

- b) The Housing Element identifies existing and projected housing needs and establishes goals, policies and standards to implement the preservation, improvement and development of housing. Goal number 2 of the General Plan Housing Element focuses on providing an adequate supply of all types of housing, affordable for all income levels in all areas of the County. Destroying the residence would not support this Goal.
- c) Within the Conservation and Open Space Element Biological Resources section of the General Plan, policy number BR-G3, fish and wildlife habitats should also be protected on a sustainable basis to generate long-term public, economic, and environmental benefits. As identified within the Public Lands Section of the General Plan, the Headwaters Forest is one of the four most significant publicly owned areas within Humboldt County. Maximizing the long-term public and economic benefits from biological resources within the county by maintaining and restoring fish and wildlife habitats is a core focus of the General Plan. The BLM owns multiple properties along the Elk River, adjacent and contiguous to the subject property, and by acquiring the property, conservation and public access will expand along this water way. By approving the ZR, the zoning on the proposed 4.36-acre parcel will be consistent with the size and use to maintain the existing character of the area.

8. FINDING: There is no substantial evidence that the project will have a significant effect on the environment.

EVIDENCE: a) The proposed amendment to the zoning on the developed 4.36-acre portion of the 77-acre Westfall Agricultural Preserve, will help facilitate the transfer of the remaining approximately 73-acres of land to BLM to be added to the Headwaters Forest Reserve for public access and habitat conservation purposes. Should the 4.36-

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acre parcel not be separated from the 77-acre Agricultural Preserve, the existing residence and barn would need to be destroyed, as the BLM does not acquire land with structures. Allowing the existing residence to remain on the 4.36-acre parcel and dedicating the remaining 73-acres to the BLM is in the public interest and there is no substantial evidence that the project will have a significant effect on the environment.

9. 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 unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

EVIDENCE:

- a) The proposed General Plan Amendment and Zone Reclassification on a 4.36-acre portion of the approximately 77-acre Westfall Agricultural Preserve is intended to protect one unit of housing (with the potential of one additional unit of housing), while promoting habitat conservation and public access on the remaining approximately 73-acres. Should the 4.36-acre developed parcel not be separated from the 77-acre Agricultural Preserve, the structures would need to be destroyed. This would result in the loss of a residential unit which would be detrimental to the housing supply shortage. It is in the public interest to preserve existing housing stock when feasible. This action will enable Save the Redwoods to retain the residence as a separate legal parcel and convey the remainder of the property to BLM.

**WILLIAMSON ACT CONTRACT- TENTATIVE APPROVAL FOR
PARTIAL CANCELLATION**

10. FINDING:

Consistent with Government Code Section 51282, the Board of Supervisors finds that the cancellation of this contract to be in the

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public interest, that other public concerns substantially outweigh the objectives of the California Land Conservation Act of 1965; and that there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land. If a cancellation request is approved by the Board of Supervisors, cancellation fees are required.

- EVIDENCE:**
- a) The proposed approximately 73-acres of land being transferred to BLM for public access and habitat conservation purposes as well as the 4.36-acre portion to be retained for a residence and barn, is believed to be in the public's interest. Should the 4.36-acre developed parcel not be separated from the 77-acre Agricultural Preserve, the structures would need to be removed. This would result in the loss of a residential unit in Humboldt County which would be detrimental to a housing supply shortage. It is in the public interest to preserve existing housing stock when feasible. This action will enable Save the Redwoods to retain the residence as a separate legal parcel and convey the remainder of the property to BLM while supporting the Williamson Act Contract intention.
 - b) The existing single-family residence and barn were built prior to 2008 when the property became an agricultural preserve. Since the house and barn are existing, there is no available proximate noncontracted land that is more suitable for the development. The entire 77-acre property has already been approved and recorded to be placed into non-renewal status under PLN-2025-19186 and will be completely removed from the Williamson Act Contract on December 31, 2034. The Williamson Act Contract cancellation proposed on the 4.36-acre parcel allows for the immediate removal of the Williamson Act contract (versus in 9 years with the non-renewal application) and allows the property to be sold separately and the house and barn to remain intact.
 - c) Unless waived or deferred, the applicant must pay a cancellation penalty fee amounting to 25% of the appraised value of the property as if it were not subject to contract within one year after approval of

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cancellation (12.5% cancellation fee shall be distributed to the State and 12.5% to the County). Although requests can be made to waive or defer the State penalty fee, the State has not granted any requests to date. However, the Board may choose to waive or defer the County's 12.5% cancellation fee. In October 2025, the Assessor's office gave a fee appraisal for the 4.36-acre parcel with a value of \$550,000, which would equal a \$68,750 penalty fee to both the State and the County (\$137,500 in total).

IT NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Board of Supervisors does hereby:

1. Approve the General Plan Amendment and Zone Reclassification.
2. Adopt Ordinance No. _____ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Elk River area [PLN-2025-19187] so that the Zone Reclassification changes from Agriculture Exclusive (AE) to Agriculture General (AG-B-5(4)).
3. Approve the partial cancellation of the Westfall Agricultural Preserve Williamson Act Contract.
4. Direct the Clerk of the Board to record a certificate of tentative cancellation and send a copy to the Department of Conservation.
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

Adopted after review and consideration of all the evidence on **May 12, 2026.**

Dated: _____

Supervisor Mike Wilson, Chair
Humboldt County Board of Supervisors

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Adopted on motion by Supervisor _____, Seconded by Supervisor _____, and the following vote:

AYES: Supervisors: --

NAYES: Supervisors: --

ABSENT: Supervisors: --

ABSTAIN: Supervisors: --

STATE OF CALIFORNIA

County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

NIKKI TURNER

Deputy Clerk of the Board of Supervisors of
the County of Humboldt, State of California