



COUNTY OF HUMBOLDT

For the meeting of: 4/21/2026

File #: 26-274

To: Board of Supervisors

From: Supervisor Michelle Bushnell and Planning & Building Director John Ford

Agenda Section: Initiated by Board Member

Vote Requirement: Majority

SUBJECT:

Update on the Status of County Jurisdiction to Enforce the Q-Zone in Lower Redway and Provide Direction to Enhance County Ability to Minimize Loss of Trees in the Future (LRP 2026-19528)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Accept the update on the county jurisdiction to enforce the Q-Zone in lower Redway; and
2. Direct staff to work with CalFire and look at other counties to determine if there is a path forward that would allow increased protection for the redwood grove in lower Redway.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Sustainable Natural Resources & Infrastructure Stewardship

Strategic Plan Category: 1008 - Update General Plan ordinances for quality of environment

DISCUSSION:

This report is to provide the Board of Supervisors with an understanding surrounding the redwood tree removal in the lower Redway q-zone and to offer an approach that may better protect those trees.

In December 2025, CalFire issued a notice of exemption for removal of trees within 150 feet of a structure and utilities that were deemed hazardous. A q-zone was adopted for the area in which the subject's property lies that would require a special permit for removal of any redwood tree greater than twelve inches in diameter.

In 2022, some redwood trees were removed adjacent to a Pacific Gas and Electric (PG&E) substation on Harris Street in Eureka. As the county attempted to enforce the unpermitted removal of trees, a meeting was scheduled with the Forest Review Committee and CalFire. It was pointed out that the county did not have jurisdiction that supersedes a CalFire issued permit or exemption. This is based on the following provision from the Forest Practices Act:

From section 4516.5 (the entire section is included in Attachment 1)

(d) Except as provided in subdivision (e), individual counties shall not otherwise regulate the conduct of Timber Operations, as defined by this chapter, or require the issuance of any permit or license for those operations.

This section states that a county has no jurisdiction over tree removal covered under the Forest Practices Act except in certain

limited cases. This was staff's understanding between 2022 and present. The PG&E case fell under this provision, as does the property in lower Redway. The owner of the property in lower Redway did contact the county regarding the removal of hazardous trees. The department's response was that it would not require an emergency special permit for removal of hazardous trees.

There has been substantial information presented from various sources about whether the county has jurisdiction in this situation. Until clarity could be achieved, Planning & Building staff have been instructed to not sign or consent to any CalFire exemption where a county permit is normally required. There have been no requests for a permit to date.

On March 13, 2026, Supervisor Bushnell and Planning & Building Director John Ford met with residents of lower Redway. The residents were concerned that the trees were not hazardous and there was still a tree remaining. Due to potential q-zone implications, a stop work order was issued until the property owner demonstrated that the tree was in fact hazardous. The property owner provided a report from a registered professional forester supported by a certified arborist finding that the tree had several hazardous components from a large cavity 200 feet up, to a scar on the side of the tree where another tree had been removed, and root damage that occurred from development on the property and from the road. The stop work order was lifted once the reports were submitted.

The Forest Practices Act does not provide a clear pathway to allow local discretion in the removal of trees that are covered by the Forest Practices Act. There is a provision to allow a county to recommend to the Board of Forestry rules to supplement the provisions of the Forest Practices Act, but not to assign jurisdiction for decisions on tree removal. It is unclear whether the Board of Forestry would adopt an outright prohibition on tree removal or allow a local jurisdiction to take responsibility for making decisions on a permit to remove trees.

In the Forest Practice Rules (Attachment 4), it can be seen in Section 925 and following that other counties have adopted special rules, but these do not relate to the trees that can be removed, but rather to special circumstances associated with logging operations in each county. Santa Cruz County Code does have provisions for issuance of tree removal permits, but one of the exemptions is tree removal conducted under a Timber Harvest Plan.

Staff have not been able to define the line between state jurisdiction under Forest Practices Act section 4516 and the provisions of Humboldt County Code. It is clear the provisions in Santa Cruz County Code are not incorporated into the provisions adopted by the Board of Forestry contained in Section 925 of the Forest Practice Rules (Attachment 4).

It is equally clear that Santa Cruz County does not understand their rules to supersede the commercial timber operations, Santa Cruz County Code Section 16.52.035 states:

Excepting commercial timber harvesting under the exclusive jurisdiction of the California Department of Forestry and Fire Protection, any person proposing to engage in commercial timber harvesting must first file a timber harvesting notice with the Planning Director.

The reference to commercial timber harvesting is interesting as that could exclude exemptions to a Timber Harvest Plan. Santa Cruz could be focused on regulating activities that are granted a CalFire exemption (which would be this case) or something else. Staff will attempt to clarify this prior to April 21, 2026.

It has been the Planning & Building Department's understanding that exemptions from a Timber Harvest Plan are treated as a Timber Harvest Plan which may or may not be interpreted as commercial timber harvesting. If there is an avenue here to create greater clarity, this would be helpful for all.

It is recommended that the Board of Supervisors direct this avenue be explored to determine if there is the ability to provide additional discretion to the removal of trees.

SOURCE OF FUNDING:

This report is funded by the General Fund 1100-277, and any additional work to update the ordinance or seek Department of Forestry approval would be done through Long Range Planning Budget 1100-282. Work on this report costs approximately \$2,500 and an update to the ordinance and adoption by the Board of Forestry would cost approximately \$15,000.

FINANCIAL IMPACT:

There is no financial impact to receiving this report.

STAFFING IMPACT:

There are no staffing impacts to hearing this report.

OTHER AGENCY INVOLVEMENT:

No other departments or agencies were involved in this update. Any additional ordinance work would initially involve County Counsel, UC Cooperative Extension, the Forest Review Committee and CalFire.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to accept the report and give no direction on seeking Board of Forestry Adoption of the Ordinance.

ATTACHMENTS:

1. Select Code Citations
2. Q-Zone Ordinance
3. Letter from Adona White
 - a. CalFire Notice of Exemption
 - b. Q-Zone
4. 2025 Forest Practice Rules and Forest Practice Act
5. Tree Hazard Analysis from Holman and Associates

PREVIOUS ACTION/REFERRAL:

Meeting of: N/A

File No.: N/A