



AGENDA ITEM 7A

MEETING: March 20, 2024
TO: Humboldt LAFCo Commissioners
FROM: Colette Santsche, Executive Officer
SUBJECT: **Proposed Annexation of the Goodwill Response Area to the Arcata Fire Protection District**

The Commission will consider a proposal submitted by resolution of application by the Arcata FPD for an annexation of approximately 3,561 acres (117 parcels) of land located outside the boundaries that is currently served by the Arcata FPD as part of their goodwill response area. This item is considered exempt under CEQA Guidelines Section 15061(b)3 as it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

LAFCos are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as district annexations, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. LAFCos are authorized with broad discretion in amending and conditioning changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

A. BACKGROUND

Proceedings for this annexation were initiated by the Arcata Fire Protection District (FPD). The proposal includes annexation of approximately 3,561 acres of land (117 parcels) located adjacent to the District boundary and within its current Sphere of Influence. The annexation area currently receives services from Arcata FPD on a "goodwill" basis with no defined responsibility or sustainable funding. Annexation would make Arcata FPD responsible for services, establish ongoing funding, and define contiguous fire district coverage between the Arcata FPD and Kneeland FPD.

The principal reasons for the proposed annexation are as follows:

1. The Arcata FPD has provided fire protection to its out-of-district response area for many years.
2. The proposed annexation would establish district boundaries that clearly define service responsibilities for the benefit of land use authorities, the public, and other service providers within the area.
3. The proposed annexation would provide financial support for fire services in the Fickle Hill and Jacoby Creek areas by allowing the Arcata FPD to extend their

existing special tax and special assessment to properties currently served on a goodwill basis, as well as receive a share of the property tax revenue in the annexation area as granted by the Humboldt County Board of Supervisors to support the continued delivery of fire protection services.

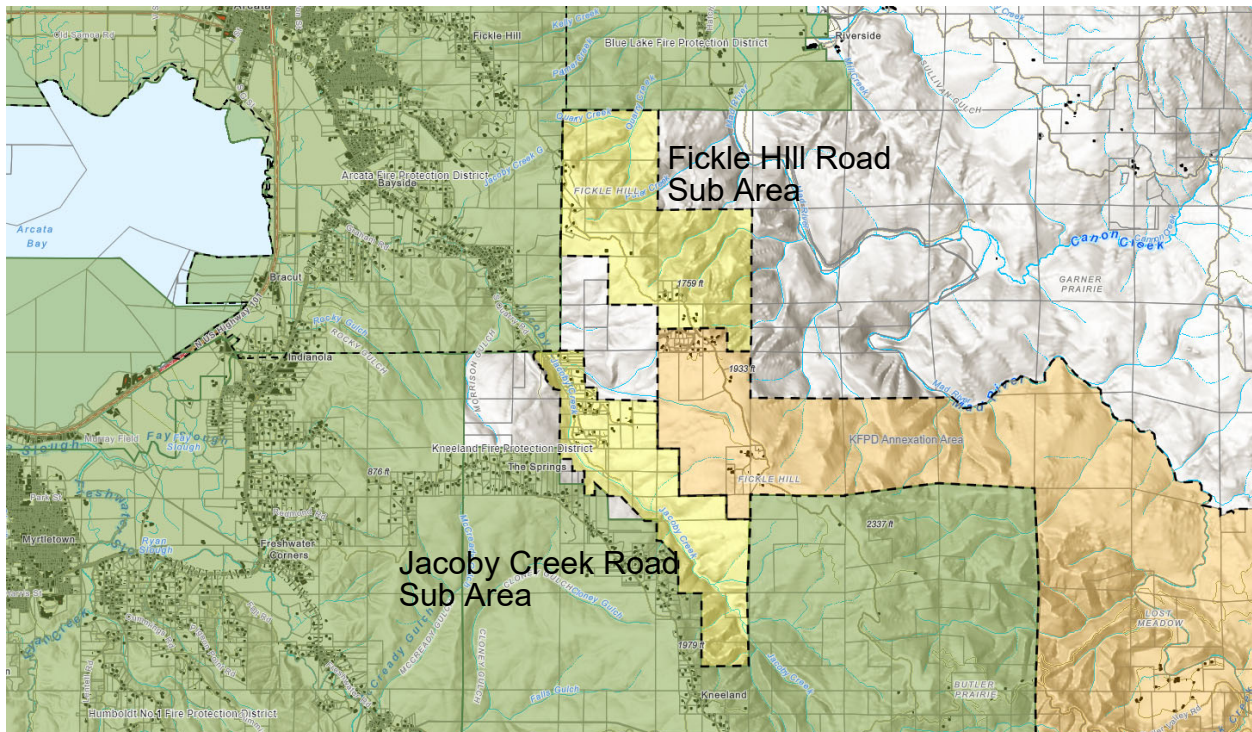
4. Establishment of Arcata FPD as the responsible agency for fire services in the area and define contiguous fire district coverage between the Arcata FPD and Kneeland FPD.

The proposed annexation does not involve proposed service expansions to accommodate new development. The proposed annexation is intended to provide sustainable funding for fire services and officially designate a fire services agency responsible for coverage in the area.

B. DISCUSSION

Description of Annexation Areas

The proposed annexation area is located on the southeast end of the Arcata FPD, extending through the rural residential areas along Jacoby Creek Road and Fickle Hill Road until it connects with the Kneeland Fire Protection District Boundary to the south and the southeast, and the Humboldt Bay Fire Boundary to the west. This area includes the east most extent of the Bayside geographic features of flat floodplain up the west facing slope and ridge top of Fickle Hill. Of the 3,561 acres proposed for annexation, 282 acres are designated improved residential, 519 acres are public lands, 2,341 acres are timber production zone, and the rest is various improved and unimproved uses.



Please visit: <https://bit.ly/AFPDAnnexationMap> to access an online interactive webmap

The original Arcata FPD boundary was generally established to include addresses within five miles of each fire station. Fire insurance ratings (Fire Suppression Rating Schedule (FSRS) from the Insurance Services Office (ISO)) have always specified that areas more than five miles away from the nearest fire station will automatically default to a rating of "10," no credible response on the ISO rating system. Within developed areas, fire stations are ideally located to allow a five-minute drive to each address. Response times greater than 10 minutes is common in rural areas. Based on ideal drive times from the three Arcata FPD stations, nearly all addresses within the District boundary can be reached within a ten-minute drive time.

Arcata FPD is a career fire department serving a largely urbanized population and responds to over 3,700 incidents per year (2022). Incidents are generally concentrated within developed areas. When Arcata FPD responds to calls for service within the District's outlying or rural area, such as the West End or South Quarry Roads areas, its response resources are inherently out of place to respond to higher hazard and higher consequences incidents, such as structure fires in high occupancy buildings in the Arcata or McKinleyville downtown or Cal Poly Humboldt. Due to budget limitations, Arcata FPD has one engine per station and all engines are staffed with two firefighters, rather than the three firefighters like Humboldt Bay Fire engines. This limited engine staffing limits the scope of operations of a single engine/station response.

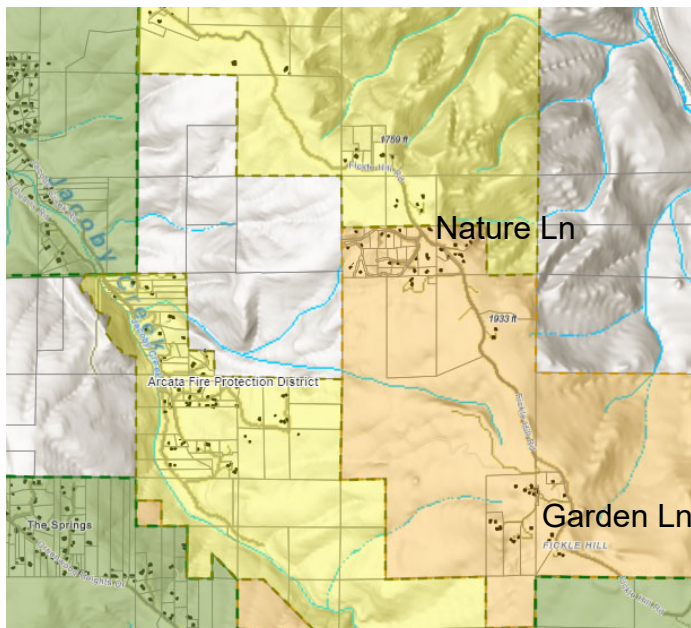
It is for these reasons that Arcata FPD has been hesitant to annex distant/rural areas into its district, in addition to the uncertainty regarding property tax sharing prior to 2019. Humboldt County has encouraged all fire-related districts to expand their boundaries to include all developed areas outside the existing district where the agency is the only logical responder or has historically responded. Arcata FPD and the Kneeland FPD were both encouraged to expand their boundaries and met to discuss appropriate annexation boundaries between the two districts. Although the Jacoby Creek area is adjacent to the Kneeland FPD boundary, there are no connecting roads to allow Kneeland FPD to respond to this area. Both Arcata FPD and Kneeland FPD include portions of Fickle Hill Road and there are approximately 4.9 road miles of Fickle Hill Road between the two existing district boundaries.

Jacoby Creek Sub Area

- The Upper Jacoby Creek Road area was not included in the original Arcata FPD formation area, likely given that the existing boundary is almost exactly five miles from the Arcata Station. This area has dispersed rural development and has likely received out of district goodwill services from Arcata FPD since district formation.
- There are no other fire service providers that are located near the Upper Jacoby Creek Road annexation area (as mentioned above, this area is located close to the Kneeland FPD boundary but there is no road access for that agency) or that can respond to this area without driving through the Arcata FPD boundary for a considerable distance.
- Therefore, the Arcata FPD is the only feasible service provider for this area.

Lower Fickle Hill Sub Area

- The Lower Fickle Hill Road area was not included in the Arcata FPD formation area, likely given that the existing boundary in this area is almost exactly five miles from the Arcata Station. This area has likely received out of district goodwill services from Arcata FPD since district formation.
- The Lower Fickle Hill Road annexation area includes parcels located within over 2.5 road miles from the existing District boundary – roughly half the distance between the existing Arcata FPD and Kneeland FPD boundaries in this area.
- This proposed boundary is a compromise and there is no perfect boundary. This proposed boundary is the product of negotiations between the fire chiefs of the Arcata FPD and Kneeland FPD and generally reflects:
 - the demands for service within existing Arcata FPD boundaries (mostly urban and suburban and high call frequency),
 - projected demand for service within the proposed annexation area distance/travel time from stations (dispersed rural area with low call frequency and extended response times), and
 - the staffing levels of each agency (limited career staffing and limited volunteer staffing covering extensive jurisdictions).
- Kneeland FPD is actively planning to annex the portion of Lower Fickle Hill Road between the proposed Arcata FPD annexation area and the existing Kneeland FPD boundary, including the Nature Lane and Garden Lane areas. It is important to note that two property owners within the Nature Lane area contacted LAFCo about being located outside of the proposed Arcata FPD annexation area (written correspondence included as Exhibit 2 in Required Factors Attachment). Information was provided regarding Kneeland FPD's planned annexation and efforts to increase their special tax as part of the November 2024 election, which would then be followed by a LAFCo application for annexation.



Commercial Timberlands

As part of the annexation planning process, LAFCo staff in coordination with the fire services planning team consulted with commercial timberland owners within the Arcata FPD goodwill response area. Fire protection districts are obligated to respond to calls-for-service within commercial forest lands that are included in their boundaries. If these lands are within a fire protection district, land can be subdivided, subject to zoning requirements, and in some cases are subject to fire suppression taxes and assessments. In addition, if annexed into a fire protection district, the district may be eligible to receive a portion of the property tax already paid by landowners and received by Humboldt County.

However, State law prevents fire protection districts from including “commercial forest lands which are timbered lands declared to be in a state responsibility area” within new district formations or annexations ([Health and Safety Code Section 13811](#)). Most fire protection districts in Humboldt County were likely formed before this requirement was established and over 35 percent of the land within existing fire district boundaries is zoned Timber Production Zone (TPZ). In fact, the two fire districts that have the most career/professional firefighters and that ostensibly provide the highest level of fire protection service in the County, Arcata FPD and the Humboldt No. 1 FPD, have approximately 62 percent and 59 percent agriculture and resource zoned lands, respectively, within their district boundaries. It’s also interesting to note that this law does not apply to commercial forest lands located within other types of special districts that provide local fire and rescue services. In Humboldt, these include county service area and community services districts (CSDs) such as the Carlotta, Fieldbrook Glendale, Miranda, and Orick CSDs and the Shelter Cove Resort Improvement District No. 1.

Both Green Diamond Resource Company and Barnum Timber Company own commercial timberland within the Arcata goodwill response area. The planning team evaluated several factors, including: are the commercial forest lands developed in some manner and would therefore demand community fire protection services like similar lands; are the commercial forest lands vacant but split zoned between TPZ and another zone; will not including the commercial forest lands that have the potential to demand local services create an illogical or problematic annexation boundary (overly complicate boundary changes can be costly)? The following summarizes the outcome of consultation with both timber companies:

- Barnum Timber Company – consented to two parcels APNs 404-101-013 (7.0 acres) and 404-101-014 (8.5 acres), located along Jacoby Creek Road near Eric Lane within the proposed Arcata FPD annexation area. Both parcels are 100% vacant, zoned TPZ, and located within the SRA. While State law prevents fire protection districts from including “commercial forest lands which are timbered lands declared to be in a state responsibility area” within new district formations or annexations (Health and Safety Code Section 13811), due to the size and location of these parcels, it has been determined that excluding these lands from the proposed annexation area would create an illogical annexation boundary that would be difficult for the Arcata Fire Protection District and Humboldt County to administer. Based on these circumstances, Barnum expressed support for inclusion of these parcels within the proposed Arcata FPD Annexation. Each parcel would

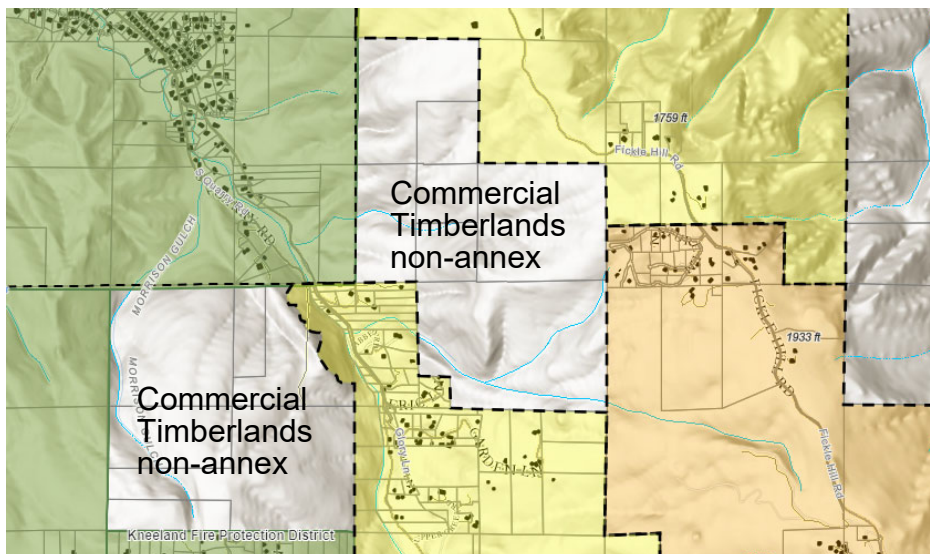
be taxed \$52 per year (\$104 per year total) based on Arcata FPD's existing assessment and special tax rates.

- Green Diamond Resource Company - consented to 8 parcels (1,565.36 acres total) to be included within the proposed Arcata FPD annexation area. All parcels are 100% vacant, zoned TPZ, and located within the SRA. While State law prevents fire protection districts from including "commercial forest lands which are timbered lands declared to be in a state responsibility area" within new district formations or annexations (Health and Safety Code Section 13811), Green Diamond was both willing and supportive of including Green Diamond parcels that would make for a logical annexation boundary for Arcata FPD. Each parcel would be taxed \$52 per year (\$416 per year total) based on Arcata FPD's existing assessment and special tax rates.

Green Diamond Parcels:

- | | |
|---------------|---------------|
| ▪ 502-101-004 | ▪ 502-081-002 |
| ▪ 502-111-002 | ▪ 502-091-003 |
| ▪ 313-203-001 | ▪ 502-091-002 |
| ▪ 313-214-018 | ▪ 502-101-005 |

It is important to note that 13 commercial timberland parcels are not proposed to be annexed and will remain outside of any fire protection district. Since these parcels are within the SRA, CAL FIRE is solely responsible for preventing and suppressing wildfire and does not have responsibility for community fire protection services. CAL FIRE will respond to all fires in SRA during fire season that represent a threat to the wildland and will respond to medical incidents when available; however, structure fire protection and rescue services are local responsibilities and not a CAL FIRE responsibility. Almost all fire departments in Humboldt County are dispatched by CAL FIRE and the command center will dispatch the nearest local fire department to incidents, regardless of district boundaries. As a result, a local fire department will be dispatched to almost all fire and non-fire incidents on commercial forest lands. Any local response will continue to be provided by goodwill in the absence of annexation.



Funding Sources

Arcata FPD has requested that the proposed annexation be subject to the following terms and conditions to provide regular and ongoing revenue sources to sustain local fire protection services:

1. An agreement regarding the exchange of ad valorem property tax pursuant to tax exchange agreement offer number 2, to be approved by the Arcata FPD Board of Directors and the County of Humboldt; and
2. The extension of the previously authorized Arcata FPD special assessment and special tax to all land within the proposed annexation area to fund the delivery of fire protection services, consistent with the purpose for which both funding sources were approved.

Property Taxes – The proposed annexation would extend the Arcata FPD's current property tax allocation (an exchange of ad valorem property tax revenue pursuant to tax exchange agreement Offer Number 2 authorized by the Humboldt County Board of Supervisors on April 9, 2019). Tax exchange agreement Offer Number 2 requires the district to meet the following expectations:

The annexing district is willing to:

- Establish new and or update revenue sources;
- Annex realistic out-of-district response area;
- Commit to planning for the future;
- But unwilling to pursue reorganization/consolidation.

If the above expectations are met the county will:

- Transfer a portion of the county's share of the base property tax revenue to the fire district equal to 50% of the district's average tax allocation factor (TAF), multiplied by the 1% property tax revenue for the current year within the annexation area. The fire district's property tax base would increase by the amount transferred; the county's base would be reduced by the same amount.
- In addition, the fire district would receive 100% of its TAF applied to growth in property tax in the annexation area; the County' share of property tax growth would then be reduced by that amount.

Parcel Taxes – Arcata FPD currently has two parcel tax funding sources: a Special Assessment approved by property owners in 2006 (Ordinance No. 06-12) and Special Tax approved by registered voters in November 2020 (Ordinance No. 20-20). Both of these existing funding sources would be extended to all parcels within the proposed annexation area to fund the delivery of fire protection services, consistent with the purpose for which both funding sources were approved. Attachment A provides a table of common land use types and the associated parcel and special tax that would be charged.

C. ANALYSIS

The analysis of the proposal is organized into two sections. The first section considers the proposal relative to the factors mandated for review by the Legislature anytime LAFCoS review boundary changes. The second section considers issues required by other applicable State statutes in processing boundary changes, such as environmental compliance with the California Environmental Quality Act.

Required Factors for Review

G.C. Section 56668 requires the Commission to consider 17 specific factors anytime it reviews proposals for a change of organization or reorganization involving special districts. The majority of the prescribed factors focus on the impacts of the proposed boundary changes on the service and financial capacities of the affected agencies. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process.

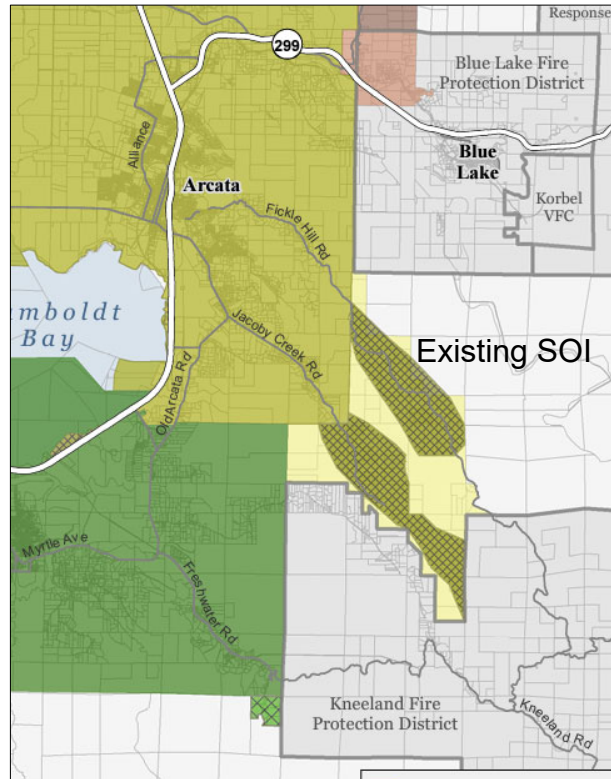
A summary of key statements and conclusions generated in the review of the mandated factors for the proposal follows, with a complete analysis provided in Attachment B.

- The annexation area contains approximately 172 residents and 79 housing units.
- Total assessed value of properties (land and improvements) is \$24,204,647.
- Land uses within the annexation area are largely timberland (67%), with some City of Arcata designated uses (15%), Residential Agriculture (10%), and Public Lands (9%).
- The annexation does not involve changes to the type or level of services provided, would not convert agricultural land or open space uses, and does not propose to change land uses or land use patterns. There are no plans for land use or zoning changes or future development that are part of the proposed Arcata FPD annexation.
- The Arcata FPD has provided "goodwill" fire protection services to the annexation area for many years because this area is adjacent to the district boundary and Arcata FPD is the nearest fire protection service provider.
- This out-of-district response area is not supported by a sustainable or reliable source of ongoing revenue to support the provision of fire protection services. The proposed annexation would extend the Arcata FPD's current property tax allocation and special tax and assessment revenue sources to the expanded district boundary, providing regular and ongoing revenue sources to this area, to sustain local fire protection services.
- Alternative actions considered include annexation to the Kneeland FPD or continue with the current Arcata FPD response outside its district boundaries. It was determined that annexation into Kneeland FPD would not be feasible since the area is within the established SOI for the Arcata FPD and response times for Kneeland FPD would likely be equal to or greater than those of the Arcata FPD.
- ADD

Other Considerations

o Municipal Service Review and Sphere of Influence

The Commission approved a Humboldt Bay Regional Fire Services Municipal Services Review in 2017, which evaluated the availability and performance of services provided by fire-related districts within the designated study area pursuant to California Government Code Section 56430. As part of the MSR process, sphere boundaries were updated to generally match the non-district goodwill response areas for each fire-related district. For the Arcata FPD, the sphere of influence was updated to follow parcel lines from what was previously following roadway buffers along both Jacoby Creek Road and Fickle Hill Roads. These shapes did not follow parcel boundaries, nor other identifiable boundary markers. The Arcata FPD SOI was expanded to more appropriately capture the Jacoby Creek and Fickle Hill communities and utilize parcel lines.



The Arcata FPD proposes to annex land that is within its current SOI and established goodwill response area. As discussed previously, some commercial timberlands are not proposed to be annexed. In addition, Kneeland FPD is actively planning to annex the portion of Lower Fickle Hill Road between the proposed Arcata FPD annexation area and the existing Kneeland FPD boundary, including the Nature Lane and Garden Lane areas, both of which are within the current Arcata FPD SOI. As part of the Arcata FPD annexation approval, the SOI will be amended to be conterminous with the newly annexed area.

o Environmental Review

The proposed annexation is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)3. For the following reasons it can be seen with certainty that there is no possibility that the activity in question, the annexation of the Arcata FPD goodwill response area and the extension of existing funding sources to support the ongoing delivery of fire protection services, will have a significant effect on the environment:

1. The purpose of the proposed annexation is to expand the jurisdictional boundary to areas outside of any fire protection district that are already served on a goodwill basis by the Arcata FPD; and
2. The proposed property tax exchange and extension of existing assessments/taxes are governmental funding mechanisms which do not constitute a commitment to any specific project that may have a significant effect on the environment.

- Property Tax Exchange Agreement

On April 9, 2019, the Board of Supervisors approved staff recommendations for a funding allocation strategy to help address service gaps that involves the exchange of property tax revenue, including base property tax revenue, in exchange for fire protection districts improving other sources of revenue, improving administrative capacity, and pursuing consolidation. Based on offers specified in the April 9, 2019 staff report, the estimated proportion of property tax revenue that would be transferred from the county general fund to the Arcata FPD within the annexation area is \$6,724 (initial base transfer), with an estimated 5-year annual growth projection of \$7,767. Pending approval of the annexation proposal by the Commission, a final property tax exchange agreement is expected to be approved by both the Board of Supervisors and Arcata FPD Board in accordance with Section 99.01 of the California Revenue and Taxation Code. The completion of the property tax exchange process has been included as a condition of approval.

- Conducting Authority Proceedings

All proposed boundary changes approved by the Commission are subject to conducting authority proceedings (i.e., protest hearing) unless waived in accordance with criteria outlined under G.C. Section 56663. Unless written opposition is received from landowners or registered voters within the affected territory prior to the conclusion of the Commission's proceedings on the proposal, the proposal is not subject to conducting authority proceedings under G.C. Section 56663.

D. RECOMMENDATION

The proposed SOI amendment and annexation to the Arcata FPD appears appropriate relative to the factors required by statute for consideration. It is recommended the following conditions of approval be applied with delegation to the Executive Officer to determine when the requested actions have been sufficiently satisfied before proceeding with a recordation.

- a) Completion of the 30-day reconsideration period provided under G.C. Section 56895.
- b) Completion of conduction authority proceedings by Executive Officer (unless waived in accordance with Government Code Section 56663.
- c) Completion of an agreement regarding the exchange of ad valorem property tax between affected agencies pursuant to tax exchange agreement offer number 2 authorized by the Humboldt County Board of Supervisors on April 9, 2019.
- d) Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization.

- e) Payment of any outstanding fees as identified in the Commission's adopted fee schedule.
- f) Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges and fees that were lawfully enacted by the District for the provision of fire protection services. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the District.

Alternatives for Commission Action

Staff has identified three options for Commission consideration with respect to the proposal. These options are summarized below.

- o Alternative Action One (Recommended):
Adopt the draft resolution identified as Attachment B, approving the CEQA exemption and the proposal with the recommended conditions along with any desired changes as requested by the Commission.
- o Alternative Action Two:
Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.
- o Alternative Action Three:
Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year unless a request for reconsideration is filed and approved within 30 days of Commission action.

Procedures for Consideration

This item has been agenzized for consideration as part of a noticed public hearing. The following procedures are recommended with respect to the Commission's consideration of this item:

- A. Receive verbal report from staff
- B. Open the public hearing and invite testimony.
- C. Discuss item and – if appropriate – close the hearing and consider action on recommendation:

"I move to adopt Resolution No. 24-02, approving the Annexation of the Goodwill Response Area to the Arcata Fire Protection District and associated CEQA exemption under CEQA Guidelines Section 15061(b)3".

Attachments

Attachment A: Required Factors

Exhibit 1 – Summary Table of Special Tax and Assessments for Arcata FPD

Exhibit 2 - Letter from Nature Lane Property Owner

Attachment B: Draft Resolution of Approval (No. 24-02)

ATTACHMENT A ANALYSIS OF REQUIRED FACTORS

Government Code Section 56668 requires the Commission to consider 17 specific factors anytime it reviews proposals for a change of organization or reorganization involving special districts. The purpose in considering these factors is to help inform the Commission in its decision-making process.

1) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

The proposed annexation includes approximately 3,561 acres of land (117 parcels) located within the good-will response area of the Arcata FPD. The annexation area contains approximately 172 residents and 79 total housing units. Total assessed value of properties (land and improvements) is \$24,204,647. Land uses within the annexation area are largely timberland (67%), with some City of Arcata designated uses (15%), Residential Agriculture (10%), and Public Lands (9%). There are no plans for land use or zoning changes or future development that are part of the proposed Arcata FPD annexation.

2) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

Pursuant to Government Code Section 56653, the District prepared a Plan for Services to evaluate the needs of the proposed annexation. The need for expanded community services within the affected territory includes fire protection services. An analysis of the availability and adequacy of this core municipal service relative to projected needs of the proposal follows.

- Fire Protection

The Arcata FPD provides fire protection services, as enumerated in California Health and Safety Code Section 13862 "a" through "f", excluding "e" (ambulance services). Services provided include fire protection services; rescue services; emergency medical services; hazardous material emergency response services; and any other services relating to the protection of lives and property.

The Arcata FPD has provided "goodwill" fire protection services to the annexation area for many years because this area is adjacent to the district boundary and Arcata FPD is the nearest fire protection service provider. As such, services will continue to be provided and there will be no lapse in service for the community.

The annexation would support essential fire protection services to the neighborhoods along upper Jacoby Creek Road, and lower Fickle Hill Road. This out-of-district response

area is not supported by a sustainable or reliable source of ongoing revenue to support the provision of fire protection services. The proposed annexation would extend the Arcata FPD's current property tax allocation and special tax and assessment revenue sources to the expanded district boundary, providing regular and ongoing revenue sources to this area, to sustain local fire protection services. Exhibit 1 includes a summary table that can be used to estimate annual special tax and special assessment amounts based on various land use types found within the annexation area. In addition, a web-based mapping tool (<https://bit.ly/AFPDAnnexationMap>) was developed for the annexation area where individual parcels selected would display estimated parcel charges levied annually by Arcata FPD that would be collected as part of the annual property tax bill.

Alternative actions considered include annexation to the Kneeland FPD or continue with the current Arcata FPD response outside its district boundaries. It was determined that annexation into Kneeland FPD would not be feasible since the area is within the established SOI for the Arcata FPD and response times for Kneeland FPD would likely be equal to or greater than those of the Arcata FPD. Additionally, if no annexation were to occur, fire services would continue to be provided to the area on a goodwill basis with no additional funding support. This would mean that property owners within the District boundary would continue to subsidize fire services in the goodwill response area.

Based on the items discussed above, the proposed annexation to Arcata FPD would provide the highest level of service to area residents and be the most cost efficient based on economies of scale and the already established funding mechanisms.

3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The proposed action would support the mutual social and economic interests of the proposed annexation area by sustaining community-based fire protection services and providing local governance for such services. In addition, the proposed annexation would increase the level of service for the proposed annexation areas by providing a larger base of registered voters that could potentially serve on the Board of Directors and there would also be more dedicated fire personnel available to respond to calls. As described above, the proposed annexation would sustain local fire protection services within the community and provide sustainable financial support for services.

4) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in G.C. Section 56377.

Within the proposed annexation area, approximately 75 percent is zoned Timberland Production, 15 percent is zoned under the City of Arcata, 6 percent is zoned Unclassified, 3 percent is zoned for agricultural uses, and 1 percent is zoned for residential uses.

The proposed annexation is largely a rural area. The Arcata FPD provides a level of service consistent with the characteristics of the area that it protects: urban level of service in

and around the City of Arcata and rural levels of service in the remote areas of the District due to water availability, extended response times, and terrain. The proposed annexation does not include any proposed development and would provide the same level of service or higher for existing residents.

With respect to G.C. Section 56377, portions of the affected territory are substantially unimproved and devoted to an open-space use (Timber Production and Agricultural) under the Humboldt County General Plan. However, the annexation does not involve changes to the type or level of services provided, would not convert agricultural land or open space uses, and does not propose to change land uses or land use patterns. Therefore, the proposal does not conflict with G.C. Section 56377. The Arcata FPD Plan of Service provided a detailed analysis of these requirements and found that it is common within Humboldt County for rural populations to be dispersed within and around agriculture and timber land and that it is logical fire protection district boundaries to include such resource lands.

5) *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.*

The proposed annexation does not involve changes to the type or level of fire protection services provided, nor would it convert agricultural land or involve the construction of or alteration to structures, grading, or other site disturbing activities on land planned for agriculture, and does not propose to change land uses or land use patterns. In addition, agricultural resources within the proposed district boundaries will not be affected by the proposed annexation for the following reasons:

- It is common throughout Humboldt County that rural populations are dispersed within and around agriculture and timber land and logical boundaries for fire protection district would include such resource lands.
- 28 percent of the land within existing fire protection district boundaries within Humboldt County is zoned TPZ or TC (coastal zone), 27 percent is zoned AE, and seven percent is zoned AG, which totals to over 60 percent of all land within fire related districts (including cities). Fire related districts within the county routinely respond to calls for service at houses on resource land, barns, warehouses, roads, logging sites, and within farm fields.
- The two fire districts that have the most career/professional firefighters and that ostensibly provide the highest level of fire protection service in the County, Arcata FPD and the Humboldt Bay Fire (Humboldt No. 1 FPD), have approximately 62 percent and 59 percent agriculture and resource zoned lands, respectively, within their district boundaries.
- The provision of fire protection services to land planned for agriculture was not noted as a cause of agricultural land conversion in the Agricultural Resources Report (<https://humboldt.gov.org/DocumentCenter/View/1428/Agricultural-Resources-and-Policies-Full-Report-PDF>) prepared in August 2003 for the Humboldt County General Plan Update.

- Land within the proposed district boundaries is within the State Responsibility Area and CAL FIRE is expected to continue to provide wildland protection at current levels of protection.
- The Arcata FPD currently respond to calls for service throughout the proposed annexation area and have done so for many years. The weight of response and levels of service after the proposed annexation would be similar to current levels and would therefore not significantly influence owners of resource land in their decisions to convert such land to other uses.

6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The proposed annexation area boundaries are drawn to follow Assessor's Parcel boundaries, Public Land Survey boundaries and natural barriers such as major creeks and ridgelines. The proposed annexation falls within the existing Arcata FPD SOI. As such, the proposed annexation would create clearly defined agency boundaries and clearly define the responsible agency for the area.

7) A regional transportation plan adopted pursuant to G.C. Section 65080.

The Humboldt Regional Transportation Plan (RTP), VROOM 2022-2042 was last updated in January 2022 and is a long-range transportation planning document for Humboldt County. There is limited mention of the proposed annexation area in the plan.

The proposed annexation does not include any proposed development or other activities that would potentially increase traffic on roadways. The same level of traffic is expected on roadways in all annexation areas.

8) The proposal's consistency with city or county general and specific plans.

Land uses within the existing district and proposed annexation area are subject to the City of Arcata and Humboldt County General Plans, and the policies of the Jacoby Creek Community Plan contained in Appendix C Community Area Plans Extract to the General Plan, and the City of Arcata and Humboldt County Zoning Regulations (Humboldt County Code Title III, Division 1). There are no plans for land use or zoning changes or future development that are part of the proposed Arcata FPD annexation.

9) The sphere of influence of any local agency that may be applicable to the proposal being reviewed.

The proposed annexation is entirely within the existing Arcata FPD SOI and does not involve proposed service expansions to accommodate new development. The proposed annexation is intended to sustain local fire protection services within the Arcata FPD goodwill service area and provide benefits based on sources of secure funding. Some commercial timberlands are not proposed to be annexed. In addition, Kneeland

FPD is actively planning to annex the portion of Lower Fickle Hill Road between the proposed Arcata FPD annexation area and the existing Kneeland FPD boundary, including the Nature Lane and Garden Lane areas, both of which are within the current Arcata FPD SOI. As part of the Arcata FPD annexation approval, the SOI will be amended to be conterminous with the newly annexed area.

10) The comments of any affected local agency or other public agency.

The Arcata FPD provided sufficient notice to interested and subject agencies of its intent to adopt a resolution of application, pursuant to GC Section 56654(c). LAFCo staff also provided a Notice of Filing to interested and subject agencies. To date, comments have been received in support of the proposed annexation from other local agencies, including CAL FIRE (Chief Kurt McCray, 2/5/24) and Humboldt County Fire Chiefs Association (Chief Rick Nicholson, 2/23/24). In addition, Arcata FPD coordinated closely with Kneeland FPD as part of the delineation of response areas and ultimate boundaries between the two agencies, particularly as it relates to Fickle Hill Road.

11) The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The proposed annexation would extend the Arcata FPD's current property tax allocation and special assessment and special tax revenue sources to the expanded district boundary, providing regular and ongoing revenue sources to these communities to sustain local fire protection services within each community.

The District is in the process of negotiating for the transfer of property tax with Humboldt County pursuant to tax exchange agreement offer number 2 authorized by the Humboldt County Board of Supervisors on April 9, 2019, which is estimated to result in a transfer of approximately \$6,724 (initial base transfer), with an estimated 5-year annual growth projection of \$7,767. Pending approval of the annexation proposal by the Commission, a final property tax exchange agreement is expected to be approved by both the Board of Supervisors and Arcata FPD Board in accordance with Section 99.01 of the California Revenue and Taxation Code. The completion of the property tax exchange process has been included as a condition of approval.

12) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.

The proposed annexation does not include any proposed development or increased demands on water supply in the area. Currently, the Jacoby Creek County Water District provides water in the Jacoby Creek area under a services contract with the City of Arcata.

13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

The proposal would not impact any local agencies in accommodating their regional housing needs. There are no plans for land use or zoning changes or future development that are part of the proposed Arcata FPD annexation.

14) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The total number of landowner and voter notices was approximately 125. Each landowner and registered voter in the proposed annexation area, and those within 300 feet of the annexation area, were sent a mailed notice with a summary of the proposed annexation and contact information for obtaining additional information.

To date, two property owners within the Nature Lane area along Fickle Hill Road contacted LAFCo about being located outside of the proposed Arcata FPD annexation area. One written letter was received as included in [Exhibit 2](#). Information was provided regarding Kneeland FPD's planned annexation and efforts to increase their special tax as part of the November 2024 election, which would then be followed by a LAFCo application for annexation. As mentioned in the staff report, the proposed boundary is the product of negotiations between the fire chiefs of the Arcata FPD and Kneeland FPD and generally reflects:

- the demands for service within existing Arcata FPD boundaries (mostly urban and suburban and high call frequency),
- projected demand for service within the proposed annexation area distance/travel time from stations (dispersed rural area with low call frequency and extended response times), and
- the staffing levels of each agency (limited career staffing and limited volunteer staffing covering extensive jurisdictions).

Both Arcata FPD and Kneeland FPD currently include portions of Fickle Hill Road within their respective boundaries and there is approximately 4.9 road miles of Fickle Hill Road that extends between the two existing district boundaries. The proposed Arcata FPD annexation of the Lower Fickle Hill Road area includes parcels located within over 2.5 road miles from the existing Arcata FPD boundary – roughly half the distance between the existing Arcata FPD and Kneeland FPD boundaries in this area. Considering Kneeland is actively planning to annex the remainder of Fickle Hill Road and considering the nature of service delivery among and between both Arcata FPD and Kneeland FPD, staff is not recommending modification of the annexation boundary in response to these inquiries.

15) Any information relating to existing land use designations.

The existing land uses within the proposed annexation area are as follows:

General Plan Land Use Designation	Acres
"P" Public Lands	306
"RA5-20" Residential Agriculture-5-20	348
"T" Timberland	2,388

"CITY" City of Arcata	519
Total	3,561

"P" Public Lands - The Public Lands designation is used to classify land owned by or under the jurisdiction of the federal, state, county or any other district authority or public corporation, or agency thereof.

"RA5-20" Residential Agriculture-5-20 – This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. Varying densities are reflective of land capabilities and/or compatibility issues. RA5-20 and RA20 are rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access. RA40, RA60, and RA160 designations are applied to more remote, steep and high hazard areas or where appropriate to ensure compatibility with adjacent resource production and open space uses.

"T" Timberland – This designation is utilized to classify land that is primarily suitable for the growing, harvesting and production of timber. Prairie and grazing lands may be intermixed. Density range is 40 -160 acres/unit.

"CITY" City of Arcata – This refers to lands that are within the incorporated limits of the City of Arcata. Land uses within the City boundary are subject to the City of Arcata General Plan.

16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

The proposal would not result in inconsistencies with environmental justice safeguards. The proposed annexation is intended to bring the Arcata FPD out of district goodwill response area into the boundary and to provide secure and sustainable revenue to support ongoing services.

17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to G.C. Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The proposed annexation areas are within moderate to high fire hazard severity zones according to adopted State Responsibility Area Fire Hazard Severity Zone Maps. The proposed annexation area is within State Responsibility Areas (SRA). Arcata FPD is a party to the countywide mutual aid agreement which includes California Department of Forestry and Fire Protection (CAL FIRE), which may also respond to calls in the annexation area when not committed to state mission activities. CAL FIRE is responsible for wildland fire protection within State Responsibility Area, including the annexation area.

EXHIBIT 1

Annual Arcata FPD Special Tax and Special Assessment Amounts

Assessor's Use Code	Assessor's Use Code Description	Arcata FPD Tax Property Description	Special Tax	Units of Benefit	Special Assessment (\$22*UOB)	Total Annual Parcel Charges
0097	Licensed MH on fee parcel	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
1000	Vacant Single Family Residential	Vacant/Unimproved: Any vacant land or unimproved property.	\$30	\$1	\$22	\$52
1100	Improved Single Family Residential	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
3001	Vacant Rural Residential, 1-5 ac	Vacant/Unimproved: Any vacant land or unimproved property.	\$30	\$1	\$22	\$52
3100	Improved, Rural Residential, up to .99 ac	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
3101	Improved, Rural Residential, 1 to 5 ac	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
3102	Improved, Rural Residential, 5+ to 10 ac	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
3103	Improved, Rural Residential, 10 to 20 ac	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
3104	Improved, Rural Residential, 20+ to 40 ac	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
7001	Portion TPZ, Rdwd, Improved	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
7002	100% TPZ, Rdwd, Vacant	Vacant/Unimproved: Any vacant land or unimproved property.	\$30	\$1	\$22	\$52
7003	100% TPZ, Rdwd, Improved	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$6	\$132	\$324
7004	Portion TPZ, Rdwd, Vacant	Vacant/Unimproved: Any vacant land or unimproved property.	\$30	\$1	\$22	\$52
8000	Public Land, Schools, Non Taxable Entities	Vacant/Unimproved: Any vacant land or unimproved property.	\$30	\$12	\$264	\$294
9930	Rural - Vacant	Vacant/Unimproved: Any vacant land or unimproved property.	\$30	\$1	\$22	\$52
9931	Rural - Improved	Rural Residential/Improved: Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.	\$192	\$1	\$22	\$214



Colette Santsche <colettem@humboldtlafo.org>

inclusion

robert goodman

To: colettem@humboldtlafo.org

Fri, Mar 8, 2024 at 12:48 PM

hello
I have received notices about the expansion of the fire district. I was erroneously informed that my parcels would be included in this proposal. I have looked at the interactive map and the boundaries are my property line. I would like for my parcels to be included. There are no geographical reasons not to and the district has already placed signs on several properties. The properties I would like included are 7184 Fickle Hill RD and 134, 180 and 915 Nature lane.
Please let me know your thoughts

Robert Goodman

This email or phone



RESOLUTION NO. 24-02

**APPROVING A SPHERE OF INFLUENCE AMENDMENT AND
ANNEXATION OF GOOD WILL RESPONSE AREAS TO THE
ARCATA FIRE PROTECTION DISTRICT**

WHEREAS, the Humboldt Local Agency Formation Commission, hereinafter referred to as the "Commission," is responsible for regulating boundary changes affecting cities and special districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Arcata Fire Protection District, hereinafter referred to as "Arcata FPD" or "District," filed an application with the Commission by resolution of application; and

WHEREAS, the proposal seeks Commission approval for annexation of approximately 3,561 acres (117 parcels) within the good-will response area of the Arcata FPD; and

WHEREAS, the subject territory is inhabited as defined in Government Code Section 56046; and

WHEREAS, the Executive Officer has given notice of the public hearing by the Commission on this matter at the times and in the form and manner provided by law; and

WHEREAS, the Executive Officer has reviewed available information and prepared a report and recommendations on the proposal, which has been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on March 20, 2024; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

NOW, THEREFORE, BE IT RESOLVED by the Humboldt Local Agency Formation Commission as follows:

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written report.
2. The Commission, as Responsible Agency, hereby determines that the sphere of influence amendment and annexation is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section

15061(b)3. For the following reasons it can be seen with certainty that there is no possibility that the activity in question, the annexation of out-of-district goodwill response areas into the boundaries of the Arcata FPD and extension of existing funding sources to support the ongoing delivery of fire protection services, will have a significant effect on the environment:

- The purpose of the proposed annexation is to expand the jurisdictional boundary to areas outside of any fire protection district that are already served on a goodwill basis by the Arcata FPD; and
- The proposed property tax exchange and extension of existing assessments/taxes are governmental funding mechanisms which do not constitute a commitment to any specific project that may have a significant effect on the environment.

3. The Commission approves the sphere of influence amendment and annexation of fire service areas served by Arcata FPD as part of their goodwill response area, contingent upon the satisfaction of following terms and conditions as determined by the Executive Officer:

- a) Completion of the 30-day reconsideration period provided under G.C. Section 56895.
- b) Completion of conducting authority proceedings by Executive Officer (unless waived in accordance with Government Code Section 56663).
- c) Completion of an agreement regarding the exchange of ad valorem property tax between affected agencies pursuant to tax exchange agreement offer number 2 authorized by the Humboldt County Board of Supervisors on April 9, 2019.
- d) Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization.
- e) Payment of any outstanding fees as identified in the Commission's adopted fee schedule.
- f) Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges and fees that were lawfully enacted by the District for the provision of fire protection services. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the District.

4. The proposal is assigned the following distinctive short-term designation:

Arcata FPD Annexation 24-02

5. The Sphere of Influence boundary is hereby amended to be coterminous as depicted on the final map. Future amendments and/or updates to the sphere shall be conducted in accordance with Government Code Sections 56425 and 56430.
6. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.

PASSED AND ADOPTED at a meeting of the Humboldt Local Agency Formation Commission on the 20th day of March 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michelle Bushnell, Chair
Humboldt LAFCo

Attest:

Colette Santsche, Executive Officer
Humboldt LAFCo

EXHIBIT A

**MAP AND BOUNDARY DESCRIPTION
ARCATA FIRE PROTECTION DISTRICT ANNEXATION**

