



AGENDA ITEM 7B

MEETING: July 20, 2022
TO: Humboldt LAFCo Commissioners
FROM: Colette Santsche, Executive Officer
SUBJECT: **Proposed Annexation of the Goodwill Response Area and Land Currently Served by the Sprowel Creek Volunteer Fire Company to the Garberville Fire Protection District**

The Commission will consider a proposal submitted by resolution of application by the Garberville Fire Protection District (FPD) for a sphere of influence (SOI) amendment and corresponding annexation of approximately 36,000 acres (1,108 parcels) of land located outside the boundaries that is currently served by the Garberville FPD and Sprowel Creek Volunteer Fire Company.

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 Garberville Fire Protection District (FPD). The proposal includes annexation of approximately 36,000 acres of land (1,108 parcels) within the good-will response area of the Garberville FPD and the response area of the Sprowel Creek VFC. The Garberville FPD proposes to consolidate fire protection service operations and administration with the Sprowel Creek VFC and annex the service area of the volunteer fire company into the boundaries of the Garberville FPD. As part of this reorganization the Sprowel Creek VFC would become a battalion for the Garberville FPD.

The principal reasons for the proposed annexation are as follows:

1. The Garberville FPD has provided fire protection services to its out-of-district response area and the Sprowel Creek Volunteer Fire Company has provided service to their community for many years.
2. The proposed annexation would extend the Garberville FPD's current property tax allocation to the expanded district boundary, establish a new district-wide

special tax, and consolidate fire protection service operations and administration with Sprowel Creek, providing regular and ongoing revenue sources to sustain local fire protection services within each community and to also retain the important local identity of each community's fire department.

3. The new revenue generated by this annexation would begin the process of establishing a new battalion in the Benbow area. Initially this would mean firefighters would be recruited and trained from the Benbow area, and a fire engine may be strategically placed at a residence or other location to allow a quicker response to Benbow incidents.
4. The annexation and consolidation would support essential fire protection services to the following communities: Benbow, Sprowel Creek, Garberville Airport/Kimtu Meadows, Bear Canyon, Alderpoint Road, and South U.S. 101/Richardson Grove.
5. The proposed annexation would establish district boundaries that clearly define service responsibilities for the benefit of neighboring fire service providers, land use authorizes, the public, and other service providers.

The proposed annexation does not involve proposed service expansions to accommodate new development. The proposed annexation is intended to redefine the Garberville FPD district boundary to secure funding and support improvements to the level of service to areas that are currently being served as part of their goodwill response area and by the Sprowel Creek VFC which lacks dedicated funding sources. The proposed annexation and merger would sustain local fire protection services within each community and to also retain the important local identity of each community's fire department

B. DISCUSSION

Description of Annexation Areas

Annexation Area 1 (Benbow Response Area): The Benbow response area is approximately 11,500 acres in area is located south of the Garberville FPD and includes the Benbow Inn and surrounding commercial areas, the Benbow golf course, single family homes, rural residential areas, Benbow State Recreation Area, and timber and farmlands extending east towards Reed Mountain. The most populated portion of this area is the flat and gently sloping community of Benbow, about 400 feet in elevation, located at the confluence of the East Branch of the South Fork and the South Fork Eel River and the remainder of this area is comprised of grassy and forested hillslopes with rural residences, ranches and agricultural operations. The highest point in this response area is Reed Mountain, at just over 3,000 feet. This area contains approximately 250 homes located on single family and rural residential parcels, the 55-room historic Benbow Inn, the Benbow KOA campground with numerous resort related uses, the Benbow Lake State Recreation area, a few small commercial enterprises.

Annexation Area 2 (Sprowel Creek Response Area): Sprowel Creek is small rural residential and ranching community that is about 4,500 acres in area and is sometimes referred to as Nielson Ranch. This area contains approximately 70 homes, several small ranches and farms located on the south facing slopes above Sprowel Creek. Elevation range from 700 to nearly 2,000 feet. This area is generally bordered on the west by

Green Diamond Timberlands, to the south by the Humboldt/Mendocino County line, to the east by the Richardson Grove/U.S. 101 area, and to the north by the Sawmill Creek drainage to the South Fork Eel River.

Annexation Area 3 (Garberville Airport/Kimtu Meadows Response Area): The Garberville Airport/Kimtu Meadows response area is approximately 6,900 acres in area and contains the Connick Creek subdivision area, the Kimtu Meadows area, the Garberville airport and the rural residential development that surrounds it, and the lower portion of the Old Briceland Road area. This area contains 155 mostly rural residential units, the County operated Garberville Airport, the Southern Humboldt Community Park, a commercial aggregate option, Garberville Sanitary District water production and storage facilities. The suburban and rural residences are clustered along the terraces above the flood plain of the south Fork Eel River with rural residences and agricultural operations extended into the grassy and forested hillslopes. This area is bounded by the Briceland Fire Protection to the west and north as well as the Bear Canyon area to the north, and to the east by the Sprowel Creek VFD response area and the Benbow community to the east.

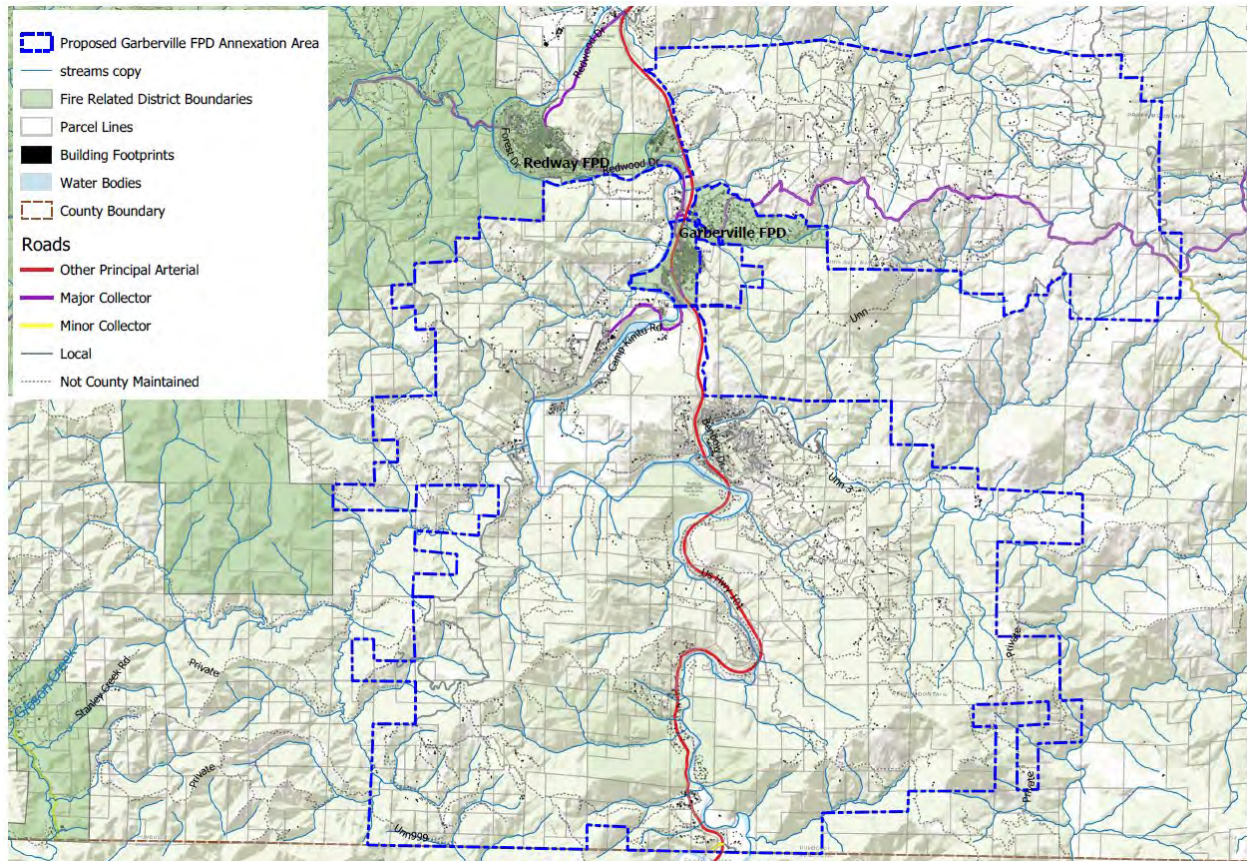
Annexation Area 4 (Bear Canyon Response Area): The Bear Canyon response area is 900 acres in area and located mostly on the west side of the South Fork Eel River and contains approximately 25 residences and the Garberville Sanitary District wastewater treatment plant. It also includes a light industrial area along Redwood Drive containing a Caltrans maintenance station, a Renner Petroleum station, and Blue Star Gas. The area is bounded by the Briceland Fire Protection District in the west, the South Fork Eel River in the north, the US 101 right of way and the South Fork Eel River in the east, and the Connick Creek area in the south.

Annexation Area 5 (Alderpoint Road Response Area): The Alderpoint Road response area is about 9,000 acres and includes the rural residential areas that extend from the existing District and are located along the north and south sides of Alderpoint Road east to the Pratt Mountain area. This area contains approximately 190 homes and several small agricultural operations located on west facing grassy and forested slopes. The western boundary is the U.S. 101 right of way, the northern boundary generally follows Dean Creek, the eastern boundary is Pratt Mountain and the first row of parcels on the east side of Dyerville Loop Road, and the southern boundary is the Tooby Ranch area.

Annexation Area 6 (Maple Lane East Response Area): The Maple Lane East response area is about 300 acres and contains approximately 15 homes that are located just east of the existing Garberville FPD boundary. This is a forested area with predominantly west facing hillslopes. This area is bounded by the existing district boundary to the west and north, and the eastern and southern boundary is the Tooby Ranch area.

Annexation Area 7 (Richardson Grove, South U.S. 101 Response Area): The Richardson Grove, South U.S. 101 response area is about 3,500 acres and contains the commercial recreation uses such as the One Log House, the Legend of Big Foot roadside sale, Renner Petroleum, The Grandfather Tree gift shop, an RV park, and Richardson Grove State Park located in the South Fork Eel River valley along U.S. 101 to as well as nearly 40

homes that are mostly located on the hill slopes of U.S. 101 to the west. This area is bounded by the Sprowel Creek area to the west, the Benbow Community to the north, timberlands to the east, and the Mendocino County line to the south.



Please visit: <https://arcg.is/G9W0C> to access an online interactive webmap

Proposed Special Tax

A new revenue source will be required to support the Garberville FPD's ability to build and sustain adequate community fire and rescue services for the entire area they are currently being called upon to cover (including the current district boundary and proposed annexation area). A voter-approved special tax that would generate approximately \$150,000 per year and would be apportioned to property based on the use of property in the following manner:

- Vacant property of any type would pay \$25 per Assessor parcel per year;
- Single family homes *within a hydranted area* would pay \$100 per parcel per year;
- Single family homes *not served by hydrants* would require a greater response, including water tenders, would pay \$150 per parcel per year;
- Multiple family dwellings would pay between \$200 and \$450 per parcel per year depending upon the number of housing units;
- General commercial properties would pay \$300 per parcel per year; and

- Hotels and motels would pay between \$300 and \$750 per parcel per year based on the number of rooms.

The special tax would be levied annually on parcels within the existing district and proposed annexation area for an indefinite term (no sunset) and would be collected as part of the annual property tax bill and deposited in a fund for the sole use of the district (nominal processing and administration fees may be charged by the County). The special tax would include the following additional provisions:

- Inflationary Adjustment. In each subsequent year and as part of a duly noticed public hearing, the District Board may choose to adopt an inflation adjustment factor to increase the maximum special tax rate by an amount equal to the annual change, if any, in the Consumer Price Index of the San Francisco-Oakland-San Jose area, up to a maximum increase of five percent. An inflationary adjustment may be applied annually to account for normal cost of living increases in providing fire services. This factor is the maximum that the special tax could be raised in a fiscal year. The District Board can adopt a lower adjustment factor or forgo the adjustment at the Board’s discretion.

Land Use Type	Proposed Annual Tax
Vacant/Unimproved	\$25.00
Common Area	\$75.00
Single Family Residential, Hydrant Area	\$100.00
Rural Residential, Non Hydrant Area	\$150.00
Mobile Home	\$100.00
Mobile Home Park	\$300.00
Multifamily Small (2-4 units)	\$200.00
Multifamily Medium (5-9 units)	\$300.00
Multifamily Large (10 + units)	\$450.00
Care Home	\$300.00
Commercial: Auto Repair, Gas Station, Office Medical Office, Restaurant, Retail (up to 2000 sf), Miscellaneous, Warehouse	\$300.00
Commercial: Retail (above 2000 sf), Retail (multi-tenant)	\$400.00
Commercial: Theater	\$450.00
Commercial: Hotel, Motel, Campground (up to 10 units)	\$300.00
Commercial: Hotel, Motel, Campground (11 to 19 units)	\$450.00
Commercial: Hotel, Motel, Campground (20 to 40 units)	\$600.00
Commercial: Hotel, Motel, Campground (over 40 units)	\$750.00
Industrial: Light	\$300.00
Industrial: Heavy	\$500.00
Non Taxable	\$0.00

Property Tax Exchange

Garberville FPD also seeks an exchange of property tax revenue from Humboldt County pursuant to an action by the Board of Supervisors on May 9, 2019, which identified different tax exchange agreements that may be offered to fire districts depending on which of a set of expectations fire districts were willing and able to meet. GFDP's proposed annexation and merger with SCVFC would be eligible for tax exchange agreement Offer #1, whereby Humboldt County would transfer a portion of the county's share of the base property tax revenue to the fire district equal to 75% of the district's average tax allocation factor (TAF), multiplied by the 1% property tax revenue for the current year within the annexation area. In addition, Garberville FPD would receive 100% of its TAF applied to growth in property tax in the annexation area. A draft property tax exchange agreement was approved by the G Garberville FPD Board and the Chair of the Board is authorized to execute an agreement that is substantially similar.

Proposed Sphere of Influence

The proposed Garberville FPD SOI will be coterminous with the proposed annexation area boundary. The proposed coterminous SOI includes the current Garberville FPD SOI most recently adopted by Resolution 16-05 of Humboldt LAFCo and additional areas outside of the adopted SOI extending to the Sprowel Creek VFC service area. This includes portions of land rural residential areas east of Garberville along Alderpoint Road between the Garberville Sanitary District's tank site (located at 1081 Alderpoint Road) and Pratt Mtn. Road; the Connick Creek, Bear Canyon, and airport areas as well as areas approximately 4.25 miles beyond the airport along Sprowel Creek Road on the west side of the South Fork Eel River, and the Tooby flat and Kimtu Meadows area on the east side of the River; the communities of Benbow and the rural residences along the East Branch of the South Fork; as well as areas on either side of US 101 south to the County Line. These areas were mapped as part of the South County Regional Fire Services Municipal Services Review adopted by LAFCo in 2016.

The proposed Garberville FPD boundary will be adjacent to both the Redway FPD and Briceland FPD whose SOIs as also coterminous with their established boundaries. As such, the current proposal will not conflict with any SOI of a neighboring local agency.

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 consists of approximately 1,134 residents and 947 total housing units. Total assessed value of properties (land and improvements) is \$226,403,398.
- Land uses within the annexation area are very similar to land uses within the existing district, and include developed and undeveloped rural residential land, timber land, and agricultural land.
- There is little development potential within the annexation area. Future demands for services are expected to be similar to the current service demands.
- The approval of this annexation would enable the district to extend its fire-related funding source within the annexation area, beyond donations, from which the fire department can rely upon into the future and improve service delivery.

Other Considerations

- Municipal Service Review and Sphere of Influence

The Commission approved a South County Regional Fire Services Municipal Services Review in 2016, which evaluated the availability and performance of governmental 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. The Garberville FPD proposes to amend its sphere of influence beyond the proposed new district boundaries, consistent with the mapped sphere boundaries and out of district response areas in the Regional MSR.

- 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 Garberville FPD out-of-district good-will response area, consolidation with the Sprowel Creek Volunteer Fire Company, and the annexation of the service areas of the Sprowel Creek Volunteer Fire Company into the boundaries of the Garberville FPD and the establishment of new 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 the establishment of a local district boundary to include areas outside district boundaries that are already served on

a good-will basis by the district and the Sprowel Creek Volunteer Fire Company and,

2. Although one of many uses for the new funding sources to support the ongoing delivery of fire protection services is to fund the construction of a fire station in the Benbow community at some time in the future, the construction of this fire station is considered speculative given that there is no plan or project to construct a fire station in Benbow, no suitable site has been identified, and funding will only be available after annexation and after the Garberville FPD Board of Directors has appropriated funds for this purpose. The proposed special tax and property tax exchange within the annexation area constitute a government funding mechanism which does not constitute a commitment to any specific project that may have a significant effect on the environment.

- o 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 Garberville FPD is \$201,446, which is based on current year estimated property tax revenue generated within the annexation area. Pending approval of the annexation proposal by the Commission, a final property tax exchange agreement is expected to be approved by the Board of Supervisors 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.

- o 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 Garberville 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 1 authorized by the Humboldt County Board of Supervisors on April 9, 2019.
- d) Voter approval of a special tax, consistent with the Draft Special Tax Ordinance approved by the GFPD Board of Directors on June 8, 2022, to sustain and improve fire protection services by the registered voters of the current Garberville FPD boundaries and proposed annexation area.
- e) Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization.
- f) Payment of any outstanding fees as identified in the Commission's adopted fee schedule.
- g) The Sprowel Creek Volunteer Fire Company shall prepare the appropriate documentation for any transfer of fire assets and resources to the Garberville FPD and provide this documentation to LAFCo staff for review.
- h) 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 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. 22-10, approving the Sphere of Influence Amendment and Annexation of the Goodwill Response Area and Sprowel Creek Volunteer Fire Company service area to the Garberville Fire Protection District".

Attachments

Attachment A: Required Factors for Review

Attachment B: Draft Resolution of Approval (No. 22-10)

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 37,021.5 acres of land (1,108 parcels) located within the good-will response area of the Garberville FPD and the response area of the Sprowel Creek VFC. The annexation area contains approximately 1,134 residents and 947 total housing units. Total assessed value of properties (land and improvements) is \$226,403,398. Land uses within the annexation area are very similar to land uses within the existing district, and include developed and undeveloped rural residential land, timber land, and grazing land. There are no plans for land use or zoning changes or future development that are part of the proposed Garberville 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.

o Fire Protection

The Garberville FPD has provided fire protection services to its out-of-district response area and the Sprowel Creek Volunteer Fire Company (VFC) have provided service to their communities for many years. The South County Fire Protection District Municipal Service Review (MSR) conducted in 2016 showed 279 service calls in the area in 2014. Since then calls have continued to increase to approximately 310 calls in 2021 and the Garberville FPD estimates that at least 50 percent of calls are to the proposed annexation area. This indicates a probable future need for continued fire services in the area.

The Sprowel Creek VFC also does not have a sustainable or reliable source of ongoing revenue to support the provision of fire protection services. As such, the VFC is unable to

provide funding for updated equipment or support recruitment of additional volunteer fire fighters.

The proposed annexation would extend the Garberville FPD's current property tax allocation and special assessment revenue sources to the expanded district boundary and consolidate fire protection service operations and administration with the Sprowel Creek VFC, providing regular and ongoing revenue sources to these communities to sustain local fire protection services within each community and to also retain the important local identity of each community's fire department.

Alternative actions considered include formation of a new County Service Area (CSA) for fire service, annexation to the Briceland FPD or Redway FPD, a larger reorganization involving surrounding fire protection districts and areas outside district boundaries protected by volunteer fire departments not affiliated with special districts, or continue with the current Garberville FPD response outside its district boundaries and maintain the non-district Sprowel Creek VFC.

The Garberville FPD determined that the annexation of the entire Garberville FPD response area by another fire protection district is not feasible due to the extended response distance and the fact that a significant portion of the annexation area could only be accessed through the existing Garberville FPD boundaries. The proposed action includes a merger between the Garberville FPD and the Sprowel Creek VFC. There may be benefits to mergers between other nearby FPDs, especially between Garberville and Redway FPD. These two FPDs respond together effectively as automatic and mutual aid patterns and participate together in regional training opportunities. But at this time these two FPDs have not indicated a willingness to merge. The Garberville FPD has committed to continuing to discuss merger or reorganization with the Redway FPD into the future.

The new revenue generated by this annexation would begin the process of establishing a new battalion in the Benbow area. Initially this would mean firefighters would be recruited and trained from the Benbow area, and a fire engine may be strategically placed at a residence or other location to allow a quicker response to Benbow incidents. The merger of the Garberville and Sprowel Creek fire departments would provide automatic backup for calls for service within the annexation area when volunteer turnout is low or when volunteers are at work. The proposed annexation and merger would consolidate fire protection service operations and administration with Sprowel Creek, providing regular and ongoing revenue sources to sustain local fire protection services within each community and to also retain the important local identity of each community's fire department.

Based on the items discussed above, the proposed annexation to Garberville 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 and merger would sustain local fire protection services within each community and to also retain the important local identity of each community's fire department

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 38 percent is zoned Timberland Production, 39 percent is zoned Agricultural Exclusive, 16 percent is Unclassified, and 3 percent is zoned for suburban or rural residential purposes. The proposed annexation area includes approximately 2,859 acres of the Buck Mtn/Upper Ranch (Ranch ID 229).

Similar to a portion of the existing Garberville FPD boundaries, the proposed annexation area contains urbanized and rural areas. The Garberville FPD provides a level of service consistent with the characteristics of the area that it protects: urban level of service in and around the unincorporated town of Garberville 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 Grazing) 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 Garberville 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.
- The Cortese-Knox-Hertzberg Local Agency Reorganization Act requires that special districts first receive written approval from LAFCo prior to providing service outside their district boundaries. Therefore, service must be provided within district boundaries and if calls for fire protection services would occur within resource lands, developed or otherwise, such lands must be located within the boundaries of a fire related district.
- 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 Garberville FPD and the Sprowel Creek VFC 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 Garberville FPD 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. In order to exclude commercial forest land that are timbered and within State Responsibility Area, pursuant to California Health and Safety Code Section 13811, the

proposed boundary creates several corridors of unincorporated territory that area not included within the proposed annexation area. Were it possible to include these lands, the Garberville FPD would have likely proposed to do so.

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. Several projects are also listed for the unincorporated town of Garberville which had a reported backlog of roadway and maintenance projects totaling \$3.6 million.

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 Humboldt County General Plan, 2017, and the policies of the Garberville, Benbow, Alderpoint, Redway Community Plan contained in Appendix C Community Area Plans Extract to the General Plan , and the Zoning Regulations (Humboldt County Code Title III, Division 1). Land use designations within the boundaries of the Garberville FPD are governed by the Humboldt County General Plan. There are no plans for land use or zoning changes or future development that are part of the proposed Garberville FPD annexation.

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

The proposed SOI Amendment and Annexation does not involve proposed service expansions to accommodate new development. The proposed annexation is intended to sustain local fire protection services within the Garberville FPD goodwill service area and the Sprowel Creek VFC response area and to consolidate fire services to provide benefits based on economies of scale and sources of secure funding. The proposed Garberville FPD SOI will be coterminous with the proposed annexation area boundary.

The proposed Garberville FPD boundary will be adjacent to both the Redway FPD and Briceland FPD whose SOIs as also coterminous with their established boundaries. As such, the current proposal will not conflict with any SOI of a neighboring local agency.

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

The Garberville 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, no comments have been received.

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 Garberville FPD is almost entirely funded by property taxes (90% of total revenue) and funding from a few other miscellaneous sources (0.09% of total revenue). The District is proposing a new special tax to be applied within the proposed annexation area and existing district which would equal \$100 per year for single-family residence in a hydranted area and residences in a nonhydranted area paying \$150 per year. Annual revenue from the special assessment is approximately \$150,000. The District currently generates approximately \$80,000 per year from its percentage (0.04%) of the 1 percent ad valorem property tax revenue.

The District is in the process of negotiating for the transfer of property tax with Humboldt County pursuant to tax exchange agreement offer number 1 authorized by the Humboldt County Board of Supervisors on April 9, 2019, which is estimated to result in a transfer of approximately \$200,000 in base property tax revenue. The outcome of these negotiations is unknown at this time.

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 Garberville Sanitary District provides water service within the Garberville Sanitary District Boundaries. The Del Oro Water Company provides water service to the unincorporated area of Benbow.

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 Garberville FPD annexation.

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

Since the total number of notices to landowners and registered voters exceed 1,000, the notice was provided by publishing a display ad of at least 1/8th page in the Times Standard and Independent. Furthermore, an article was covered by the Redheaded Blackbelt. Should annexation be approved by LAFCo, the special tax must be approved by 2/3rds votes cast at a special or general election that includes registered voters within the existing district and proposed annexation area. To date, no comments have been received on the proposal.

15) *Any information relating to existing land use designations.*

The following tables describe the land within the Garberville FPD district boundary and proposed annexation area and displays information according to land use type (indicating the land use activity that is occurring within the parcel based on Assessor's Use Code data), General Plan Land Use Designation, and Zoning Classification.

Response Area & Assessor's Use Description	APNs	Acres
Garberville Airport/Kimtu Meadows Response Area	217	6,758
100% TPZ, Rdwd & Wwd, Improved	6	403
100% TPZ, Rdwd & Wwd, Vacant	2	82
100% TPZ, Rdwd, Improved	1	40
100% TPZ, Rdwd, Vacant	6	405
100% TPZ, Wwd, Improved	4	531
100% TPZ, Wwd, Vacant	12	765
Improved Single Family Residential	36	29
Improved, Rural Residential, 10 to 20 ac	9	126
Improved, Rural Residential, 1 to 5 ac	18	36
Improved, Rural Residential, 20+ to 40 ac	8	276
Improved, Rural Residential, 40+ac	5	323
Improved, Rural Residential, 5+ to 10 ac	10	67
Improved, Rural Residential, up to .99 ac	3	58
Improved, Subject to Exemption	1	444
Licensed MH on fee parcel	2	12
Misc Light Industrial	1	5
Portion TPZ, Mix Rdwd&Wwd, Improved	3	207
Portion TPZ, Mix Rdwd, Wwd, Vacant	2	142
Portion TPZ, Rdwd, Improved	2	99
Portion TPZ, Wwd, Improved	8	857
Portion TPZ, Wwd, Vacant	5	835
Public Land, Schools, Non Taxable Entities	12	265
Public Utilities	1	0
Rural - Improved	20	156
Rural - Vacant	10	140
Rural w/ Timber Infl - Vacant	3	183
Taxable MH on fee parcel	5	11
Vacant Rural Residential, 1-5 ac	2	8
Vacant Single Family Residential	9	5
Vacant, Rural Residential, 20+ to 40 ac	2	68
Vacant, Rural Residential, 40+ ac	3	162
Vacant, Rural Residential, 5+ to 10 ac	2	14
Vacant, Rural Residential, to .99ac	4	2
Alderpoint Road Response Area	164	8,887
100% TPZ, Wwd, Improved	3	234

Ag Preserve, Misc Imps	2	274
Ag Preserve, Res Imps	1	365
Ag Preserve, Vacant	16	1,665
Improved, Rural Residential, 10 to 20 ac	2	36
Improved, Rural Residential, 20+ to 40 ac	43	1,119
Improved, Rural Residential, 40+ac	26	1,563
Licensed MH on fee parcel	4	145
Main Parcel, Segregated Interest	2	64
Portion TPZ, Wwd, Improved	3	993
Public Land, Schools, Non Taxable Entities	1	2
Public Utilities	1	0
Rural - Improved	35	1,211
Rural - Vacant	9	409
Rural w/ Timber Infl - Improve	1	86
Rural w/ Timber Infl - Vacant	1	47
Rural, Agricultural, Residence, Unrestricted	2	34
Taxable MH on fee parcel	1	22
Vacant, Rural Residential, 20+ to 40 ac	4	117
Vacant, Rural Residential, 40+ ac	5	454
Vacant, Rural Residential, to .99ac	1	0
Vacant, Rural, Agricultural, Unrestricted	1	38
(blank)		9
Bear Canyon Response Area	46	894
100% TPZ, Rdwd, Vacant	3	224
Commercial, Medical-Dental	1	1
Commercial, Miscellaneous	1	1
Gas Station, w/o mini-mart	1	1
Improved Single Family Residential	7	8
Improved, Rural Residential, 10 to 20 ac	1	18
Improved, Rural Residential, 1 to 5 ac	1	5
Improved, Rural Residential, 20+ to 40 ac	1	23
Improved, Rural Residential, 40+ac	1	61
Improved, Rural Residential, 5+ to 10 ac	3	22
Improved, Rural Residential, up to .99 ac	1	1
Industrial - Vacant	1	1
Misc Light Industrial	1	1
Portion TPZ, Mix Rdwd&Wwd, Improved	3	235
Public Land, Schools, Non Taxable Entities	4	52
Public Utilities	2	5
Rural - Improved	1	73
Rural - Vacant	5	48
Vacant Rural Residential, 1-5 ac	1	2
Vacant Single Family Residential	1	6

Vacant, Industrial	1	2
Vacant, Rural Residential, 10+ to 20 ac	2	18
Vacant, Rural Residential, 40+ ac	1	76
Vacant, Rural Residential, 5+ to 10 ac	1	8
Vacant, Rural Residential, to .99ac	1	0
Benbow Response Area	535	11,268
100% TPZ, Rdwd & Wwd, Improved	2	362
100% TPZ, Rdwd, Improved	2	83
100% TPZ, Rdwd, Vacant	3	93
100% TPZ, Wwd, Improved	7	430
100% TPZ, Wwd, Vacant	15	1,238
Ag Preserve, Res Imps	1	40
Comm - Motel, Rest, Serv Stn	1	2
Commercial Office	1	10
Commercial, Miscellaneous	3	26
Full Service Restaurant	1	1
Improved Single Family Residential	103	93
Improved, 2-4 Units	4	7
Improved, Rural Residential, 10 to 20 ac	19	340
Improved, Rural Residential, 1 to 5 ac	8	28
Improved, Rural Residential, 20+ to 40 ac	28	678
Improved, Rural Residential, 40+ac	11	588
Improved, Rural Residential, 5+ to 10 ac	9	74
Improved, Rural Residential, up to .99 ac	3	4
Main Parcel, Segregated Interest	1	266
Motel, 20 to 40 units	1	6
Portion TPZ, Mix Rdwd, Wwd, Vacant	1	249
Portion TPZ, Rdwd, Improved	1	57
Portion TPZ, Wwd, Improved	10	1,698
Portion TPZ, Wwd, Vacant	18	2,570
Public Land, Schools, Non Taxable Entities	24	1,014
Public Utilities	1	0
Rural - Improved	22	341
Rural - Vacant	13	82
Rural w/ Timber Infl - Improve	3	83
Rural w/ Timber Infl - Vacant	7	383
Taxable MH on fee parcel	3	30
Vacant Commercial	4	20
Vacant Rural Residential, 1-5 ac	7	23
Vacant Single Family Residential	170	133
Vacant, Rural Residential, 10+ to 20 ac	4	53
Vacant, Rural Residential, 20+ to 40 ac	1	21
Vacant, Rural Residential, 5+ to 10 ac	8	56

Vacant, Rural Residential, to .99ac	14	67
Vacant, Rural, Agricultural, Unrestricted	1	2
(blank)		19
District Island	1	2
Rural - Vacant	1	2
Maple Lane East Response	21	268
100% TPZ, Wwd, Vacant	5	226
Improved Single Family Residential	10	5
Rural - Vacant	1	14
Vacant Single Family Residential	4	1
Vacant, Rural Residential, 20+ to 40 ac	1	21
Richardson Grove, South 101 Response Area	67	3,461
100% TPZ, Rdwd & Wwd, Vacant	1	162
100% TPZ, Wwd, Vacant	7	1,037
Comm - Motel, Rest, Serv Stn	1	3
Comm - Store, Office, Medical	1	29
Commercial, Miscellaneous	5	130
Gas Station w/mini-mart	1	1
Improved, Rural Residential, 10 to 20 ac	1	10
Improved, Rural Residential, 1 to 5 ac	2	9
Improved, Rural Residential, 20+ to 40 ac	5	114
Improved, Rural Residential, 40+ac	1	63
Improved, Rural Residential, 5+ to 10 ac	1	5
Licensed MH on fee parcel	1	75
Portion TPZ, Rdwd, Vacant	1	76
Portion TPZ, Wwd, Improved	1	127
Public Land, Schools, Non Taxable Entities	18	1,166
Rural - Improved	2	15
Rural - Vacant	6	60
Rural w/ Timber Infl - Improve	2	54
Rural w/ Timber Infl - Vacant	2	149
Taxable MH on fee parcel	1	10
Vacant Rural Residential, 1-5 ac	3	8
Vacant, Rural Residential, 20+ to 40 ac	1	34
Vacant, Rural Residential, 40+ ac	1	39
Vacant, Rural Residential, 5+ to 10 ac	1	5
Vacant, Rural, Agricultural, Unrestricted	1	80
Sprowel Creek VFC Response Area	57	4,428
100% TPZ, Rdwd, Vacant	1	105
100% TPZ, Wwd, Vacant	10	975
Improved, Rural Residential, 20+ to 40 ac	1	47
Improved, Rural Residential, 40+ac	13	827
Portion TPZ, Mix Rdwd, Wwd, Vacant	2	105

Portion TPZ, Rdwd, Vacant	1	35
Portion TPZ, Wwd, Vacant	8	1,014
Public Land, Schools, Non Taxable Entities	10	660
Rural - Improved	7	516
Rural - Vacant	3	89
Vacant, Rural Residential, 40+ ac	1	56
Grand Total	1,108	35,965

Response Area & General Plan Land Use Designation	Acres
Airport/Kimtu Response Area	6,858.8
Agricultural Grazing (AG)	69.9
Industrial, Resource Related (IR)	50.0
Public Facility (PF)	52.1
Public Lands (P)	202.1
Public Recreation (PR)	397.4
Residential Agriculture (RA), 20 acres	343.5
Residential Agriculture (RA), 20-160 acres	457.3
Residential Agriculture (RA), 40 acres	684.6
Residential Agriculture (RA), 5-20 acres	682.9
Residential Estates (RE) 1-5 acres	126.8
Residential Low Density (RL)	37.5
Timberlands (T)	3,754.7
Alderpoint Road Response Area	8,931.6
Agricultural Grazing (AG)	2,556.4
Residential Agriculture (RA), 20 acres	46.8
Residential Agriculture (RA), 20-160 acres	768.0
Residential Agriculture (RA), 40 acres	5,026.2
Residential Agriculture (RA), 5-20 acres	320.7
Timberlands (T)	213.5
Bear Canyon Response Area	917.2
Industrial, General (IG)	43.6
Public Facility (PF)	108.7
Residential Agriculture (RA), 40 acres	0.9
Residential Agriculture (RA), 5-20 acres	360.5
Residential Estates (RE) 2.5-5 acres	5.4
Residential Low Density (RL)	1.3
Timberlands (T)	396.8
Benbow Response Area	11,428.6
Agricultural Grazing (AG)	3,396.4
Commercial Recreation (CR)	100.5

Response Area & General Plan Land Use Designation	Acres
Public Facility (PF)	125.9
Public Lands (P)	866.5
Residential Agriculture (RA), 20 acres	148.3
Residential Agriculture (RA), 20-160 acres	2,572.7
Residential Agriculture (RA), 40 acres	42.2
Residential Agriculture (RA), 5-20 acres	313.6
Residential Estates (RE) 1-5 acres	114.9
Residential Estates (RE) 2.5-5 acres	32.6
Residential Low Density (RL)	205.5
Timberlands (T)	3,509.5
District Island	2.0
Open Space (OS)	2.0
Maple Lane East Response Area	269.8
Agricultural Grazing (AG)	67.6
Open Space (OS)	22.6
Residential Agriculture (RA), 5-20 acres	0.0
Residential Low Density (RL)	16.5
Timberlands (T)	163.1
South 101 Response Area	3,491.1
Commercial Recreation (CR)	69.4
Industrial, Resource Related (IR)	13.3
Public Lands (P)	1,159.4
Residential Agriculture (RA), 20 acres	258.4
Residential Agriculture (RA), 40 acres	337.9
Residential Agriculture (RA), 5-20 acres	185.4
Timberlands (T)	1,467.3
Sprowel Creek VFC Response Area	4,425.0
Public Lands (P)	659.5
Residential Agriculture (RA), 40 acres	1,803.7
Timberlands (T)	1,961.8
Total	37,021.5

Response Area and Zoning	Acres
Airport/Kimtu Response Area	6,858.8
Agricultural Exclusive (AE)	1,077.3
Agricultural Exclusive (AE), 160 acres	302.0
Agricultural Exclusive (AE), 20 acres	259.6
Agricultural Exclusive (AE), 40 acres	203.6
Agricultural General (AG)	45.8

Response Area and Zoning	Acres
Agricultural General (AG), 5 acres	652.8
Airport (AV)	60.4
Heavy Industrial (MH)	49.9
Public Facility (Rural) (PF2)	100.1
Residential One-Family (R-1)	37.5
Residential Suburban (RS)	99.0
Residential Suburban (RS). 10 acres	0.0
Timberland Production (TPZ)	3,848.9
Unclassified (U)	121.8
Alderpoint Road Response Area	8,931.5
Agricultural Exclusive (AE)	4,569.4
Agricultural Exclusive (AE), 160 acres	1,735.0
Agricultural Exclusive (AE), 40 acres	93.7
Heavy Industrial (MH)	70.8
Timberland Production (TPZ)	683.3
Unclassified (U)	1,779.4
Bear Canyon Response Area	917.2
Agricultural Exclusive (AE)	205.0
Agricultural Exclusive (AE), 160 acres	105.5
Agricultural General (AG)	42.5
Agricultural General (AG), 5 acres	19.4
Flood Plain (FP)	0.1
Heavy Industrial (MH)	43.8
Residential One-Family (R-1) 20,000 SF	2.0
Residential Suburban (RS)	6.0
Timberland Production (TPZ)	394.9
Unclassified (U)	98.0
Benbow Response Area	11,428.7
Agricultural Exclusive (AE)	1,433.5
Agricultural Exclusive (AE), 160 acres	1,614.9
Agricultural Exclusive (AE), 20 acres	0.0
Agricultural Exclusive (AE), 40 acres	121.0
Agricultural General (AG)	238.4
Agricultural General (AG), 10 acres	10.3
Neighborhood Commercial (C-1)	7.3
Highway Service Commercial (CH)	30.2
Forestry Recreation (FR)	242.3
Residential One-Family (R-1)	10.5
Residential One-Family (R-1) 20,000 SF	154.7
Residential Multiple Family (R-3)	23.0

Response Area and Zoning	Acres
Residential Suburban (RS)	140.0
Residential Suburban (RS). 10 acres	74.6
Residential Suburban (RS). 5 acres	39.1
Timberland Production (TPZ)	5,463.3
Unclassified (U)	1,825.5
District Island	2.0
Agricultural Exclusive (AE)	2.0
Maple Lane East Response Area	269.8
Agricultural Exclusive (AE)	0.7
Forestry Recreation (FR)	21.9
Residential One-Family (R-1)	6.5
Residential Suburban (RS). 5 acres	10.9
Timberland Production (TPZ)	229.8
South 101 Response Area	3,491.1
Agricultural Exclusive (AE)	102.0
Community Commercial (C-2)	5.5
Timberland Production (TPZ)	1,376.3
Unclassified (U)	2,007.3
Sprowel Creek VFC Response Area	4,425.0
Agricultural Exclusive (AE)	343.8
Agricultural Exclusive (AE), 160 acres	91.8
Agricultural Exclusive (AE), 40 acres	1,902.3
Timberland Production (TPZ)	1,973.8
Unclassified (U)	113.3
Grand Total	37,021.5

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 Garberville FPD out of district goodwill response area into the boundary as well as the response area of the Sprowel Creek VFC 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 very high fire hazard severity zones according to adopted State Responsibility Area Fire Hazard Severity Zone Maps. The entire Garberville FPD boundary and the proposed annexation area are within State Responsibility Areas (SRA). Garberville 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.



DRAFT RESOLUTION NO. 22-10

APPROVING A SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION OF GOOD WILL RESPONSE AREA AND LAND CURRENTLY SERVED BY THE SPROWEL CREEK VOLUNTEER FIRE COMPANY TO THE GARBERVILLE 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 Garberville Fire Protection District, hereinafter referred to as "GFPD" or "District," filed an application with the Commission by resolution of application; and

WHEREAS, the proposal seeks Commission approval for a sphere of influence amendment and annexation of approximately 36,000 acres (1,108 parcels) within the good-will response area of the GFPD and the response area of the Sprowel Creek Volunteer Fire Company; 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 July 20, 2022; and

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

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 finds 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 the GFPD out-of-district good-will response area, consolidation with the Sprowel Creek Volunteer Fire Company, and the annexation of the service areas of the Sprowel Creek Volunteer Fire Company into the boundaries of the GFPD and the establishment of new 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 the establishment of a local district boundary to include areas outside district boundaries that are already served on a good-will basis by the district and the Sprowel Creek Volunteer Fire Company and,
 - Although one of many uses for the new funding sources to support the ongoing delivery of fire protection services is to fund the construction of a fire station in the Benbow community at some time in the future, the construction of this fire station is considered speculative given that there is no plan or project to construct a fire station in Benbow, no suitable site has been identified, and funding will only be available after annexation and after the GFPD Board of Directors has appropriated funds for this purpose. The proposed special tax and property tax exchange within the annexation area constitute a government funding mechanism which does not constitute a commitment to any specific project that may have a significant effect on the environment.
3. The Commission approves the sphere amendment and annexation of fire service areas served by GFPD as part of their goodwill response area and areas served by the Sprowel Creek Volunteer Fire Company to the GFPD, 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 1 authorized by the Humboldt County Board of Supervisors on April 9, 2019.
 - d) Voter approval of a special tax, consistent with the Draft Special Tax Ordinance approved by the GFPD Board of Directors on June 8, 2022, to sustain and improve fire protection services by the registered voters of the current GFPD boundaries and proposed annexation area.
 - e) Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization.

- f) Payment of any outstanding fees as identified in the Commission's adopted fee schedule.
 - g) The Sprowel Creek Volunteer Fire Company shall prepare the appropriate documentation for any transfer of fire assets and resources to the GFD and provide this documentation to LAFCo staff for review.
 - h) 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:
- Garberville FPD Reorganization 22-10
5. The Sphere of Influence boundary is hereby amended as depicted on the final map to be coterminous with the newly established GFD boundary. Future amendments and/or updates of the sphere shall be conducted in accordance with Government Code Sections 56425 and 56430.
6. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations, as described in Exhibit "B".
7. 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 July 2022, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Attest:

Virginia Bass, Chair
Humboldt LAFCo

Colette Santsche, Executive Officer
Humboldt LAFCo

EXHIBIT A

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

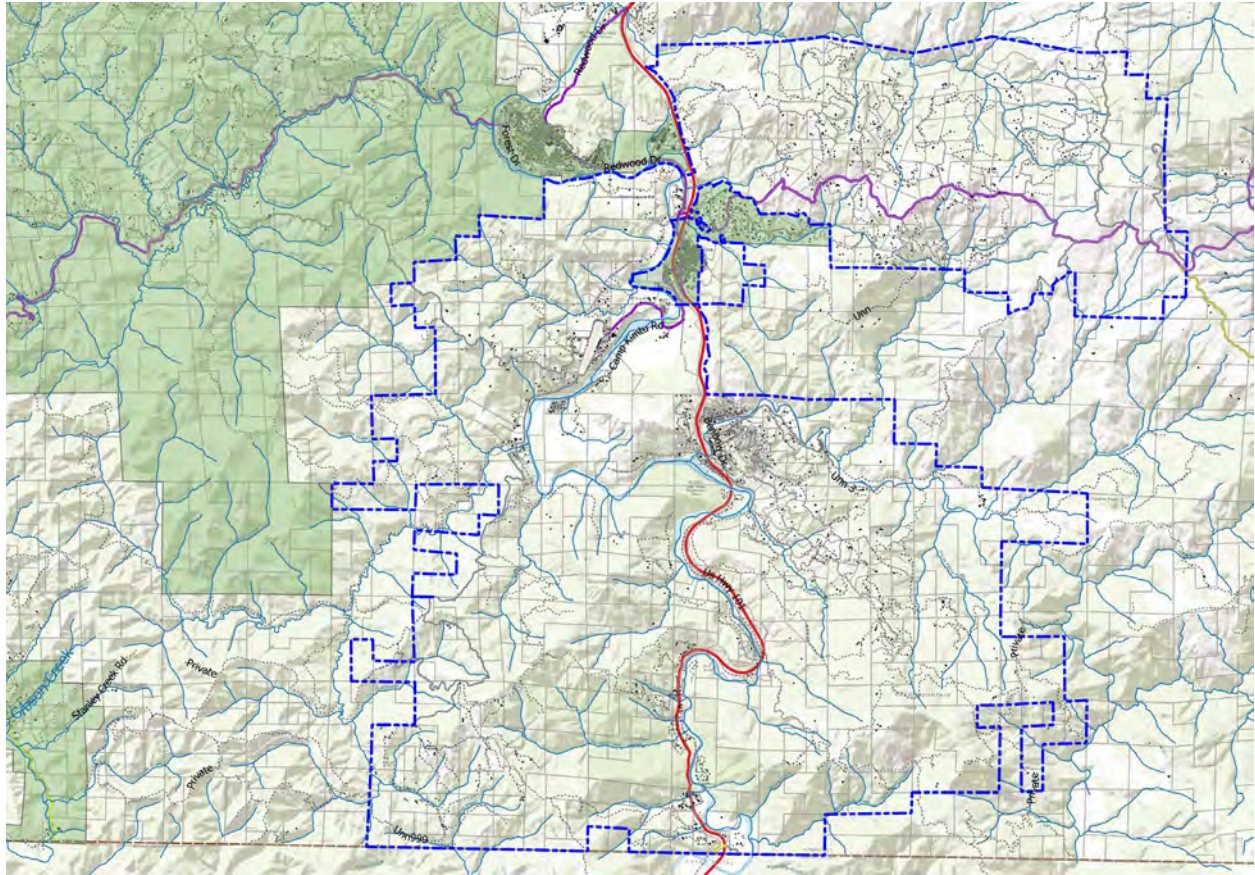


EXHIBIT B

STATEMENT OF DETERMINATIONS GARBERVILLE FIRE PROTECTION DISTRICT ANNEXATION SPHERE OF INFLUENCE AMENDMENT

The following statement of determinations is prepared pursuant to Government Code Section 56425 and fulfills LAFCo requirements to review and amend the sphere of influence, in conjunction with annexation, of the Garberville Fire Protection District (GFPD). The sphere is amended to be coterminous with the district boundary as approved by the Commission on July 20, 2022.

1. The present and planned land uses in the area, including agricultural and open space lands.

The Humboldt County Framework General Plan designates most of the lands included within the district boundaries and non-district response areas (recommended sphere areas) for agricultural, timber, and rural residential development. Portions of the affected territory are substantially unimproved and devoted to an open-space use (Timber Production and Agricultural Grazing) 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.

2. The present and probable need for public facilities and services in the area.

There is a present and continued need for fire protection, first responder medical aid, and vehicle accident response services throughout the recommended sphere area. The District currently provides year-round fire protection and emergency services to their non-district good-will response area even though they are under no obligation to do so and receive no compensation for their service, other than donations. The proposed annexation and merger would consolidate fire protection service operations and administration with Sprowel Creek, providing regular and ongoing revenue sources to sustain local fire protection services within each community and to also retain the important local identity of each community's fire department.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The regional municipal service review for the South County, adopted in July 2016, indicates the district's current fire protection services are adequate to meet present community needs while identifying several areas where service needs should be addressed. The lack of essential training and equipment, the increasing demands and costs of providing services, and the difficulty in recruiting and retaining volunteers are issues for all fire service providers throughout the county. In addition, issues relating to sustainable funding levels and the ability to respond to development outside district boundaries needs to be addressed for local fire service providers in a comprehensive manner. Updating the GFPD sphere of influence helps address these needs in a comprehensive manner.

4. The existence of any social or economic communities of interest in the area.

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.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection...the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

While the affected territory within the expanded sphere areas surrounding the District may qualify as "disadvantaged unincorporated communities", the districts have effective mutual and automatic aid agreements with neighboring agencies and are currently providing goodwill services to these areas. Therefore, there exists no disadvantaged unincorporated communities that are not already receiving some level of fire protection services in the sphere areas.