



AGENDA ITEM 7C

MEETING: November 19, 2025

TO: Humboldt LAFCo Commissioners

FROM: Colette Santsche, Executive Officer

SUBJECT: **Commercial Timberlands Legislative Support**

The Commission will receive an update from the Executive Officer on efforts to develop special legislation addressing the treatment of commercial timberlands in State Responsibility Areas as it affects fire protection districts, and will consider adopting a Resolution of Support for submission to local legislators.

BACKGROUND

During the Kneeland Fire Protection District (KFPD) annexation proceedings, Humboldt LAFCo received a reconsideration request from Humboldt Redwood Company (HRC), asserting that Health & Safety Code § 13811 prohibits inclusion of “commercial forest lands which are timbered lands” within fire protection districts located in State Responsibility Areas (SRA). Although the Commission found that the subject parcels clearly benefit from structural fire protection, EMS, rescue, and all-risk response, the Commission ultimately excluded the parcels due to legal exposure under existing statute.

This issue is not isolated. Following the Kneeland case, HRC and Mendocino Redwood Company (MRC) notified more than 30 fire districts across Humboldt, Mendocino, and Sonoma Counties that they will no longer pay taxes or fees on commercial timberlands, citing § 13811 and the 2019 appellate decision *Mendocino Redwood Co. v. County of Mendocino*.

These developments have revealed a significant and statewide statutory gap: Fire Protection District Law—last comprehensively updated in 1987—excludes commercial timberlands even though districts now must provide all-risk emergency response in these areas, while CAL FIRE retains responsibility only for wildland suppression.

DISCUSSION

Over the past two months, staff and commissioners have engaged in extensive coordination to advance a legislative solution addressing the outdated statutory exclusion of commercial timberlands under Fire Protection District Law. Following the Kneeland FPD reconsideration proceedings, LAFCo staff has worked closely with the Humboldt County Fire Chiefs Association, the Mendocino County Fire Chiefs Association, the Humboldt County Board of Supervisors Fire Services Ad Hoc Committee, Kneeland FPD, and other regional partners to compile data and document the operational and fiscal impacts to rural fire districts. Staff has also prepared comparison materials outlining how Fire Protection District Law differs from County Service Area Law, illustrating both the statutory gap and its practical consequences for local agencies.

At the state level, staff and commissioners raised the issue through the CALAFCO North Region Caucus during the CALAFCO Annual Conference, where multiple northern counties expressed shared concern regarding the statewide implications of the commercial timberland exclusion and the snowball effect of large timber companies refusing to pay voter-approved taxes or fees. Additional coordination has occurred with representatives from CSDA, FDAC, and CalChiefs to help frame the issue and explore pathways for reform.

This regional and statewide outreach has laid critical groundwork for legislative action. Assemblymember Chris Rogers' staff has requested initial letters and resolutions of support as they begin reviewing the issue in more detail and initiate the process of drafting potential legislation. The Resolution of Support before the Commission directly responds to that request and signals Humboldt LAFCo's commitment to pursuing a fair and sustainable statutory solution.

RECOMMENDATION

Staff recommends that the Commission:

1. Adopt Resolution No. 25-09, expressing Humboldt LAFCo's formal support for the development and advancement of special legislation to address the treatment of commercial timberlands within Fire Protection District Law; and
2. Direct the Executive Officer to continue coordinating with county, regional, and statewide partners to support and inform the legislative process.

Attachment

Attachment A: Draft Resolution No. 25-09

RESOLUTION NO. 25-09**A RESOLUTION OF THE HUMBOLDT LOCAL AGENCY FORMATION
COMMISSION SUPPORTING THE DEVELOPMENT OF SPECIAL
LEGISLATION TO ADDRESS THE TREATMENT OF COMMERCIAL
TIMBERLANDS WITHIN FIRE PROTECTION DISTRICT LAW**

WHEREAS, the Humboldt Local Agency Formation Commission ("Commission") is responsible for encouraging orderly governmental boundaries, supporting efficient delivery of public services, and facilitating logical patterns of local agency organization pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000 et seq.); and

WHEREAS, Fire Protection District Law (Health & Safety Code §13800 et seq.) includes a statutory exclusion, originating in pre-1987 law, that prohibits the inclusion of "commercial forest lands which are timbered lands" within fire protection district boundaries located in State Responsibility Areas (Health & Safety Code §13811); and

WHEREAS, this provision is outdated, lacks definitional clarity, and does not reflect current conditions in rural and forested communities where emergency service demands now extend well beyond CAL FIRE's statutory wildland suppression responsibilities; and

WHEREAS, the Commission experienced the practical impacts of this statutory gap during the Kneeland Fire Protection District annexation and subsequent reconsideration proceedings, where 17 parcels owned by Humboldt Redwood Company were required to be removed due to litigation exposure under §13811, despite those parcels generating structural fire, EMS, rescue, and hazardous materials service demands; and

WHEREAS, following the Kneeland case, Humboldt Redwood Company and Mendocino Redwood Company issued letters to 33 fire districts across Humboldt, Mendocino, and Sonoma Counties stating they would no longer pay taxes or fees on commercial timberlands and instead would make voluntary donations—creating broad fiscal impacts for rural fire districts and underscoring the need for a statewide legislative solution; and

WHEREAS, County Service Area Law (Government Code §25210.7(d)), updated in 2008, provides a modern statutory model that allows inclusion of timberlands when a demonstrable benefit to services and facilities exists, without infringing on CAL FIRE's wildland fire jurisdiction; and

WHEREAS, a legislative update to Fire Protection District Law—modeled after County Service Area Law—would create clarity, fairness, and service stability for both landowners and fire protection districts, and would ensure that local agencies are able to sustain essential emergency services across rural and forested areas of the state; and

WHEREAS, over the past month, Humboldt LAFCo staff and commissioners have coordinated with Humboldt and Mendocino County Fire Chiefs Associations, the Humboldt County Board of Supervisors Fire Services Ad Hoc Committee, neighboring LAFCOs, CALAFCO, CSDA, FDAC, CalChiefs, and other regional and statewide partners to document the issue and develop a unified statewide approach; and

WHEREAS, Assemblymember Chris Rogers' office has requested formal letters and resolutions of support from affected agencies to assist with legislative research and drafting, and has expressed interest in pursuing bill language for the 2026 Legislative Session; and

WHEREAS, the Commission finds that supporting the development of special legislation is consistent with its statutory mission to promote efficient, sustainable local governance and safeguard the provision of essential public services.

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

1. The Commission hereby expresses its formal support for the development, introduction, and advancement of special legislation to modernize Fire Protection District Law by addressing the treatment of commercial timberlands in State Responsibility Areas.
2. The Commission directs the Executive Officer to continue coordinating with county, regional, and statewide partners to support the legislative process, including providing information, documentation, and testimony as needed.

PASSED AND ADOPTED at a meeting of the Humboldt Local Agency Formation Commission on the 19th day of November, 2025, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steve Madrone, Chair
Humboldt LAFCo

Attest:

Colette Santsche, Executive Officer
Humboldt LAFCo