



# STAFF REPORT – CITY COUNCIL MEETING

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November 15, 2023

**TO:** Honorable Mayor and City Council Members

**FROM:** Emily Sinkhorn, Director of Environmental Services

**PREPARER:** Emily Sinkhorn, Director of Environmental Services

**DATE:** November 07, 2023

**TITLE:** **Adopt Resolution No. 234-19 Accepting a Conservation Easement on a Portion of Assessor's Parcel No. 500-011-007, Adjacent to the Arcata Community Forest.**

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## **RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 234-19 accepting a Conservation Easement on a portion of Assessor's Parcel No. 500-011-007 adjacent to the Arcata Community Forest (ACF).

## **INTRODUCTION:**

On November 3, 2021, the City Council authorized the City Manager to enter into real property negotiations for a Conservation Easement on a portion of Assessor's Parcel No. 500-011-007 adjacent to the Arcata Community Forest. Conservation easements of forested parcels adjacent to the Arcata Community Forest are an opportunity to enhance wildlife habitat and protect open space values.

## **BACKGROUND:**

Scott Davies contacted Environmental Services staff several years ago regarding the potential for donating a conservation easement on a portion of his property to ensure the forested habitat could remain in perpetuity. The approximately 76 acre property is located adjacent to the Arcata Community Forest near its southwest corner and is outside the city limits. Encouraging conservation of forest lands adjacent to the Arcata Community Forest is a tool to buffer the Community Forest from potential incompatible uses.

Maintaining this property as timberland with a donated conservation easement would help to buffer the ACF from potential incompatible uses and maintain a wildlife corridor that links the ACF to the Mad River 1.7 air miles to the east. The property is currently a high-quality redwood forest that borders the ACF and undeveloped timberlands to the north. There are existing residential uses on Fickle Hill Road to the south.

## **DISCUSSION:**

Over the past several decades the City has pursued opportunities through acquisitions and conservation easements to support habitat protection and reduce development impacts adjacent to the City's Arcata Community Forest. This conservation easement would be held by the City similar to previous successful conservation easements developed with private landowners.

The value to the City would be to protect, in perpetuity, forested habitat along the perimeter of the Arcata Community Forest without additional land acquisition and associated costs and long-term maintenance requirements. The specific conservation values of the property are documented in a Baseline Conditions report (included in the attached easement as Exhibit B) and include significant forest, watershed, viewshed, open space and other fish and wildlife habitat resources. The property includes the upper watersheds of South Fork Janes Creek, which flows through Arcata to Humboldt Bay, and Kelly Creek, a tributary of the Mad River. Protecting the land in a conservation easement would also maintain forest visual aesthetics for recreational users on the city forest.

The property is currently forested with a third-growth redwood overstory and the entirety of the property is currently managed under a 2023 approved Non-industrial Timber Management Plan (NTMP; 1-22NTMP-00007HUM). The planned easement covers the majority of the property (approximately 70 acres) and excludes a 5.75 acre easement exception area in which a meadow and residential house are located. The property owners, The Robert Davies and Christina Stenborg Irrevocable Trust, and City staff have agreed on the permitted uses and prohibited uses within the easement which are outlined in Exhibits C and D, respectively.

## **POLICY IMPLICATIONS:**

This recommended action of protecting timberlands around the existing Arcata Community Forest is consistent with the City's General Plan, Open Space Plan and Forest Management Plan. *Support open space and ecosystem functions* is listed as a Council goal for the 2023-24 fiscal year.

## **COMMITTEE/COMMISSION REVIEW:**

The Arcata Forest Management Committee supports protection of forested habitat adjacent to the Community Forest. On October 26, 2021, the Planning Commission deemed the acquisition of this conservation easement in conformance with the Arcata General Plan and determined the acceptance of the easement to be categorically exempt under the California Environmental Quality Act.

## **ENVIRONMENTAL REVIEW (CEQA):**

The action of accepting a conservation easement is categorically exempt from the California Environmental Quality Act per Section 15313 (Class 13) and Section 15317 (Class 17). *Class 13: consists of the acquisition of lands for fish and wildlife conservation purposes including (a) preservation of fish and wildlife habitat, (b) establishing ecological reserves under Fish and Game Code Section 1580. Class 17, consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.*

## **BUDGET/FISCAL IMPACT:**

The conservation easement is being conveyed to the City for \$1 per acre which will ensure an enforcement obligation and avoid the conservation easement conveyance being construed as a gift. Future monitoring of this donated conservation easement will not require significant costs for the city as the property is easily accessed and adjacent to the community forest holdings.

**ATTACHMENTS:**

- A. Resolution No. 234-19 Conservation Easement Davies (PDF)
- B. Davies Conservation Easement\_Final (PDF)