

**HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT**

RESOLUTION NO. 2022-06

A Resolution Certifying an Initial Study/ Mitigated Negative Declaration (MND) previously Adopted by the City of Arcata and Establishing Findings Relative to and Approving Harbor District Permit 2022-03 with Conditions for the Arcata Non-motorized Boat Launch Project

WHEREAS, the Board of Commissioners of the Humboldt Bay Harbor, Recreation, and Conservation District is empowered by Appendix II of the Harbors and Navigation Code, and its own ordinances and resolutions, to grant permits, leases, rights, and privileges;

WHEREAS, no permits, rights, leases, and privileges may be granted without first having considered certain potential impacts and without first having made findings relative to said impacts;

WHEREAS, the City of Arcata has applied to the Humboldt Bay Harbor, Recreation, and Conservation District for Arcata Non-motorized Boat Launch Project "Project"; and

WHEREAS, the Project was subject of an Initial Study and Mitigated Negative Declaration (MND) prepared by the City of Arcata as the lead agency under the California Environmental Quality Act (CEQA) (SCH#2018062021) and that MND was adopted by the City of Arcata; and

WHEREAS the California Environmental Quality Act requires that in the approval of a project for which a MND has been prepared the decision-making body shall review said MND and make certain findings regarding the significant effects on the environment identified in the MND; and

WHEREAS the Board of Commissioners does hereby certify that acting as a responsible agency for the Project under CEQA it has considered the information contained in such MND, and concurs in the analysis and conclusions set forth in said documents; and

WHEREAS, the MND for the Project is, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the Board of Commissioners of the Humboldt Bay Harbor, Recreation, and Conservation District has been presented with certain evidence relating to the impact of the Arcata Non-motorized Boat Launch Project upon the air, land, environment, and ecology of the Bay under the jurisdiction of the Humboldt Bay Harbor, Recreation, and Conservation District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District as follows:

1. That the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District has found, after considering the impact of the proposed use upon the air, water, land, environment, and ecology of the lands under the jurisdiction of the Humboldt Bay Harbor, Recreation, and Conservation District, that:
 - a) The proposed uses are necessary to promote public safety, health, comfort, and convenience of the public;
 - b) The proposed uses are required by the public convenience and necessity;
 - c) The proposed uses will not have any substantial adverse environmental or ecological effect;
 - d) The proposed use is consistent with the Humboldt Bay Management Plan;
 - e) The permit, right, or privilege is reasonably required by public convenience to promote growth, and to meet area demands, and does not adversely affect the environment or ecology of the area to any substantial degree; and
 - f) The proposed use will not produce an unreasonable burden on the natural resources and aesthetics of the area, on the public health and safety, and air and water quality in the vicinity of Humboldt Bay, or on the parks, recreation and scenic area, historic sites and buildings, or archeological sites in the area.

2. That the Board of Commissioners does hereby make the following findings: (1) it has independently reviewed and analyzed the MND and other information in the record and has considered the information contained therein prior to acting upon or approving the portion of the Project before the Board for consideration, (2) the MND prepared for the Project has been completed in compliance with CEQA and in a manner that is consistent with state guidelines implementing CEQA, and (3) the MND represents the independent judgment and analysis of the Humboldt Bay Harbor District as a responsible agency for the Project.

Therefore, based upon all of the foregoing, the Harbor District as a responsible agency under CEQA, hereby Certifies the MND prepared for the Project. The MND is on file at the Humboldt Bay Harbor, Recreation and Conservation District Office, 601 Startare Drive, Eureka, CA 95501, and available for inspection by any interested person.

3. That the Board approves Harbor District Permit No 2022-03 conditionally approving the Arcata Non-motorized Boat Launch Project (Attachment A1).

PASSED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on June 9, 2022, by the following polled vote:

AYES: Dale, Higgins, Kullmann, Newman

NOES: 0

ABSENT: Marks

ATTEST:



GREG DALE, Chair
Board of Commissioners



RICHARD MARKS, Secretary
Board of Commissioners

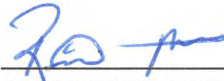
CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. 2022-06 entitled,

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as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the 9th of June 2022; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this June 09, 2022.



**RICHARD MARKS, Secretary
Board of Commissioners**