

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

RESOLUTION NO. 2021-09

**A RESOLUTION ESTABLISHING FINDINGS RELATIVE TO PERMIT 2021-03 AND A CALIFORNIA
ENVIRONMENTAL QUALITY ACT EXEMPTION FOR THE SAMOA/ARCATA BEACH FIBER
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; and,

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; and,

WHEREAS, Vero Fiber, LLC has applied to the Humboldt Bay Harbor, Recreation, and Conservation District for Samoa/Arcata Beach Fiber Project "Project"; 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/Samoa Beach Fiber 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:

That the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District has found the following to be true and adopts the following findings with respect to the proposed use contemplated by the Vero Fiber Networks application (2021-03) for the Arcata/Samoa Beach Fiber Project:

1. The proposed use is necessary to promote public safety, health, comfort, and convenience;
2. The proposed use is required by the public convenience and necessity;
3. The proposed use qualifies for CEQA exemptions under sections §15061(b)(3), 15301(b)(c), 15303(d), and 15304(a)(b)(c)(f) of the CEQA Guidelines and there is no substantial evidence the project will have a significant effect on the environment;
4. The proposed use is consistent with the Humboldt Bay Management Plan;
5. The proposed use is reasonably required 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

6. 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.

PASSED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the 8th day of July 2021, by the following polled vote:

AYES: Dale, Doss, Higgins, Kullmann, Marks

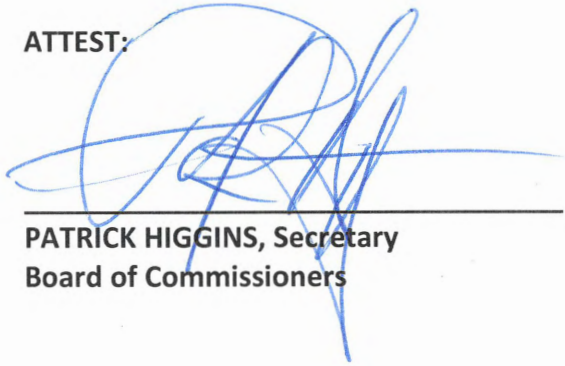
NOES: ∅

ABSENT: ∅



**STEPHEN KULLMANN, Chair
Board of Commissioners**

ATTEST:



**PATRICK HIGGINS, 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. 2021-09 entitled,

A RESOLUTION ESTABLISHING FINDINGS RELATIVE TO PERMIT 2021-03 AND A CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FOR THE SAMOA/ARCATA BEACH FIBER PROJECT

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 8th Day of July 2021; 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 8th Day of July 2021.



Patrick Higgins, Secretary
Board of Commissioners