

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

RESOLUTION NO. 2021-10

**A RESOLUTION ADOPTING AN INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION,
ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND
ESTABLISHING FINDINGS RELATIVE TO THE PERMIT APPLICATION FOR THE HOG
ISLAND OYSTER COMPANY SHELLFISH FARM**

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, Hog Island Oyster Company has applied to the Humboldt Bay Harbor, Recreation, and Conservation District for the Hog Island Oyster Company Shellfish Farm "Project"; and

WHEREAS, the Project was subject of an Initial Study/ Mitigated Negative Declaration (SCH#2021020128) prepared for the Humboldt Bay Harbor, Recreation and Conservation District as the lead agency under CEQA and circulated pursuant to CEQA Guidelines; and

WHEREAS, a notice of intent to adopt a mitigated negative declaration was circulated for a 30-day public comment period commencing on March 13, 2021; and

WHEREAS, at their July 8, 2021 meeting, the Board of Commissioners for the Humboldt Bay Harbor, Recreation and Conservation District heard public comment on the Initial Study/Mitigated Negative Declaration; and

WHEREAS, on July 8, 2021, the Board of Commissioners for the Humboldt Bay Harbor, Recreation and Conservation District, after due consideration of all evidence and reports offered for review, does find and determine the following:

The Board of Commissioners for the Humboldt Bay Harbor, Recreation and Conservation District has considered the proposed Mitigated Negative Declaration together with any comments received during the public review process, and finds, on the basis of the whole record before it, that:

- (1) There is no substantial evidence the project will have a significant effect on the environment, and
- (2) The negative declaration reflects the lead agency's independent judgment and analysis; and

WHEREAS, the documents and materials on which this decision is based are on file at the office of the Humboldt Bay Harbor, Recreation and Conservation District at 601 Startare Drive, Eureka, CA.

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


That after careful consideration of maps, facts, exhibits, correspondence, public and agency comments and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the Board of Commissioners for the Humboldt Bay Harbor, Recreation and Conservation District hereby adopts the Initial Study / Mitigated Negative Declaration and adopts the Mitigation Monitoring and Reporting Program for the Hog Island Oyster Company Shellfish Farm Project.

BE IT FURTHER RESOLVED 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 activities contemplated by Hog Island Oyster Company in the Permit (2020-02) application for the Hog Island Oyster Company Shellfish Farm 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, as conditioned by the adopted Mitigated Negative Declaration is consistent with CEQA and there is no substantial evidence the project will have a significant effect on the environment; and
4. The proposed use is consistent with the Humboldt Bay Management Plan; and
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, Higgins, Kullmann
NOES: Doss, Marks
ABSENT: ∅



STEPHEN KULLMANN, Chair
Board of Commissioners

ATTEST



PATRICK HIGGINS, Secretary
Board of Commissioners

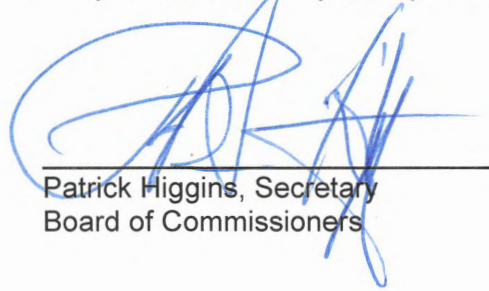
CERTIFICATE OF SECRETARY

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. 2021-10 entitled,

**A RESOLUTION ADOPTING AN INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION,
ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND
ESTABLISHING FINDINGS RELATIVE TO THE PERMIT APPLICATION FOR THE HOG
ISLAND OYSTER COMPANY SHELLFISH FARM 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