

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

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**RESOLUTION NO. 2021-15**

**A RESOLUTION ESTABLISHING FINDINGS RELATIVE TO PERMIT 2021-05; A CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION; AND CONDITIONAL APPROVAL OF PERMIT 2021-05 FOR THE FISHERMAN’S TERMINAL PILING REPLACEMENT 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 Eureka has applied to the Humboldt Bay Harbor, Recreation, and Conservation District for Fisherman’s Terminal Piling Replacement 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 Fisherman’s Terminal Piling Replacement 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 accepts the CEQA determination, Notice of Exemption (NOE) under Class 1, §15301 (Existing Facilities), made by the City of Eureka as lead agency that there is no substantial evidence the project will have a significant effect on the environment.
3. That the Board approves Permit No 2021-05 conditionally approving the Fisherman's Terminal Piling Replacement 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 the 4<sup>th</sup> day of November 2021, by the following polled vote:

**AYES:** Dale, Kullmann, Higgins, Marks  
**NOES:** 0  
**ABSENT:** 0



**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. 2021-15 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 4<sup>th</sup> Day of November 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 4<sup>th</sup> Day of November 2021.

  
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**Patrick Higgins, Secretary  
Board of Commissioners**