

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

RESOLUTION NO. 2024-12

**A RESOLUTION ESTABLISHING FINDINGS RELATIVE TO AND APPROVING HARBOR DISTRICT
PERMIT 2024-04 WITH CONDITIONS FOR THE HUMBOLDT BAY REGIONAL SPARTINA
ERADICATION PLAN CONTINUED IMPLEMENTATION**

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, an application was submitted to the Humboldt Bay Harbor, Recreation, and Conservation District for the Humboldt Bay Regional Spartina Eradication Plan Continued Implementation "Project"; and

WHEREAS, consistent with Humboldt Bay Harbor, Recreation, and Conservation District Ordinances and the Harbors and Navigation Code, an application was filed and accepted by the Board on October 10, 2024 and a Notice of Application was published in the Times Standard; and

WHEREAS, the Regional Spartina Eradication Plan was subject of a Final Programmatic Environmental Impact Report (PEIR) prepared by the California State Coastal Conservancy as the lead agency under the California Environmental Quality Act (CEQA) and;

WHEREAS, the California State Coastal Conservancy certified the Final PEIR for the Spartina Plan and found that, as conditioned by the associated Mitigation Monitoring and Reporting Program, is consistent with CEQA and there is no substantial evidence the project will have a significant effect on the environment; and

WHEREAS, the Board of Commissioners of the Humboldt Bay Harbor Recreation and Conservation District adopted Resolution No. 2013-04 on the 25th day of April 2013 Establishing Findings Relative to the Adoption and Implementation of the Humboldt Bay Regional Invasive Spartina Eradication Plan and Associated Final PEIR, acting as a responsible agency for the Project under CEQA, it considered the information contained in such PEIR and concurred in the analysis and conclusions set forth in said documents; and

WHEREAS, the continued implementation of the Regional Spartina Eradication Plan has not changed from the project description approved in the above EIR and none of the conditions

described in CEQA Guidelines 15162 have occurred, as such no subsequent CEQA review shall be required; 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 Humboldt Bay Regional Spartina Eradication Plan Continued Implementation upon the air, land, environment, and ecology of the Bay under the jurisdiction of the Humboldt Bay Harbor, Recreation, and Conservation District.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the Board of Commissioners (1) continues to concur with the analysis and conclusions set forth in the previously adopted PEIR along with other information in the record and (2) continues to find that the PEIR prepared for the Project was completed in compliance with CEQA and in a manner that is consistent with state guidelines implementing CEQA and (3) continues to find that the PEIR represents the independent judgment and analysis of the Humboldt Bay Harbor District as a responsible agency for the Project.

SECTION 2. 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 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 policies including, but not limited to, CAE-2 (Maintain, restore, and enhance aquatic ecosystem integrity), CAE-3 (Protect and maintain environmentally sensitive habitat areas); CAS-1 (Maintain biological diversity and important habitats throughout Humboldt Bay); CAS-3 (Maintain and enhance habitat for sensitive species); and CAS-4 (Control or remove non-indigenous invasive species);
- 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.

SECTION 3. That the Board of Commissioners does hereby issue Permit 2024-04 conditionally approving the Humboldt Bay Regional Spartina Eradication Plan Continued Implementation (Attachment A-1).

PASSED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the 14th day of November 2024 by the following polled vote:

AYES: Benson, Dale, Kullmann, Newman, Higgins
NOES: 2
ABSENT: 2
ABSTAIN: 2

ATTEST:



Aaron Newman, Secretary
Board of Commissioners



Greg Dale, President
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. **2024-12** 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 **14th day of November 2024**; 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 14th day of November 2024.



**Aaron Newman, Secretary
Board of Commissioners**