

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

RESOLUTION NO. 2019-06

**A RESOLUTION ESTABLISHING FINDINGS RELATIVE TO THE PERMIT
APPLICATION BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR
WORK ASSOCIATED WITH THE EUREKA-ARCATA ROUTE 101 CORRIDOR
IMPROVEMENT 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, the California Department of Transportation has applied to the Humboldt Bay Harbor, Recreation, and Conservation District for the portions of the Eureka-Arcata Route 101 Corridor Improvement Project ("Project") consisting of the replacement of the southbound Jacoby Creek Bridge, bridge rail upgrades at the northbound Jacoby Creek Bridge and northbound Gannon Slough Bridge, and replacement of six (6) tide gates; and,

WHEREAS the California Environmental Quality Act of 1970, as amended (CEQA) requires that in the approval of a project for which an Environmental Impact Report (EIR) has been prepared (SCH #2001092035) the decision making body shall review said EIR and make certain findings regarding the significant effects on the environment identified in the EIR; and

WHEREAS, the Project was subject of an Environmental Impact Report prepared by the California Department of Transportation as the lead agency under CEQA and that Final EIR was certified by the California Department of Transportation; 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 Final EIR; and,

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

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 Eureka-Arcata Route 101 Corridor Improvement 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 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 California Department of Transportation in the Permit Application No. 2018-01 for Work Associated with the Eureka-Arcata Route 101 Corridor Improvement Project:

1. The proposed use is necessary to promote public safety, health, comfort, and convenience; and,
2. The proposed use is required by the public convenience and necessity; and,
3. The proposed use, as conditioned is consistent with CEQA; and
4. The proposed use will have a significant effect on the environment, Findings were made pursuant to the provisions of CEQA and a Statement of Overriding Considerations has been adopted for the project; and
5. The proposed use is consistent with the Humboldt Bay Management Plan; and,
6. The proposed use is reasonably required to promote growth, and to meet area demands; and,
7. 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.

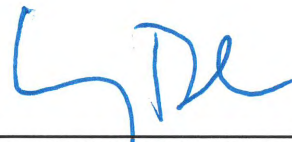
PASSED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the 23rd day of May 2019, by the following polled vote:

AYES:

NOES:

ABSENT:

ABSTAIN:



**GREG DALE, President
Board of Commissioners**

ATTEST:



**LARRY DOSS, 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. 2019-06 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 23rd day of May 2019; 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 23rd day of May, 2019.



LARRY DOSS, Secretary
Board of Commissioners