

ATTACHMENT 3

Resolution

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting

RESOLUTION NO.

RESOLUTION APPROVING FUNDING FOR TENTATIVELY APPROVED APPLICATIONS FROM ROUND 1 AND APPROVING FUNDING FOR ROUND 2 APPLICANTS FROM THE FRIENDS OF THE EEL RIVER MITIGATION AND REMEDIATION GRANT FUND PROGRAM

WHEREAS, on August 17, 2021, the Board approved the Friends of the Eel River Mitigation and Remediation Fund Program that seeks to improve water quality in targeted watersheds impacted by cannabis cultivation and implement an October 2019 settlement agreement between Friends of the Eel River and Humboldt County regarding the Commercial Cannabis Land Use Ordinance (CCLUO) – Case # CV180495; and

WHEREAS, the Board authorized depositing an initial amount of \$1,100,000 from the General Fund in 2019; and,

WHEREAS, the Board committed to depositing into the Friends of the Eel River Mitigation and Remediation Fund Program additional amounts up to \$1.1 million each year for the next three years with 20% of the amount received from fines and penalties of cannabis civil enforcement actions, potentially augmented by other grants and/or funding from other sources as directed by the Board in the annual budget review process; and

WHEREAS, the total allocation to the Friends of the Eel River Mitigation and Remediation Fund Program is \$1,446,900; and

WHEREAS, as detailed in the Program Guidelines approved by the Board, grants will be awarded for improvements to public and private roads for the specific purpose of protecting water quality in streams, creeks, and rivers, at least eighty percent (80%) of funds must be used for physical road improvements, and properties in the abatement process are not eligible for funding under this Program; and

WHEREAS, Planning staff followed the Program Guidelines which describe the procedure for submittal, review and approval of the sediment reduction projects; and

WHEREAS, a notice of funding availability was published the first week of October, 2021, and a total of ten (10) applications for grants were received by the Planning Department by the deadline; and

WHEREAS, the Board approved two (2) projects for funding in Round 1 and tentatively approved six (6) projects for funding “subject to California Department of Fish & Wildlife (CDFW) and North Coast Regional Water Quality Control Board (RWQCB) approval; after all permits are obtained, and the cost estimates are correlated

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with the LSAA agreements and the old cost estimates are updated. The LSAA agreement cost estimate shall be consistent with the amount of the grant;” and

WHEREAS, the six (6) tentatively approved project applicants were given the opportunity to submit additional documentation to meet the conditions; and

WHEREAS, a second notice of funding availability was published the first week of October 2023 for Round 2 of funding and a total of seventeen (17) applications for grants were received by the Planning Department by the deadline; and

WHEREAS, county staff held two meetings with state agencies to re-evaluate the six (6) tentatively approved applications from Round 1 and evaluate the seventeen (17) new applications from Round 2; and

WHEREAS, the remaining funds in the Friends of the Eel River Mitigation and Remediation Fund will be allocated to the Department of Public Works to address the list of high priority road improvement projects that will reduce sediment delivery.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors finds the proposed allocation of Round 1 and Round 2 grants from the Friends of the Eel River Grant Mitigation and Remediation Grant Fund is exempt from environmental review pursuant to CEQA, under CEQA Guidelines §15308, actions by regulatory agencies for protection of the environment because the purpose of the program is to protect water quality in streams creeks and rivers.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Board of Supervisors approves funding the applications for Round 1 and Round 2 as shown in the table below:

<i>ROUND 1</i>			
<i>Grant Application</i>	<i>Project Description</i>	<i>Requested Funding</i>	<i>Approved Funding</i>
Serendipity Road Improvements	Reinforces & replaces five (5) culverts.	\$114,244	\$114,244
Walker Ridge	Reinforces & replaces eight (8) culverts on Class III streams. Installs rock armor at one (1) stream crossing and at inboard/outboard of culverts. Funds approx. half of total project.	\$67,486	\$67,486
Diamond Sky	Implements conditions of approval of WRPP.	\$15,000	\$15,000
Nooning Creek	Reinforces & replaces two (2) culverts.	\$87,831	\$0

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<i>ROUND 1</i>			
<i>Grant Application</i>	<i>Project Description</i>	<i>Requested Funding</i>	<i>Approved Funding</i>
Bamboo Farms Remediation	Three (3) culverts were replaced, inlets/outlets were reinforced with rip-rap, and new gravel placed on the road over the culverts.	\$21,362	\$0
Armstrong Road Improvements	Reinforces & replaces thirteen (13) culverts, as required by Code Enforcement action.	\$375,006	\$0
	Totals:	\$680,929	\$196,730

<i>ROUND 2</i>			
<i>Grant Application</i>	<i>Project Description</i>	<i>Requested Funding</i>	<i>Approved Funding</i>
3885 Road Z	Replaces five (5) culverts, decommissions four (4) stream crossings and realigns stream(s) into natural channel.	\$149,000	\$149,000
Arnold	Replaces five (5) culverts and one (1) bridge. Creates new channel and upgrades existing crossing.	\$66,000	\$66,000
Walker Ridge	Reinforces & replaces eight (8) culverts on Class III streams. Installs rock armor at one (1) stream crossing and at inboard/outboard of culverts. Funds second half of total project.	\$68,171	\$68,171
Ridge Line Road	Four individual applicants working together to request funding for replacement of failing culvert and pavement of road at the intersection of Alderpoint Road and Sawmill Road. Benefits numerous property owners.	\$4,285	\$4,285
Pitilina Corp		\$3,980	\$3,980
Sky High		\$3,980	\$3,980
Tan Oak		\$3,980	\$3,980
Hwy 36 Homestead -049	Replaces two (2) culverts and rock armor at one (1) crossing. Decommissions spring fed pond to restore natural flow.	\$29,173	\$29,173
Hwy 36 Homestead -050	Replaces pond spillway culvert and rock armor outlet. Replaces failing culvert.	\$17,735	\$17,735
Delaney	Replaces two (2) culverts and one (1) bridge.	\$71,274	\$0
Sproul Creek	Upgrades fourteen (14) water crossings and	\$117,170	\$0

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<i>ROUND 2</i>			
<i>Grant Application</i>	<i>Project Description</i>	<i>Requested Funding</i>	<i>Approved Funding</i>
	addresses eighteen (18) erosion/sediments control projects.		
Green Grass Farms	Decommissions one (1) stream crossing and restores channel. Upgrades two (2) existing stream crossings with rocked fords.	\$9,926	\$0
Big Sun Farms	Installs four (4) new culverts to replace ford crossings, rock armors and stabilizes one (1) existing culvert and channel.	\$121,136	\$0
Forest Road 1/ GarlandCo LLC	Paves 41 miles of Forest Road 1. Asphalt repair, culvert cleanout, water bar maintenance and fallen tree removal.	\$652,000	\$0
Aldebaran	Replaces one (1) culvert on Homestead Road and removes legacy hydroelectric infrastructure.	\$17,040	\$0
Eagle Creek Ranch/ EcoMeds	Rock armors two (2) culverts and removes water bladder.	\$24,486	\$0
Foleva Road	Re-rocks road with chip seal at entrance of property and rocks adjacent drainage ditches.	\$33,787	\$0
	Totals:	\$1,393,123	\$346,304

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Board of Supervisors hereby:

1. Authorizes and directs Planning staff to allocate Round 1 funds for the approved applications as described above.
2. Authorizes and directs Planning staff to allocate Round 2 funding for the approved applications as described above.
3. Authorizes the remaining funds in the Friends of the Eel River Mitigation and Remediation Fund to be allocated to the Department of Public Works to address the list of high priority road improvement projects that will reduce sediment delivery.
4. Directs the Clerk of the Board to give notice of the decision to any interested party.

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, Chair

Adopted on motion by Supervisor seconded by Supervisor and the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

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STATE OF CALIFORNIA)
) ss.
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have
hereunto
set my hand and affixed the Seal of
said Board of Supervisors

NIKKI TURNER

Deputy Clerk of the Board of
Supervisors of the County of
Humboldt, State of California
