

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of July 9, 2024

RESOLUTION NO. _____

RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS APPROVING THE FEASIBILITY COST SHARE AGREEMENT WITH THE U.S. ARMY CORPS OF ENGINEERS AND THE GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR THE REDWOOD CREEK ESTUARY ECOSYSTEM RESTORATION FEASIBILITY STUDY

WHEREAS, the U.S. Army Corps of Engineers constructed the Redwood Creek Flood Control Project from 1966 through 1968 to protect the community of Orick from flooding; and

WHEREAS, the County of Humboldt operates and maintains the Redwood Creek Flood Control Project as the non-federal sponsor pursuant to Resolution 2107 and Resolution 66-39 of the Humboldt County Board of Supervisors; and

WHEREAS, construction of the Redwood Creek Flood Control Project impacted aquatic habitat in lower Redwood Creek and altered the physical processes that sustain a diverse and functional estuary; and

WHEREAS, Section 1135 of the Water Resources Development Act (WRDA) of 1986 (P.L. 99-662) authorizes the U.S. Army Corps of Engineers, under its Continuing Authorities Program (CAP), to modify existing federally authorized projects to restore the environment and construct new projects to restore areas degraded by existing projects when it is determined that such modifications are feasible, consistent with the authorized project purpose, and will improve the quality of the environment in the public interest; and

WHEREAS, a collaboration of private landowners, non-profit organizations, federal and state agencies, and the Yurok Tribe proposes to help facilitate and advance a project to restore the Redwood Creek estuary; and

WHEREAS, on March 2, 2021, the Humboldt County Board of Supervisors authorized a letter of interest to the U.S. Army Corps of Engineers requesting consideration of a new-start study under CAP Section 1135 involving the Redwood Creek Flood Control Project; and

WHEREAS, on March 28, 2022, the U.S. Army Corps of Engineers issued a Federal Interest Determination Document which concluded that there is federal interest in pursuing a CAP Section 1135 project for the Redwood Creek Flood Control Project, a willing and capable non-federal sponsor, and a strong potential for a solution that will address the identified ecological problems in the Redwood Creek estuary; and

WHEREAS, the March 28, 2022 Federal Interest Determination Document recommended a feasibility study to evaluate alternative plans for project implementation; and

WHEREAS, Section 105(a) of the WRDA of 1986, as amended (33 U.S.C. 2215(a)), specifies the cost-sharing requirements for a CAP project, whereby the non-federal sponsor is required to contribute 50% of study costs; and

WHEREAS, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act Of 2018 (Proposition 68) established the Proposition 68 Habitat Improvement – Severely Disadvantaged Communities (SDAC) Grant Program administered by the California Department of Fish and Wildlife; and

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WHEREAS, on August 17, 2023, the County of Humboldt, by and through its Department of Public Works, submitted an application to California Department of Fish and Wildlife under the Proposition 68 Habitat Improvement – SDAC Grant Program for the Redwood Creek Estuary CAP 1135 Ecosystem Restoration Feasibility Study (“Study”); and

WHEREAS, on March 8, 2024, the California Department of Fish and Wildlife offered the County of Humboldt a grant for a maximum amount of \$1,084,237 to financially support and assist the County’s implementation of the Study.

NOW, THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:

1. The Humboldt County Public Works Director and the Public Works Deputy-Director (Environmental Services) are hereby authorized to sign the Feasibility Cost Share Agreement with the U.S. Army Corps of Engineers for the Study and to conduct negotiations, execute, submit and sign any and all documents, including, without limitation, amendments, reports, certification regarding lobbying, and other documents, which may be necessary to complete the Study.
2. The Humboldt County Administrative Officer is hereby authorized to sign the Non-Federal Sponsor’s Self-Certification of Financial Capability for Agreements associated with the Study.
3. The Humboldt County Office of County Counsel is hereby authorized to sign the Certificate of Authority associated with the Study.
4. The Humboldt County Public Works Director and the Public Works Deputy-Director (Environmental Services) are hereby authorized to execute the Grant Agreement with California Department of Fish and Wildlife for the Study and conduct negotiations, execute, submit and sign any and all documents, including, without limitation, amendments, payment requests and other documents, which may be necessary to implement the Grant Agreement and complete the Study.
5. The Humboldt County Director of Human Resources is authorized to sign the State of California’s Drug-Free Workplace Certification (STD.21) certifying compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace.

Dated: July 9, 2024

Rex Bohn, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, Seconded by Supervisor _____, and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA

County of Humboldt

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I, TRACY DAMICO, 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.

TRACY DAMICO
Clerk of the Board of Supervisors of
The County of Humboldt, State of California