

**ATTACHMENT 1**

**Resolution of Approval**

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; meeting on March 1, 2022

**RESOLUTION NO. \_\_\_\_\_ - \_\_\_\_\_ OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT APPROVING ROUND 1 FUNDING FOR THE COUNTY'S WATER QUALITY AND STREAM RESTORATION GRANT PROGRAM**

**WHEREAS**, on August 17, 2021, the Board approved the Commercial Cannabis Land Use Ordinance (CCLUO) 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 in both fiscal years 2020-21 and 2021-22, an additional \$200,000 was deposited per the agreement, totaling an additional \$400,000; and

**WHEREAS**, the Board committed to depositing into the CCLUO Mitigation and Remediation Fund 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**, 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 this year; and

**WHEREAS**, the applications were evaluated for completeness referred to the County Departments of Building and Planning Code Enforcement, Cannabis, and Current Planning Divisions, and Public Works Roads Division, and to the California Department

of Fish & Wildlife and the North Coast Regional Water Quality Control Board for comment; and

**WHEREAS**, County staff held two meetings with representatives of the state agencies which provided verbal and written comment; and

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors finds the proposed allocation of 2021-2022 water quality improvement grant program funds from the Commercial Cannabis Land Use Ordinance (CCLUO) Mitigation and Remediation 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 funding as shown in the below table:

<i>Grant Application</i>	<i>Project Description and staff notes</i>	<i>Requested Funding</i>	<i>Approved Funding</i>
Cobb Road Improvements	Reinforces & replaces eleven (11) culvert replacements, fifteen (15) rolling dips, surface drainage upgrades & inside ditch cross-drains.	\$108,395	\$83,381
Serendipity Road Improvements	Reinforces & replaces five (5) culverts.	\$99,426	\$43,426
Samuels Ranch Road	Spread road base in areas of Samuels Ranch Loop Road where road is bare & needs to be re-rocked.	\$30,000	\$30,000
Moriah Miranda	Remediation activities to address grading, reforestation, road improvements, replace and upgrade failing culverts.	\$692,640	\$12,852
Nooning Creek	Reinforces & replaces two (2) culverts.	\$51,816	\$3,816
Diamond Sky Farm	Implements conditions of approval of WRPP.	\$15,000	\$2,000
Armstrong Road Improvement	Reinforces & replaces thirteen (13) culverts, as required by Code Enforcement action.	\$230,000	\$0
Van Dkye	Four (4) culverts to be replaced inlets/outlets, implements WRPP and PW condition pave public road entrance, work completed.	\$12,594	\$0
Bamboo Farms Remediation	Three (3) culverts were replaced, inlets/outlets were reinforced with rip-rap, and new gravel placed on the road over the	\$21,362	\$0

<i>Grant Application</i>	<i>Project Description and staff notes</i>	<i>Requested Funding</i>	<i>Approved Funding</i>
	culverts, work completed as required by Code Enforcement action.		
Walker Ridge	Reinforces & replaces eight (8) culverts on Class III streams.	\$67,486	\$0
	Totals:	\$1,328,719	\$175,475

**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 include in Round 2 funding the applications described in the staff report pending submittal of additional information demonstrating their projects are in good standing.
3. Directs the Clerk of the Board to give notice of the decision to any interested party.

The foregoing Resolution is hereby passed and adopted by the Board of Supervisors on March 1, 2022, by the following vote:

Adopted on motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ and the following vote:

AYES: Supervisors:

NAYS: Supervisors:

ABSENT: Supervisors:

ABSTAIN: Supervisors:

\_\_\_\_\_  
 \_\_\_\_\_, CHAIRPERSON,  
 HUMBOLDT COUNTY BOARD OF  
 SUPERVISORS

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors

of the County of Humboldt, State of California

By: \_\_\_\_\_

Nicole Turner, Deputy Clerk

Date: \_\_\_\_\_