

RESOLUTION NO. PC XX-2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION FOR THE ADOPTION OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND THE ADOPTION OF THE MITIGATION AND MONITORING AND REPORTING PLAN FOR THE ONEKA DESALINATION BUOY PILOT PROJECT

WHEREAS, the City of Fort Bragg Department of Public Works (“Applicant”) proposes to conduct a pilot study (Project) of an Oneka Wave-Powered Seawater Desalination Buoy in Mill Bay; and

WHEREAS, Fort Bragg has suffered severe water shortages in recent droughts and seeks to diversify its water supply portfolio; and

WHEREAS, the Cobey-Porter Saline Water Conversion Law (Cobey-Porter) declares that the State has a “primary interest” in the development of economical desalination projects which could “eliminate the necessity for additional facilities to transport water over long distances, or supplement the services to be provided by such facilities, and provide a direct and easily managed water supply to assist in meeting the future water requirements of the state.” (Water Code § 12946). Furthermore, Executive Order N-10-19 (signed by Governor Gavin Newsom on April 29, 2019) confirms that “water is a human right, and is central to California’s strength and vitality . . .” and requires the California Natural Resources Agency, the California Environmental Protection Agency and the California Department of Food and Agriculture to prepare a water resilience portfolio; and

WHEREAS, Fort Bragg is developing a Blue Economy Initiative; and

WHEREAS, the Oneka Wave-Powered Seawater Desalination Buoy presents a novel method to diversify the City’s water supply portfolio with locally supplied and controlled drought-proof water without creating an additional electrical power demand; and

WHEREAS, the California Environmental Quality Act (CEQA), together with State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration (IS/MND), pursuant to Section 15074 of the CEQA Guidelines, for the proposed Project contained in Attachment 1 to the Staff Report; and

WHEREAS, a Mitigation and Monitoring Program, as required by CEQA, is contained in the IS/MND as Attachment 1 to the Staff Report; and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of May 14, 2025 and Planning Commission deliberations; and any other evidence

(within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg does hereby make the following findings and determinations:

1. For the purposes of the CEQA, an IS/MND was prepared for the Project, circulated for public review, and presented to the public and Planning Commission prior to acting on the Pilot Study of an Oneka Wave-Powered Seawater Desalination Buoy in Mill Bay in Fort Bragg. The conclusion of the IS/MND is that all potentially significant impacts can be mitigated.

Environmental review for the proposed Project included preparation of an IS/MND pursuant to the CEQA Statue (Public Resources Code 21000 - 21189) and Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 -15387). The IS/MND was circulated from March 20, 2025, to April 21, 2025, to relevant resource agencies and was posted at the State Clearinghouse. One comment letter was received and responded to in the Response to Comments The IS/MND included mitigation measures which have been incorporated into a Mitigation Monitoring and Reporting Plan, which is being adopted as a part of the Project.

2. The Project was found to have no impact or less than significant impacts for which mitigation is not required to reduce project-related impacts: Agriculture and Forestry, Air Quality, Aesthetics, Energy, Greenhouse Gas Emissions, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Utilities and Services, Mandatory Findings of Significance, and Wildfire.

There is no evidence of an impact or less than significant impacts on any of the above referenced potential impact areas based on the Project as proposed at this location. The IS/MND is dated March 2025 and was circulated for public review from March 20, 2025, to April 21, 2025.

3. The IS/MND identified potentially significant impacts to Biological Resources, Cultural Resources, and Tribal Cultural Resources which could result from the Project as originally submitted. Mitigation Measures are included to ensure potential impacts are reduced to a less than significant level. These Mitigation Measures are incorporated by reference in the IS/MND for the Project.
4. Agency and public comments have been received on the Project and the IS/MND. These comments were considered and IS/MND was revised as needed.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF FORT BRAGG FINDS, DETERMINES, AND RESOLVES, the IS/MND adequately describes the Project, impacts, and mitigation measures, and hereby makes the following environmental determinations regarding the pilot study of an Oneka Wave-Powered Seawater Desalination Buoy in Mill Bay considered on May 14, 2025:

1. The Recitals set forth above are true and correct and incorporated herein as findings of fact.
2. An IS/MND was prepared for this Project pursuant to the provisions of CEQA.
3. Mitigation measures have been made a condition of the approval of the project.

4. A Mitigation Reporting and Monitoring Plan was prepared and included in the IS/MND for this project.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Fort Bragg Planning Commission adopts the IS/MND as set forth in **Attachment 1** to the Staff Report and adopts the Mitigation and Monitoring and Reporting Plan for the proposed pilot study of an Oneka Wave-Powered Seawater Desalination Buoy in Mill Bay, subject to the mitigations included herein as outlined in the IS/MND.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by _____, seconded by _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 14th day of May 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

David Jensen, Chair

ATTEST:

Maria Flynn, Administrative Assistant