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**MINUTES (Subject to Approval)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

February 14, 2013

PRESENT

Commissioner Newman
Commissioner Dale
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:02 p.m.

President Wilson adjourned the Executive Closed Session at 6:56 p.m.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:05 p.m.

District Counsel reported on the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations – Board unanimously approved CEO Crider to sign the non-binding letter of intent with Freshwater Tissue Company upon District Counsel's review and approval.

President Wilson asked Marian Brady to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT: None

CONSENT CALENDAR

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE CONSENT CALENDAR.
COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Reported he received a letter from the District's employees' union requesting to begin negotiations for the next contract period. CEO said he would begin the negotiations; a Board committee will be assigned once the items to be negotiated are determined.
- ❖ Met with LACO representatives on the status of the Samoa Industrial Waterfront Transportation Access Plan. The project is coming in under budget; the remaining funds may be used for rail economic modeling if so approved by CalTrans.

STAFF REPORT

Director of Administrative Services

- ❖ Reported new marina software is being researched; upgraded office phone system is installed.

Bar Pilot Captain Tim Petrusha

- ❖ Met with Colonel Baker, US Army Corps of Engineers, and discussed concerning issues, i.e. shoaling in Humboldt Bay.
- ❖ 2/22: a cruise ship is expected to dock at Schneider Dock.
- ❖ Stated California Redwood Company has made positive statements about their chip dock repair and how shipping in Humboldt Bay will be enhanced.

DISTRICT COUNSEL REPORT: None

DISTRICT TREASURER REPORT: None

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Dale

- ❖ Reported the RV Park Committee met earlier today and discussed language changes to the City's municipal code. The language changes would support commercial fishing and allow conditional uses on Woodley Island.

Commissioner Wilson

- ❖ Met with Freshwater Tissue Company representatives on negotiations for purchase of the property.

Commissioner Marks

- ❖ Wished his wife Robin a Happy Valentine's Day – their 38th Valentine's Day together.

Commissioner Higgins

- ❖ Stated the RV Park Committee meeting was very productive.
- ❖ Attended a productive meeting on the Monitoring Enterprise in Fort Bragg.

OTHER

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

COMMISSIONER HIGGINS MOVED TO MOVE NEW BUSINESS AGENDA ITEM E TO THE BEGINNING OF THE NEW BUSINESS SECTION. COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF A LETTER EXPRESSING INTEREST IN THE "ALTERNATIVE RAIL ROUTE FEASIBILITY STUDY" PROPOSAL.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF A LETTER EXPRESSING INTEREST IN THE "ALTERNATIVE RAIL ROUTE FEASIBILITY STUDY" PROPOSAL, INCLUDING SOME EDITS. COMMISSIONER HIGGINS SECONDED.

The letter was written by the Board's Rail Committee and supports the position of prioritizing an economic analysis of an alternative rail route.

Monte Provolt stated he is an East-West rail advocate. He said he is glad to see the Board supports the general concept the Upstate Rail Connect Committee is working towards; however, he would have preferred a letter of support for the East-West Rail Feasibility Study. The proposed letter suggests the implementation of one part of the study before the other, meaning a capital, market and operational cost model to use for the study before analyzing the environmental, geotechnical, jurisdictional and engineering pieces. Mr. Provolt said it is important to remain objective and independent when conducting the study. All stakeholders have their opinion of what first to study. He also said the comparison of the East-West rail to the North-South line is not valid; the new railroad would be an extension of our deep-water port connecting the Pacific Rim through Humboldt Bay directly to the National rail system.

Debbie Provolt said a preliminary study will be less effective than the one being proposed by the East-West Rail advocates. She stated that a study to determine the best route should be done before the study to determine who will use the rail because you cannot look at who will use the rail until you know where the rail will be.

Captain Tim Petruska, Bar Pilot, thanked the Board of Commissioners for considering a study of the rail. He said the industrial part of Humboldt Bay does not work well without the rail. The rail would open up opportunities for shippers.

Marion Brady, Eureka City Council, said Sun Valley Bulb Farm imports bulbs from Europe. They are shipped to Oakland and trucked to Humboldt County at a great cost. If there was an East-West rail that connected directly with the valley, Sun Valley would save hundreds of thousands of dollars. She asked that the feasibility study consider geology, bridges, finances, etc.

Richard Lentz, Land Bridge Alliance, thanked the Board for showing interest in the alternative rail feasibility study.

Commissioner Higgins stated it would cost billions of dollars to build the East-West rail. The chief major export will be coal. He said he believes misleading information is being promoted.

Commissioner Marks said the Harbor District is the only public agency that will come forward to do a feasibility study, to put the money towards a study. He said the public should not be upset about what the District will spend to do a study, but to be supportive of the District's efforts.

Commissioner Wilson said the letter is a good compromise. An alternative study cannot be done without going through the CEQA process. The North-South line is the District's reference point for the comments about the East-West rail.

Commissioner Dale said the District has always supported the rail efforts in this community. Everyone has the same general idea about the rail and there needs to be open discussion. He said it does not matter where the information comes from and at some point there is enough information to make the decision.

Commissioner Newman said this letter is necessary to express the Board's interest in this effort; it is a long road.

Commissioner Wilson suggested Commissioner Marks, as the Board's liaison, attend the Upstate Rail Connect meetings.

Pete Oringer said there is no information available yet to determine if the East-West rail is viable and he asked the Board to extend these feelings to any data-gathering efforts. He said the two rail lines, North-South and East-West, are like comparing apples to oranges. The East-West rail is a whole new venue/opportunity. We can learn from the positives and negatives of the North-South line. What happens with the Upstate Study has not bearing on the Harbor District. If the rail is important to the District, say that up front and support any data-gathering effort.

Commissioner Dale suggested the letter's first paragraph should refer to a connection to the national rail system.

MOTION CARRIED WITHOUT DISSENT.

A. CONSIDERATION OF HARBOR MAINTENANCE TRUST FUND BILL SUPPORT LETTER.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF THE HARBOR MAINTENANCE TRUST FUND BILL LETTER. COMMISSIONER HIGGINS SECONDED.

Commissioner Wilson stated the Bill says the State that has the most throughput will get the most harbor maintenance funds. The letter to Congressman Jared Huffman would state the Board of Commissioners' support for him to co-sponsor the Bill.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF AUTHORIZING CHIEF EXECUTIVE OFFICER TO SIGN NOTICE OF MERGER FROM SAMOA PROPERTIES INC. TO CALIFORNIA REDWOOD COMPANY.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF AUTHORIZING CHIEF EXECUTIVE OFFICERS TO SIGN NOTICE OF MERGER FROM SAMOA PROPERTIES INC. TO CALIFORNIA REDWOOD COMPANY. COMMISSIONER DALE SECONDED.

District Counsel reported the District's current lease is with Samoa Properties Inc. a wholly-owned subsidiary of California Redwood Company, the guarantor on the lease. The lease is now with California Redwood Company as the result of a merger on December 31, 2012.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF ADOPTION OF RESOLUTION 2013-01, A RESOLUTION DESIGNATING BUSINESS MATTERS, APPOINTMENT AND AUTHORIZATION FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT FOR CALENDAR YEAR 2013.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2013-01, A RESOLUTION DESIGNATING BUSINESS MATTERS, APPOINTMENT AND AUTHORIZATION FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT FOR CALENDAR YEAR 2013. COMMISSIONER MARKS SECONDED. ROLL CALL VOTE WAS TAKEN:

COMMISSIONER NEWMAN – AYE
COMMISSIONER DALE – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER MARKS – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF ADOPTION OF RESOLUTION 2013-02, A RESOLUTION TO BORROW MONIES AND PLEDGE PERSONAL PROPERTY AS COLLATERAL.

COMMISSIONER MARKS MOVED FOR THE ADOPTION OF RESOLUTION 2013-02, A RESOLUTION TO BORROW MONIES AND PLEDGE PERSONAL PROPERTY AS COLLATERAL. COMMISSIONER DALE SECONDED.

Monte Provolt asked how a government agency could be allowed to pledge collateral that was purchased through a Homeland Security grant.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER NEWMAN – AYE
COMMISSIONER DALE – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER MARKS – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

F. CONSIDERATION OF APPROVAL OF TRAVEL EXPENSES FOR BOARD PRESIDENT WILSON AND CEO CRIDER TO TRAVEL TO WASHINGTON DC TO MEET WITH LEGISLATORS AND AGENCY REPRESENTATIVES.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF TRAVEL EXPENSES FOR BOARD PRESIDENT WILSON AND CEO CRIDER TO TRAVEL TO WASHINGTON DC TO MEET WITH LEGISLATORS AND AGENCY REPRESENTATIVES. COMMISSIONER MARKS SECONDED.

CEO reported the travel expenses should not exceed \$5,000. He and Commissioner Wilson will be meeting with Congressman Huffman, Senator Boxer, Congressman Thompson and many others.

MOTION CARRIED WITHOUT DISSENT.

G. CONSIDERATION OF APPROVAL OF TRAVEL EXPENSES FOR BOARD PRESIDENT WILSON TO ATTEND THE MARCH 2013 NATIONAL WORKING WATERFRONTS AND WATERWAYS SYMPOSIUM.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF TRAVEL EXPENSES FOR BOARD PRESIDENT WILSON TO ATTEND THE MARCH 2013 NATIONAL WORKING WATERFRONTS AND WATERWAYS SYMPOSIUM. COMMISSIONER HIGGINS SECONDED.

President Wilson will be presenting information on Humboldt Bay aquaculture.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:18 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Patricia Tyson
Director of Administrative Services

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STAFF REPORT

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- ❖ Reported new marina software is being researched; upgraded office phone system is installed.

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DISTRICT COUNSEL REPORT: None

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Monte Provolt asked how a government agency could be allowed to pledge collateral that was purchased through a Homeland Security grant.

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F. CONSIDERATION OF APPROVAL OF TRAVEL EXPENSES FOR BOARD PRESIDENT WILSON AND CEO CRIDER TO TRAVEL TO WASHINGTON DC TO MEET WITH LEGISLATORS AND AGENCY REPRESENTATIVES.

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CEO reported the travel expenses should not exceed \$5,000. He and Commissioner Wilson will be meeting with Congressman Huffman, Senator Boxer, Congressman Thompson and many others.

MOTION CARRIED WITHOUT DISSENT.

G. CONSIDERATION OF APPROVAL OF TRAVEL EXPENSES FOR BOARD PRESIDENT WILSON TO ATTEND THE MARCH 2013 NATIONAL WORKING WATERFRONTS AND WATERWAYS SYMPOSIUM.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF TRAVEL EXPENSES FOR BOARD PRESIDENT WILSON TO ATTEND THE MARCH 2013 NATIONAL WORKING WATERFRONTS AND WATERWAYS SYMPOSIUM. COMMISSIONER HIGGINS SECONDED.

President Wilson will be presenting information on Humboldt Bay aquaculture.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:18 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Patricia Tyson
Director of Administrative Services

7b

**MINUTES (Subject to Approval)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

February 28, 2013

PRESENT

Commissioner Newman
Commissioner Dale
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:08 p.m.

President Wilson adjourned the Executive Closed Session at 6:48 p.m.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:05 p.m.

District Counsel reported on the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations – No action taken.

President Wilson asked Captain Tim Petrusha to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT: None

CONSENT CALENDAR: None

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Reported on the status of the Samoa Industrial Waterfront Transportation Access Plan. The next step is to determine Right of Ways and research title surveys.
- ❖ Stated a study of the parking spaces on Woodley Island indicates there would be an additional six (6) spaces needed to support the proposed RV Park.
- ❖ Attended a Humboldt Bay Harbor Working Group luncheon on February 27.
- ❖ LACO Associates has completed a Phase 1 study on the Freshwater Tissue Company property as part of the Brownfields Grant project.
- ❖ Researching how to best fix some shore erosion at Fields Landing brought to the District's attention by a concerned citizen.
- ❖ Coastal Commission causing some delay with permitting the rebuilding of some of the Shelter Cove "Mario's Marino" buildings.
- ❖ 3/17-21: CEO and Commissioner Wilson will travel to Washington DC to meet with legislators and legislative agencies.
- ❖ The newly designed National Marine Research and Innovation Park brochure will be used for meeting with Washington DC legislators and application for grant funding.

STAFF REPORT

Director of Administrative Services

- ❖ Reported new marina software is being researched; upgraded office phone system has been installed.
- ❖ Staff is training on website development and maintenance in order to update the District's new website.
- ❖ Just completed the first month of the new marina software.
- ❖ Had the first Budget Committee meeting with Commissioners Dale and Marks.

Director of Conservation

- ❖ Attended a sea level rise meeting
- ❖ Reported that *spartina densiflora* eradication is ongoing
- ❖ CEQA Initial Study for aquaculture pre-permitting is in process
- ❖ Reported on ASBS stormwater monitoring in Shelter Cove

Bar Pilot Captain Tim Petrusa

- ❖ Reported the dredge Essayons will be working in Humboldt Bay in April
- ❖ There is one log ship scheduled for March
- ❖ Stated a cruise ship bypassed Eureka; unfortunately much pre-planning took place

DISTRICT COUNSEL REPORT: None

DISTRICT TREASURER REPORT: None

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Newman

- ❖ Attended a California Department of Fish & Game 2013 Salmon information meeting. The Klamath and Sacramento Rivers abundance forecasts a big season
- ❖ Attended a Pacific Fisheries Management Council Salmon advisory committee subpanel for California meeting representing trawlers.

Commissioner Dale

- ❖ Was in Washington DC for two days discussing shellfish issues

Commissioner Wilson

- ❖ Received many comments regarding the bay tour with Congressman Huffman
- ❖ Was interviewed on the KMUD radio morning show
- ❖ Would like a tour of the dredge Essayons when it is here

Commissioner Marks

- ❖ Discussed current and future projects with Congressman Huffman during his visit
- ❖ Attended the Humboldt Bay Harbor Working Group meeting at the Labor Temple
- ❖ Attended the Humboldt Bay Harbor Working Group luncheon

Commissioner Higgins

- ❖ Said the Maritime Museum's crab and oyster fee was a great community event
- ❖ Attended the Humboldt Bay Harbor Working meeting at the Labor Temple. He said there was a candid exchange of ideas and opinions. It was clear that people care about commerce on the bay. Commissioner Higgins suggested reconvening the Economic Development Committee for further discussion
- ❖ Attended a Monitoring Enterprise-related meeting

OTHER

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF RESOLUTION 2013-03, A RESOLUTION ESTABLISHING FEDERAL AND STATE LEGISLATIVE PRIORITIES FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT DURING THE 2013 LEGISLATIVE SESSION.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF RESOLUTION 2013-03, A RESOLUTION ESTABLISHING FEDERAL AND STATE LEGISLATIVE PRIORITIES FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT DURING THE 2013 LEGISLATIVE SESSION.

It was decided by the Board to have a discussion of the legislative priorities with a resolution to follow at a future meeting.

The priorities from 2012 remain the Board's priorities, but they will be condensed for distribution by President Wilson and CEO in Washington DC.

COMMISSIONER HIGGINS WITHDREW HIS MOTION.

Commissioner Dale suggested adding sea level rise levee work, which will require federal and state assistance.

CEO will organize the priorities oriented to issues, not specific to federal, state or local assistance and will bring back to the Board for consideration on March 14.

President Wilson said last year there was a big push for additional dredging. He suggested the issue be included for 2013.

B. CONSIDERATION OF ACCEPTANCE OF BID AND AWARD OF CONTRACT WITH COLBURN ELECTRIC, INC. FOR THE WOODLEY ISLAND MARINA AND REDWOOD MARINE TERMINAL BERTHS 1 & 2 LIGHTING AND SURVEILLANCE CAMERAS NOT TO EXCEED \$61,740.00.

COMMISSIONER MARKS MOVED FOR THE ACCEPTANCE OF BID AND AWARD OF CONTRACT WITH COLBURN ELECTRIC, INC. FOR THE WOODLEY ISLAND MARINA AND REDWOOD MARINE TERMINAL BERTHS 1 & 2 LIGHTING AND SURVEILLANCE CAMERAS NOT TO EXCEED \$61,740.00. COMMISSIONER HIGGINS SECONDED.

This project constitutes the final use of the Homeland Security grant funds and will provide lighting at Redwood Marine Terminal Berths 1 & 2 and lighting on the Woodley Island docks.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF PERSONAL SERVICES CONTRACT WITH ERIKA BLACKWELL FOR THE TERM OF TEN MONTHS NOT TO EXCEED \$46,000.00 FOR SERVICES AS PROJECT COORDINATOR FOR AQUACULTURE BUSINESS PARK AND PILOT AQUAPONICS PROJECT.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF PERSONAL SERVICES CONTRACT WITH ERIKA BLACKWELL FOR THE TERM OF TEN MONTHS NOT TO EXCEED \$46,000.00 FOR SERVICES AS PROJECT COORDINATOR FOR AQUACULTURE BUSINESS PARK AND PILOT AQUAPONICS PROJECT. COMMISSIONER MARKS SECONDED.

Ms. Blackwell's responsibilities would be to oversee and manage the aquaponics pilot facility. Commissioner Dale thanked Ms. Blackwell for her hard work to get the project to this point.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF TRAVEL EXPENSES FOR DOCKMASTER TO ATTEND THE PACIFIC COAST CONGRESS OF HARBORMASTERS AND PORT MANAGERS, INC. 39TH ANNUAL MEMBERSHIP CONFERENCE, APRIL 9-12, 2013 IN SEATTLE, WASHINGTON.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF TRAVEL EXPENSES FOR DOCKMASTER TO ATTEND THE PACIFIC COAST CONGRESS OF HARBORMASTERS AND PORT MANAGERS, INC. 39TH ANNUAL MEMBERSHIP CONFERENCE, APRIL 9-12, 2013 IN SEATTLE, WASHINGTON. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF APPROVAL OF TRAVEL EXPENSES FOR DIRECTOR OF ADMINISTRATIVE SERVICES TO ATTEND THE SDRMA CLAIMS DAY, MARCH 28, 2013 IN SACRAMENTO, CALIFORNIA.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF TRAVEL EXPENSES FOR DIRECTOR OF ADMINISTRATIVE SERVICES TO ATTEND THE SDRMA CLAIMS DAY, MARCH 28, 2013 IN SACRAMENTO, CALIFORNIA. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS

Director of Conservation reported Administrative Permit A-2013-01 was granted to California Department of Fish & Game for the use of a dock at Woodley Island Marina for the temporary deployment of a Dungeness crab larva light trap.

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:06 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Patricia Tyson
Director of Administrative Services

**MINUTES (Subject to Approval)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

7c

March 14, 2013

PRESENT

Commissioner Dale
Commissioner Newman
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:06 p.m.

President Wilson adjourned the Executive Closed Session at 6:57 p.m.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:10 p.m.

President Wilson asked Eureka City Councilmember Mike Newman to lead those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations – no action to report.

PUBLIC COMMENT

Pete Oringer said he encourages the Commission to send out timely documents; the District's past Agendas with supporting documents have usually been released on Fridays, but the present Agenda's supporting documents were not released until just prior to this meeting. He asked the Board to continue the tradition of timely agendas and maintain public trust. Mr. Oringer encouraged everyone to visit Redwood Acres for the Northern California Logging Conference.

Karen Brooks of Bayside invited everyone to a HASA fish and steak dinner at Redwood Acres on March 2; reported the group supports the Artificial Reef Project. Ms. Brooks stated the Humboldt Bay Harbor Working Group has an open forum the last Wednesday of each month. David Hull will speak about the East-West rail on March 27.

CONSENT CALENDAR: None

President Wilson reported there have been many things going on in the District, so everyone has been busy, and explains that is why the Agenda was not as timely as usual.

District Counsel said the Agenda complied with the Brown Act; commended the Commission and Staff saying they consider the Brown Act the minimum requirements.

Pete Oringer thanked the Board for their sensitivity.

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Stated HSU representatives recently returned from Washington, D.C. where they had several conversations about the possible purchase of the Freshwater Tissue Company site. President Wilson and CEO will be traveling to Washington DC next week and will meet with many of the same people. CEO reported Tony Vaught, Ted Kuiper, Randy Lowell and Commissioner Dale have been helping them prepare for the trip.

- ❖ Had a productive meeting with the North Coast Regional Water Quality Control Board about Shelter Cove; one of the Water Board's concerns is that their funding would ultimately benefit a private company.
- ❖ Had meetings with the City of Eureka regarding the RV Park project.

STAFF REPORTS

Director of Conservation

- ❖ Had a positive discussion with the North Coast Regional Water Quality Control Board about Shelter Cove.
- ❖ Said the District helped get a floating dock out of the water near the North Jetty that was starting to break apart. President Wilson asked the name of the volunteer heavy equipment operator that assisted with this project. Director of Facility Maintenance said it was Chris Kjer.
- ❖ The International Pacific Halibut Commission is extending its annual sampling into California; should help extend the area's Halibut fishing season.

Director of Facility Maintenance

- ❖ Maintenance staff is getting ready for a busy season at Fields Landing Boat Yard.
- ❖ Took the recommendation of a Woodley Island Marina tenant and rekeyed the tenant restrooms so that there is one key for the mens' and one for the womens' in order to avoid confusion in the future.
- ❖ Built the first dock gate and installed it on F-dock. He feels the added security should work well for the tenants with the additional lighting and security cameras.
- ❖ Is working with the City of Eureka on how to lower the District's monthly water bill.

Bar Pilot Tim Petrusha

- ❖ Stated recent Corps of Engineers surveys showed Humboldt Bay's interior channel depths look good; approach channels are better than normal.
- ❖ Reported Coast Guard Cutter Aspen is on its way to Humboldt Bay to temporarily move buoys for dredging.
- ❖ Said the next log ship is due March 28.
- ❖ Stated the Port Authority Boat had its first annual haul-out and it is in very good condition.

DISTRICT COUNSEL REPORT: None

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Newman

- ❖ Attended a Pacific Fisheries Management Council meeting in Tacoma; options were secured for the upcoming salmon season and it should be one of the best seasons in probably 25 or 30 years.

Commissioner Dale

- ❖ Went to Sacramento and spent time with our area's local representatives; is pleased with area's representation in Washington, D.C. and Sacramento.

Commissioner Wilson

- ❖ Participated in Freshwater Tissue Company property negotiations.
- ❖ Met with Susana Munzell from the Humboldt Bay Harbor Working Group; she presented a Resolution they would like the Commission to adopt.

- ❖ Has been preparing for the Washington, D.C. trip with CEO, including preparing the list of the Commissioner's Legislative Priorities.
- ❖ Is going to Tacoma next week for a National Working Waterfronts Symposium; will discuss aquaculture pre-permitting.

Commissioner Marks

- ❖ Participated in Freshwater Tissue Company property negotiations.
- ❖ Came upon a terrible wreck near Burnt Ranch; the first place to get cell phone coverage was at the South Fork of the Trinity River, so it could have taken a long time to get help if he would not have stopped at a land line. Said Trinity County should consider installing a cell phone tower.

Commissioner Higgins

- ❖ Stated the teacher involved in the accident on Highway 299 was a friend.
- ❖ Would like to maintain access to Halibut, so is excited about sampling.
- ❖ Wished everyone a Happy St. Patrick's Day.

NON AGENDA: None

UNFINISHED BUSINESS

A. CONSIDERATION OF RESOLUTION 2013-03, A RESOLUTION ESTABLISHING FEDERAL AND STATE LEGISLATIVE PRIORITIES FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT DURING THE 2013 LEGISLATIVE SESSION.

COMMISSIONER MARKS MOVED FOR APPROVAL OF RESOLUTION 2013-03, A RESOLUTION ESTABLISHING FEDERAL AND STATE LEGISLATIVE PRIORITIES FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT DURING THE 2013 LEGISLATIVE SESSION. COMMISSIONER HIGGINS SECONDED.

President Wilson stated establishing priorities is something the Board does every year before the Legislative Session; last year there were ten pages of items and not much response came from it, so CEO edited the document to create one-line sentences.

District Counsel reported these Priorities are also used for pre-approval when Staff deals with other agencies or when an issue needs an immediate letter of support and it cannot wait until the next meeting.

Karen Brooks reported she would like to see a few things changed about the Legislative Priorities: artificial reef changed to a mitigation project for the possible pulp mill purchase or other development projects; Samoa Industrial Waterfront Transportation Access Plan funding and working with CalTrans included; said railroad was too far down on the list if the Priorities are in order. Ms. Brooks stated East Coast is getting many modernization dollars due to the changes in the Panama Canal; asked what the distribution of funds of East Coast versus West Coast is; would like the District to work with the City of Eureka on dredging and options.

President Wilson the District has been working with the City of Eureka on dredging and will have to do more public outreach on options. President Wilson reported the Priorities are not in order. He said Priority #10 should end with "and access" .

COMMISSIONER MARKS ACCEPTED THE AMENDMENT. COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER NEWMAN – AYE
COMMISSIONER DALE – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER MARKS – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF SCOPE REVISIONS AND REVISED CONTRACTS WITH PLANWEST PARTNERS, INC. AND LACO ASSOCIATES.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF SCOPE REVISIONS AND REVISED CONTRACTS WITH PLANWEST PARTNERS, INC. AND LACO ASSOCIATES. COMMISSIONER MARKS SECONDED.

George Williamson of Planwest Partners reported the Samoa Industrial Waterfront Transportation Access Plan has progressed significantly, especially due to LACO's efforts; said Kelly-O'Hern Associates is also involved researching easements and survey data.

President Wilson stated much of that information has been instrumental in negotiations regarding the possible Freshwater Tissue Company purchase.

Mr. Williamson reported LACO deserves credit for the work they have done, especially with CalTrans. Planwest Partners and LACO have agreed to scope and budget reductions to bring BST Associates into the project for a pre-feasibility rail study.

Mike Nelson, Vice-President of LACO Associates, stated so far the overall project is under budget and getting good support from the County, HCAOG and CalTrans.

President Wilson stated the current route protects the Timber Heritage Association lease area; the road is almost the least amount that can be laid and still touch all parcels that have waterfront access.

Commissioner Higgins reported he approves of the modifications and thinks everyone is well served.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF ENTERING INTO CONTRACT WITH BST ASSOCIATES FOR FINANCIAL PRE-FEASIBILITY ANALYSIS OF RESTORING RAIL SERVICE TO THE SAMOA PENINSULA.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF ENTERING INTO CONTRACT WITH BST ASSOCIATES FOR FINANCIAL PRE-FEASIBILITY ANALYSIS OF RESTORING RAIL SERVICE TO THE SAMOA PENINSULA. COMMISSIONER DALE SECONDED.

CEO stated while there are many studies that have been done on North-South and East-West Rail, the information the District wanted was not available. He contacted BST Associates, a group he has worked with in the past.

George Williamson said the previous agenda item action allows for money through the Prop 1B grant to be available for this Item. He reported BST will develop estimates of cargo volume necessities and what types of cargo will make the Port more viable. Mr. Williamson said there is a final approval on the

use of the grant funds since Federal Highway Authority funds are involved. Once approved the Board will be able to fully consider this item.

COMMISSIONER WILSON SUGGESTED A FRIENDLY AMENDMENT TO APPROVE THE CONTRACT PENDING FINAL APPROVAL FROM FHWA. COMMISSIONERS HIGGINS AND DALE ACCEPTED THE FRIENDLY AMENDMENT.

President Wilson said the transportation plan in Samoa includes a rail component.

Commissioner Marks said the District needs additional information, the project is going in the right direction and he is looking forward to concrete numbers. Commissioner Marks stated NCRA has said publicly that the North-South railroad is not feasible; he would like to see an East-West route given a chance.

Commissioner Dale stated this is the first step; is appreciative that LACO Associates and Planwest Partners worked out a sacrifice in this way.

Commissioner Newman said more information is a good thing.

Monte Provolt said publishing the agenda at the last minute did not allow time for the public to comment on this item. He stated many agencies have written letters of support for the East-West railroad. He believes this study is a duplication of the large-scale study on the horizon and is a waste of tax dollars.

Pete Oringer said between the tardiness of the publication of the Agenda and its supporting documents, and with this Item and the Legislative Priorities on the agenda, discussion should be put off until the next Meeting.

Debbie Provolt reported she is glad to see the Commission reviewing the East-West Rail possibility and believes there should be more public participation in the spending of \$20,000, which she believes would be better spent on a donation to the comprehensive East-West Rail Study.

Mike Newman, a member of RREDC and the UpState RailConnect Committee, in referring to a letter sent to the Board in response to their letter of February 14 to the Upstate RailConnect Committee said a feasibility study should come before a marketing study and asked the Board to put off their marketing study and work on a partnership with the City of Eureka. Mr. Newman stated the UpState RailConnect Committee believes a marketing study is premature at this point and encouraged the Board to put that money towards a larger East-West Feasibility study.

President Wilson asked if that decision was made by the Board of the UpState RailConnect Committee.

Mike Newman stated he was not sure since he was not in attendance at the last meeting, but believes it was talked about by the majority.

Karen Brooks said as a marketing person, one does not market anything until you have something to market; many ports are hubs for inland cities and thinks Humboldt Bay should see if any inland cities are interested in boosting the Port.

Marion Brady reported she read the letter from the UpState RailConnect Committee and thought it was good; stated a marketing study is making suppositions about things that may not be valid. Ms. Brady stated until there is something to market, you do not know what you can ship; said Upstate RailConnect Committee is opening dialogue

President Wilson reported this study is more of a financial pre-feasibility analysis instead of a marketing study; these funds cannot be given to another agency.

District Counsel stated this money has been awarded to study transportation issues in Humboldt Bay; if the District does not use it, they lose it.

Commissioner Marks stated there was a comment made earlier that none of this has been brought up, but it has been; he has talked publicly that he thought a study of this type is necessary.

Commissioner Newman said the District has to use these funds and considers this a valid way to do it; commerce is generated by transport. Commissioner Newman reported he is excited to see what comes from the study.

Commissioner Dale reported the information needed is not currently available, so the study is needed in order for the Board to make good decisions; will not hurt the feasibility study. Commissioner Dale stated the District will get good information that everyone can benefit from; thankful to LACO and PlanWest for making room in their budgets for this study. Commissioner Dale said he disagrees with Mike Newman about the financial analysis and feasibility study order.

Davey Young of McKinleyville stated he is concerned the District did not join the groups doing the feasibility study.

President Wilson said the Board was trying to figure out how to prioritize its participation.

Commissioner Marks asked CEO what the financial ramifications would be if the District were to put off making this decision.

CEO reported there is still time.

Commissioner Dale stated this will provide information he sees as valuable.

COMMISSIONER MARKS MOVED TO TABLE ENTERING INTO CONTRACT WITH BST ASSOCIATES FOR FINANCIAL PRE-FEASIBILITY ANALYSIS OF RESTORING RAIL SERVICE TO THE SAMOA PENINSULA. MOTION FAILED DUE TO LACK OF A SECOND.

ORIGINAL MOTION WITH AMENDMENT CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF ACCEPTING FOR FILING PERMIT NO. 13-01 TO DAVID SCHNEIDER FOR SCHNEIDER DOCK MAINTENANCE DREDGING.

COMMISSIONER HIGGINS MOVED FOR ACCEPTING FOR FILING PERMIT NO. 13-01 TO DAVID SCHNEIDER FOR SCHNEIDER DOCK MAINTENANCE DREDGING. COMMISSIONER DALE SECONDED.

Director of Conservation said the Board approving this motion opens the Permit Application to the Public Notice and 30-day public comment period; reported some sediment planning will most likely be modified due to the permit applicant discussing the Permit with the Corps of Engineers.

Commissioner Dale asked where the permit applicant planned to dispose of the dredged sediment.

Director of Conservation stated it would most likely be temporarily de-watered on Schneider property in small amounts before going to a landfill unless a local site can be found.

MOTION CARRIED WITHOUT DISSENT.

Minutes (Subject to Approval)
Regular Meeting of the Board of Commissioners
Humboldt Bay Harbor, Recreation and Conservation District
March 14, 2013
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ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 9:02 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Kim Farrell
Clerk

**MINUTES (Subject to Approval)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

7d

March 28, 2013

PRESENT

Commissioner Dale
Commissioner Newman
Commissioner Marks
Commissioner Higgins

ABSENT

Commissioner Wilson

Vice-President Marks called the Executive Closed Session to order at 6:00 p.m.

Vice-President Marks adjourned the Executive Closed Session at 7:00 p.m.

Vice-President Marks called the Regular Meeting of the Board of Commissioners to order at 7:05 p.m.

Vice-President Marks asked Commissioner Higgins to lead those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Freshwater Tissue property purchase negotiations – approved amended access agreement to allow District to gather information and take water samples from existing wells; 4 – 0 vote with Commissioner Wilson absent. The Board voted to enter into an agreement with LACO Associates to analyze samples; 4 – 0 vote with Commissioner Wilson absent. The Board voted to sign an engagement letter with law firm for evaluation of environmental risks 4 - 0 vote with Commissioner Wilson absent. Conference with Labor Negotiator – no action to report.

PUBLIC COMMENT: None

CONSENT CALENDAR

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE CONSENT CALENDAR.
COMMISSIONER DALE SECONDED.

CEO said Ken Bates gave to Staff prior to this meeting an addendum for the January 24 minutes.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE JANUARY 24, 2013, MINUTES WITH AMENDMENT. COMMISSIONER NEWMAN SECONDED.

Commissioner Dale said he is concerned that Mr. Bates' amendment request includes Commissioner Wilson's name and comments and he is not present to approve them.

COMMISSIONER DALE MOVED TO TABLE MINUTES FROM THE JANUARY 24, 2013, ANNUAL BOARD MEETING. COMMISSIONER HIGGINS SECONDED.

Ken Bates, Humboldt Fisherman's Marketing Association, reported he has no objection to the January 24, 2013 minutes being tabled; his concern is so anyone reading the minutes would understand that the City's Local Coastal Plan is what is being referenced in the minutes.

MOTION CARRIED WITHOUT DISSENT.

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Travelled with Commissioner Wilson to Washington, D.C. and met with legislative delegates; presented a binder to show them the projects the District has been working on and where grant money has been spent. Stated District lobbyist Will Edington also took a few binders and will meet with others they did not have time to meet. Reported they talked of many subjects: Homeland Security grants; the fire boat saving 200 jobs in the first six months of its acquisition; PORTS; Brownfields Phase One funding and the possible Freshwater Tissue Company property purchase; mariculture and jobs.
- ❖ Thanked Army Corps of Engineers for ten days additional dredging funding; \$1.6 million short this year on dredging funds; the North jetty could be breached by one major storm; Congressman Huffman letter joined in as co-sponsor on the Harbor Maintenance Trust Fund bill.

STAFF REPORTS

Director of Facility Maintenance

- ❖ Toured the Freshwater Tissue Company property and viewed it from a maintenance standpoint.
- ❖ Is moving forward with docks gates, with additional cameras and lights on the docks.
- ❖ Reported the first water monitor was installed on D-dock today to try to reduce sewer bill costs.
- ❖ Stated 60 new electric dock pedestals were shipped today to Woodley Island Marina.

Bar Pilot John Powell

- ❖ Said PORTS has been removed from Buoys Two and Nine temporarily for dredging; earlier this week, the USCGC Aspen relocated Buoys 2, 5 and 9 for the same purpose.
- ❖ Reported a log ship is due on Easter Sunday.

Director of Conservation

- ❖ Stated the MPA Monitoring Draft RFP public comment period runs until April 10; District office should receive a copy shortly.
- ❖ Said the Final EIR completed by the Coastal Conservancy on the removal of *Spartina densiflora* is available; the Conservancy will be certifying it at one of their upcoming meetings.
- ❖ Is working with Humboldt County Environmental Health to find solutions to dumping around the Bay.
- ❖ Has been working with a new local Sea Grant representative to get applications submitted on a couple of grant opportunities.
- ❖ Reported there was an OSPR half-day training and drill for many local agencies.

Commissioner Higgins asked if the MPA Monitoring Draft RFP has only a 14-day public comment period; there have been many questions and he would like to see them use baseline data to maintain access since there are many data gaps. Commissioner Higgins stated if there are problem spots, the District needs to respond.

Director of Conservation there is a short time frame for public comment which closes before the next meeting; and since the intent of the Commission has been clearly laid out, a response letter will be forthcoming.

Bill McBroome asked where he could get this information. Director of Conservation stated the District office should have a copy by next week and he hopes to get a link on the website.

DISTRICT COUNSEL REPORT: None

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Dale

- ❖ Met with CeNCOOS representatives; they have been monitoring and reporting on ocean conditions through installed water quality devices and putting the information online. Reported they are placing more of these devices around the world to predict weather and conditions; the device, which has provided information over the last ten years, was stolen from Woodley Island Marina.
- ❖ Is now a member of CeNCOOS.
- ❖ Toured the top of the boiler at the pulp mill; reported it is the tallest building between San Francisco and Portland. Said he is impressed with the maintenance on the building.

Commissioner Marks

- ❖ Reported he toured the top of the boiler for the second time, although he worked at the pulp mill for over 30 years; he stated the boiler is in good condition.
- ❖ Attended the Humboldt Bay Harbor Working Group meeting with Commissioner Newman and CEO; said Land Bridge Alliance members were there supporting the feasibility study for the East-West rail.

Commissioner Higgins

- ❖ Said Steelhead season closes March 31.
- ❖ Stated there is a Water Day conference on Saturday and there will be reports presented on fish runs; encouraged those that cannot attend to watch on Access Humboldt.
- ❖ Is interested in reconvening the Economic Development Committee.
- ❖ Attended a meeting regarding Halibut and gathering data.

Bill McBroome asked when tenants could expect the dock gates to be completed and if Security Guards would be removed at that point. Director of Facility Maintenance reported gates should be completed on the docks in about one month. CEO said there will most likely still be Security but at random times and understands this is an important issue for the tenants.

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. DISCUSSION OF 2013 PERMIT FEES AT WOODLEY ISLAND MARINA TO OPERATE A CHARTER SERVICE.

CEO stated this Item is for discussion only and explained the current fee schedule for charter boats; reported there are five annual renewals coming up soon.

Commissioner Dale asked if the District expects more than five charter boats this year and if there are additional expenses for those tenants.

CEO said there is a \$25.00 fee every month the boats operate and eventually, electricity will be metered.

Commissioner Higgins stated this discussion is constructive and fair; rate increases are not usually well- received, but are logical.

Commissioner Newman reported the summer charter operations are a great asset to the area.

Tim Klassen, owner of Reel Steel Charter, asked what the \$25.00 fee covered and said in some marinas, charter boat operations get more than just a sign for advertisement; said commercial fishermen receive the services the charter boats do and are not charged. Mr. Klassen stated the charter boat operators are hoping the fuel costs do not go up too much as well.

B. CONSIDERATION OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR REDWOOD SPORTS CAR CLUB TO HAVE THEIR CAR SHOW ON JUNE 8, 2013.

COMMISSIONER DALE MOVED FOR APPROVAL OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR REDWOOD SPORTS CARE CLUB TO HAVE THEIR CAR SHOW ON JUNE 8, 2013. COMMISSIONER HIGGINS SECONDED.

CEO reported the event happens annually.

Ken Bates said he is glad the community can still have activities on the Island.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR CRATER LAKE COUNCIL BOY SCOUTS OF AMERICA FOR THEIR MULTI-DAY SCOUTING EVENT JUNE 24-29, 2013.

COMMISSIONER DALE MOVED FOR APPROVAL OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR CRATER LAKE COUNCIL BOY SCOUTS OF AMERICA FOR THEIR MULTI-DAY SCOUTING EVENT JUNE 24-29, 2013. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF LETTER OF SUPPORT FOR AB 416 WHICH WOULD CREATE THE LOCAL EMISSION REDUCTION PROGRAM.

COMMISSIONER HIGGINS MOVED FOR LETTER OF SUPPORT FOR AB 416 WHICH WOULD CREATE THE LOCAL EMISSION REDUCTION PROGRAM. COMMISSIONER NEWMAN SECONDED.

Director of Conservation reported this is an extension of an existing program that has helped exchange older equipment to more efficient, newer pieces; this is a State program in the Assembly.

Commissioner Higgins stated with Humboldt Bay being a smaller Port than one such as Oakland, there is less pollution.

Ken Bates said he urges the Commissioner to pass this Motion; many boats have been able to upgrade old equipment.

MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF LETTER OF SUPPORT FOR CALIFORNIA SEA GRANT.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF LETTER OF SUPPORT FOR CALIFORNIA SEA GRANT. COMMISSIONER DALE SECONDED.

Commissioner Newman stated Sea Grant is a great program that does much fisheries research.

MOTION CARRIED WITHOUT DISSENT.

Minutes (Subject to Approval)
Regular Meeting of the Board of Commissioners
Humboldt Bay Harbor, Recreation and Conservation District
March 28, 2013
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ADMINISTRATIVE AND EMERGENCY PERMITS: None

Vice-President Marks adjourned the Regular Meeting of the Board of Commissioners at 8:10 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Kim Farrell
Clerk

7e

**MINUTES (Subject to Approval)
SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

April 4, 2013

PRESENT

Commissioner Newman
Commissioner Dale
Commissioner Wilson (by phone)
Commissioner Marks
Commissioner Higgins

Vice President Marks called to order the Regular Meeting of the Board of Commissioners at 9:09 a.m.

PUBLIC COMMENT: None

The Board of Commissioners adjourned to Executive Closed Session at 9:30 a.m.

Vice President Marks adjourned the Executive Closed Session at 10:15 a.m.

Vice President Marks called to order the Regular Meeting of the Board of Commissioners at 10:15 a.m.

District Counsel reported on the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations - The Board voted unanimously to defer to attorney David Blount to take the appropriate action with Freshwater Tissue Company and the State Water Quality Control Board regarding liability.

The Special Meeting of the Board of Commissioners was adjourned at 10:16 a.m.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Patricia Tyson
Director of Administrative Services

7f

**MINUTES (Subject to Approval)
SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

April 9, 2013

PRESENT

Commissioner Newman
Commissioner Dale
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

President Wilson called to order the Regular Meeting of the Board of Commissioners at 12:05 p.m.

PUBLIC COMMENT: None

The Board of Commissioners adjourned to Executive Closed Session at 12:07 p.m.

President Wilson adjourned the Executive Closed Session at 1:25 p.m..

President Wilson called to order the Regular Meeting of the Board of Commissioners at 1:26 p.m.

District Counsel reported on the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations - No action taken.

The Special Meeting of the Board of Commissioners was adjourned at 1:30 p.m.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Patricia Tyson
Director of Administrative Services

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**MINUTES (Subject to Approval)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

April 11, 2013

PRESENT

Commissioner Dale
Commissioner Newman
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:00 p.m.

President Wilson adjourned the Executive Closed Session at 7:00 p.m.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:05 p.m.

President Wilson asked Commissioner Marks to lead those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations; Conference with Labor Negotiator – no action to report.

PUBLIC COMMENT

Susan Penn, Woodley Island Marina tenant, said she and most people that have boats at the Marina do not want dock gates and said similar marinas do not have them. Ms. Penn stated she sees few differences between public sidewalks and docks, and believe the docks should be kept public; said dock gates are an ugly nuisance that create as many problems as they solve. Susan Penn reported Security serves other functions like notification of oil spills and boats sinking that gates cannot do; they are cumbersome if one needs to leave a dock quickly.

Bill McBroome, Woodley Island Marina tenant, stated he agrees with Ms. Penn and that Ordinance 9 says the District is not to be liable for boats moored at the Marina.

Commissioner Wilson directed Staff to stop building dock gates at this time.

Kevin Pinto, Woodley Island Marina tenant, said dock gates serve no purpose and would like to see the money put towards Marina maintenance.

Rick Gustafson of Eureka reported he enjoys walking on the docks and taking pictures; stated dock gates would alienate the community.

Commissioner Wilson said the proposed gates would primarily be locked at night.

Commissioner Higgins reported while there has been concern about decreased Security; it does not appear the gates are popular.

Sebastian Elrite, Woodley Island Marina tenant, stated he came to Woodley Island yesterday and saw a canoe and stool towards the bridge; wanted to know if anyone has checked on this.

Linda Hildebrand reported Security had seen the canoe and called the Sheriff.

CONSENT CALENDAR: None

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Presented proposed fee schedule for a five-year period for the Shelter Cove fish cleaning station
- ❖ Said he is pleased the new marina software can print a list of slip availability.

STAFF REPORTS

Director of Facility Maintenance

- ❖ Stated working on the annual maintenance of the bilge water recovery system; the system has been inoperable on a few docks and maintenance has been working to bring all docks operational. Reported the City said the system meets compliance standards this year; the permit process takes place annually.
- ❖ Said all water that goes out to docks increases District's sewer costs; has been installing water meters at the top of each dock trying to reduce those costs.
- ❖ Re-netted Shelter Cove fish cleaning station this week; will put an extension on the discharge pipe this month to lengthen the pipe into the water.
- ❖ Stated Maintenance has been working on re-siding the Café Marina.

Bar Pilot Tim Petrusha

- ❖ Reported the Marina is getting wireless internet installed for its tenants.
- ❖ Said PORTS' bi-annual maintenance is happening; two months ago a vessel struck the buoy on which it was mounted and did more damage than anyone knew.
- ❖ Stated there was a log ship that came into Humboldt Bay last week.
- ❖ Has been working with the County's hazardous mitigation team updating the existing County plan.

Director of Conservation

- ❖ Reported the MPA Monitoring public comment period just ended with the District submitting comments encouraging preference to proposals that help other agency's resource management and fishermen.
- ❖ Has been moving forward with HSU and other agencies on the removal of *spartina densiflora* in salt marshes.
- ❖ Attended a public meeting regarding dredging of the King Salmon Canal.
- ❖ Stated the aquaculture pre-permitting is moving forward.
- ❖ Reported Surfriders have been cleaning up illegal trash dumps in Samoa.
- ❖ Said tsunami debris that is landing in Crescent City has been confirmed.

Commissioner Higgins stated he liked the letter sent regarding MPA Monitoring.

Director of Administrative Services

- ❖ Attended a SDRMA Claims Safety Day a few weeks ago; is happy to report there will be no increase in premiums for the next fiscal year.
- ❖ Attended a Budget Committee meeting with Commissioners Dale and Marks.
- ❖ Reported a CalEMA auditor was here this week to review the purchase files; he was satisfied with the condition of the files.
- ❖ Stated an RFQ is currently out for auditing services for the District.

DISTRICT COUNSEL REPORT

- ❖ Said four to six weeks ago, HSU students sent out a public records request to many agencies; the report is in the North Coast Journal with the District responding in record time.

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Newman

- ❖ Attended a Pacific Fisheries Management Council meeting.

Commissioner Dale

- ❖ Attended a Budget Committee meeting.

Commissioner Wilson

- ❖ Asked Commissioner Higgins to speak with Susan Penn regarding Woodley Island's Wildlife Area and discuss ideas on biodiversity.
- ❖ Suggested a meeting with Marina tenants and Director of Facility Maintenance on a quarterly basis.
- ❖ Saw the poster the Humboldt Fishermen's Marketing Association distributed; he encouraged positive dialogue.

Commissioner Marks

- ❖ Met with Commissioner Wilson, City Manager and CEO.
- ❖ Is still hoping for a Bay Trail.
- ❖ Attended a Budget Committee meeting.
- ❖ Reported the Samoa Fire Department is hosting a Perch fishing tournament this weekend.

Commissioner Higgins

- ❖ Is looking forward to discussions on wildlife enhancement.
- ❖ Stated experts will be talking about the health of the Eel River on April 22 in Fortuna.

NON AGENDA: None

UNFINISHED BUSINESS

A. CONSIDERATION OF APPROVAL OF THE MINUTES FROM THE JANUARY 24, 2013, ANNUAL BOARD MEETING.

Commissioner Higgins said the Minutes were tabled at the last meeting.

Ken Bates of the Humboldt Fishermen's Marketing Association said there was much rapid dialogue during the January 24 meeting and that what he intended to say was not accurately reflected; Mr. Bates reported the text he typed on Humboldt Fishermen's Marketing Association letterhead in bold is what he would like to see added to the minutes.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE MINUTES WITH AMENDMENT FROM THE JANUARY 24, 2013, ANNUAL BOARD MEETING. COMMISSIONER DALE SECONDED.

District Counsel clarified that the minutes being approved include the amendment.

MOTION CARRIED WITHOUT DISSENT.

B. DISCUSSION OF 2013 PERMIT FEES AT WOODLEY ISLAND MARINA TO OPERATE A CHARTER SERVICE.

CEO stated this discussion is a continuation from the last meeting and recommended a \$500.00 flat rate annual fee; said a decision will have to be made at the next meeting to renew the yearly contracts.

Phil Glenn asked why the District would increase the charter boat fees; does not want the Board to assume that charter boats are making a lot of money. Mr. Glenn said commercial fishermen run a business out of the Marina and do not have to pay extra.

Commissioner Higgins reported it is to raise revenue and that the Marina is currently lower in its prices than others are.

Commissioner Wilson stated the Marina currently runs at a \$500,000 per year deficit, so District has been looking at other marinas to research their fiscal perspective.

Kevin Pinto said commercial charter boats should not be charged extra due to them bringing more people to the Island to do business.

David Helliwell reported he would like to know about other marina's profits or losses.

Commissioner Wilson stated while the Marina will likely always operate at a deficit, trying to get the figures closer to even is the goal.

Commissioner Marks said he does not believe marinas the same size as Woodley Island are being subsidized by the same amount and reiterated this Item is discussion only.

Kevin Pinto reported half a million dollars is not going to be recovered by charging four or five people extra, especially ones that bring business onto the Island.

Bill McBroom stated there is a lot of money spent in places people do not wish it to be spent, such as dock gates.

NEW BUSINESS

A. CONSIDERATION OF EXTENSION OF PERMIT NO. 11-01 TO TAYLOR MARICULTURE LLC FOR THE TAYLOR MARICULTURE BERTH 2 FACILITY.

CEO asked to pull this Item from the Agenda; it was already extended.

B. CONSIDERATION OF ACCEPTING FOR FILING PERMIT NO. 13-02 TO HOG ISLAND OYSTER COMPANY FOR THE ARCATA BAY SHELLFISH MARICULTURE FACILITY.

COMMISSIONER DALE MOVED FOR ACCEPTING FOR FILING PERMIT NO. 13-02 TO HOG ISLAND OYSTER COMPANY FOR THE ARCATA BAY SHELLFISH MARICULTURE FACILITY. COMMISSIONER MARKS SECONDED.

Commissioner Wilson said the Permit Application looks great and that the location is on Security National property; stated the \$1.5 million facility will have oyster rafts at the end of docks and a hatchery.

Commissioner Higgins reported the Economic Development Committee highlighted aquaculture expansion as an area of potential growth for Humboldt Bay.

Commissioner Dale said he is happy that such top-notch people are going to do business in Humboldt County.

Commissioner Marks stated he is excited about potential jobs.

Sebastian Elrite reported he is excited about this project due to the shortage of seed.

Director of Conservation said if approved, the 30-day public comment period will begin and environmental documents will be prepared. He encouraged comments.

Kevin Pinto asked how long the permitting process takes overall for a project the size of Hog Island Oyster Facility.

Commissioner Wilson and CEO stated about two years.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPROVING HARBOR DISTRICT ROLE IN TWO NEW GRANT APPLICATIONS WITH SEA GRANT: CLIMATE CHANGE AND AQUACULTURE FACILITY PERMITTING.

COMMISSIONER HIGGINS MOVED FOR APPROVAL HARBOR DISTRICT ROLE IN TWO NEW GRANT APPLICATIONS WITH SEA GRANT. COMMISSIONER MARKS SECONDED.

Director of Conservation reported the grants are still being written; Sea Grant will be the applicant but the District will be a partner. Mr. Berman stated the Coastal Commission is increasing pressure to address Sea Level Rise in permitting processes.

Commissioner Higgins said Sea Level Rise is like a slow motion flood so it is natural for the District to be a part of it.

David Helliwell, owner of the Corrigedor, reported if the Marina operates at a \$500,000 loss per year, why is the Staff spending time on Sea Level Rise; stated the District seems to be chiseling away at small things and should chase bigger ones.

Commissioner Higgins said dealing with climate change requires resources.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF APPROACHES TO UPDATE THE CITY OF EUREKA GENERAL PLAN WITH REGARDS TO WOODLEY ISLAND.

CEO reported the options for additional uses of Woodley Island were stimulated from recent RV Park discussions; there are currently three choices: do nothing; a text amendment with a cost of about \$35,000 and a two or three year process; or through the City's General Plan Update with a cost of about \$20,000 and a three to five year process.

Commissioner Wilson stated he believes Option Three will be less expensive than \$20,000; asked Susan Penn about proposed text amendments regarding conditional uses of Woodley Island such as RV park, fuel dock, and direct sale of fish to the public. Commissioner Wilson reported in Option One the District is to do nothing and let the City take the lead; in Option Two, the District is the driving force;

in Option Three, the project goes to the City. Commissioner Wilson said what is decided tonight will direct Staff how to proceed regarding Woodley Island.

Ken Bates reported in Option One, the District presents the existing text and zoning to the City and lets them see if they want to change it; it would be the District advocating for public use of Woodley Island, such as it is now; in Option Two, there would be changes to the zoning and text on a parcel. Mr. Bates stated the District would put together a proposal, fill out and application and pay a fee; City staff would delegate tasks for the District to complete and the EIR would begin, which is expensive but allows faster progress if there are no problems; in Option Three, there is dialogue with the City Council and planning staff as they go through their General Plan Update, where anyone can input; District will spend far less money and the result will depend on the City.

Commissioner Wilson said Option Three has more public input and takes into account all other public planning; the District would still have to go through Option Two.

Bill McBroome reported he has brought up the idea of a J-dock, but he has never heard anyone speak of it; would bring in \$50,000 - \$70,000 more per year.

Kevin Pinto said this proposed project would bring a big change, which most people in the area are opposed to and he chooses Option One.

Troy Nicolini reported he likes Option Three: discontinue the idea of the RV Park but keep the ideas of the fuel dock and selling fish; has not heard anyone who thought the RV Park was a good idea.

Susan Penn said she is glad Option Three will not cost \$20,000 and chooses it even though she does not want the RV park; that way, the City can say whether it happens or not.

Rick Gustafson sent an email to the Commissioners and spoke with Commissioner Wilson today; likes Option Three.

David Helliwell reported he does not know why the RV Park is still being discussed; stated there was no support at the last meeting and now it turns up again.

Linda McMaster, Woodley Island Marina tenant, stated she votes for Option One.

Gary Mooslin, Woodley Island Marina tenant, said he votes for Option One and does not wish to have gates on the Island.

Vivian Helliwell, Woodley Island Marina tenant, reported she does not understand Options Two and Three and is not in favor of an RV park on Woodley Island; stated the District should use other of their properties to make money, but leans towards Option One.

Commissioner Higgins stated the District is looking at many options and making efforts to move forward economically; said some tenants consider an RV park to their benefit due to the District trying to utilize assets instead of just increasing slip fees to increase revenue.

Commissioner Marks said he leans towards Option Three.

Commissioner Wilson reported he has similar thoughts to Susan Penn; likes Option Three because the City is going to make the decision in the long run.

Commissioner Dale stated he likes Option Three due to public input; said the budget needs revenue development and this is just one of the ideas that is worth evaluating.

Minutes (Subject to Approval)
Regular Meeting of the Board of Commissioners
Humboldt Bay Harbor, Recreation and Conservation District
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Commissioner Wilson reported he wants the dialogue with the City to be collaborative and Option Three asks the City how this project fits into the General Plan Update.

COMMISSIONER DALE MOVED TO PROCEED WITH OPTION THREE. COMMISSIONER HIGGINS SECONDED.

Commissioner Wilson said he encourages the public to make their comments to the City about the waterfront as a whole picture, not just this project.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 9:08 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Kim Farrell
Clerk

**MINUTES (Subject to Approval)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

April 25, 2013

PRESENT

Commissioner Newman
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

ABSENT

Commissioner Dale

President Wilson called the Executive Closed Session to order at 6:00 p.m.

President Wilson adjourned the Executive Closed Session at 7:00 p.m.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:03 p.m.

President Wilson asked Monte Provolt to lead those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations ; Conference with Labor Negotiator – no action to report.

PUBLIC COMMENT

Pete Oringer thanked the District for participating at the Timber Heritage fundraiser.

CONSENT CALENDAR

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE CONSENT CALENDAR.
COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Flew with Bar Pilot Tim Petrusha and a consultant with BST Associates to look at the different railroad routes for the pre-feasibility study; the terrain is beautiful and was a great exercise in getting to know the land layout. Stated layout designs should be available in about 30 days.
- ❖ Has been working hard on the Budget.
- ❖ Reported wifi is running for the Marina with free usage at this time.
- ❖ Said he and Commissioner Wilson are one session away from graduating Leadership Training.

STAFF REPORTS

Director of Conservation

- ❖ Attended a Sea Level Rise Working Group meeting.
- ❖ Stated CalTrans has recently received additional funding for climate change impacts.
- ❖ Reported the Surfrider Foundation has been renewing its efforts to clean up Samoa and Manila beach dumping; focusing on education and public awareness.
- ❖ Said HASA has an upcoming public meeting regarding the Artificial Reef project; hired a local planner to help them with permitting challenges.

- ❖ Will be meeting with the Wiyot Tribal Council due to some of the aquaculture permitting sites being in the immediate vicinity of Indian Island.

Director of Facility Maintenance

- ❖ Will be installing the first shipment of power pedestals on the docks at Woodley Island Marina.
- ❖ Has been working on summer maintenance.
- ❖ Is going to Shelter Cove on Monday to take care of the fish cleaning station pipe extension in preparation for a busy fishing season.

Bar Pilot Tim Petrusha

- ❖ Stated the dredge Essayons will be dredging in the Bay for a few weeks
- ❖ Assisted in hauling the boat that was stuck in the mud in North Bay, which is now at Woodley Island.

DISTRICT COUNSEL REPORT

- ❖ No report.

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Wilson

- ❖ Would like to see a tour arranged for the public to experience being on the dredge Essayons.
- ❖ Reported District Staff has been working on solutions regarding the challenges with fish carcasses and pelicans in Shelter Cove.
- ❖ Said his interview with KEET TV aired last night.
- ❖ Stated there were beach cleanup efforts on Earth Day.
- ❖ Attended a Coastal Nature Center party.
- ❖ Reported HSU students will be presenting their ideas for Fields Landing at an upcoming meeting.
- ❖ Said he and Commissioner Marks will be working with the Humboldt Harbor Working Group on a draft Resolution for possible Board adoption.
- ❖ Attended a Working Waterfronts Symposium; saw a representative from the North Coast Journal in attendance and commends them for being there.

Commissioner Marks

- ❖ Has been working with the Budget Committee.
- ❖ Attended a Humboldt Harbor Working Group meeting, where Casey Allen made a presentation on the Artificial Reef project.
- ❖ Attended a Timber Heritage Association event.

Commissioner Higgins

- ❖ Attended a Timber Heritage Association event.
- ❖ Met with Bill Burgel from BST Associates regarding the railroad; said his knowledge was impressive and he is looking forward to the report.
- ❖ Has been working with Susan Penn regarding wildlife enhancement; said the current wildlife area on Woodley Island is not at full potential.
- ❖ Is happy that Halibut season will begin soon; stated HASA and Sea Grant are funding a graduate student to gather data regarding recreational Halibut fishing.
- ❖ Would like to reconvene the Economic Development Committee.
- ❖

NON AGENDA: None

UNFINISHED BUSINESS

A. CONSIDERATION OF 2013 PERMIT FEES TO OPERATE A CHARTER SERVICE AT WOODLEY ISLAND MARINA.

CEO stated this is the third time this Item has been on the Agenda for discussion; asked other marinas what they charged charter boats. CEO recommended a \$500.00 annual fee.

Tim Klassen of Reel Steel Sportfishing made many points regarding the fee proposal: said Sonoma's average income is about 50 percent more than Humboldt County's and they have a longer fishing season; Charleston Marina has a longer fishing season and bigger charter boats that fit 20 or 25 people. Mr. Klassen stated he empathizes with the District's difficult financial decisions, but pointed out that \$500 per year is over 300 percent the current charge; reported the charter boat operators are trying to keep costs down to keep the boats as accessible to the public as possible. Mr. Klassen said if there must be an increase, \$250 seemed more feasible.

Monte Provolt stated his hope is that the Board will consider assisting small businesses such as the charter operators and not increasing their fees; they bring in business and it is a well-received service.

Gary Blasi of Full Throttle Sportfishing reported he agreed with Mr. Klassen; boats spend more in advertising due to the area not getting the tourist volumes other areas might.

Pete Oringer said Humboldt County is not the size of Los Angeles and the District's rates should not be based on an area that large; the charter boat operators bring other business to this area.

Matt Dallam of Northwind Charters stated with the economy being down, the charter boat operators must keep their fees as low as they can to generate revenue. Mr. Dallam reported they cannot afford to increase their rates, so an increase in fees means less income for them; many people that used to go to Alaska cannot do so at this time so they come here to fish. Mr. Dallam said the reason he is moored at Woodley Island is due to Trinidad harbor getting too expensive; commercial fishermen are making more than the charter boat operators. Mr. Dallam stated the charter boats bring business to the Ship Shop and the Café Marina; if they cannot make their rent, it will hurt the District financially.

COMMISSIONER MARKS MOVED TO INCREASE THE CHARTER BOAT FEES TO \$250.00 PER YEAR. COMMISSIONER HIGGINS SECONDED.

Commissioner Higgins asked about raising the rate to certain percentage of sales.

Commissioner Newman reported he agreed that fishing opportunities are more limited due to Humboldt County being within the Klamath Management Zone; considers \$250 to be a good compromise.

Bill McBroome, Woodley Island Marina tenant, said he thought incremental increases would be better for charter boat operators than big increases.

Commissioner Wilson asked how long the current fee had been the going rate.

CEO stated it had been \$25 for close to 20 years.

Commissioner Higgins reported if Halibut fishing were still open next year, it should bring in increased revenue for the charter boat operators; since the charter boat fee has not been raised in so long, recommends a higher rate.

Commissioner Wilson stated the Marina runs at a yearly loss that is currently subsidized by Humboldt County taxpayers, the District has a responsibility to be fiscally responsible.

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH TONY SEPULVEDA DBA *SHELLBACK SPORT FISHING*.

CEO said he would fill in the correct amount agreed on by the Commission tonight.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH TONY SEPULVEDA DBA *SHELLBACK SPORT FISHING*. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

B. CONSIDERATION OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH GARY BLASI DBA *FULL THROTTLE SPORTFISHING*.

COMMISSIONER MARKS MOVED FOR APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH GARY BLASI DBA *FULL THROTTLE SPORTFISHING*. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

C. CONSIDERATION OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH MATT DALLAM DBA *NORTHWIND CHARTERS*.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH MATT DALLAM DBA *NORTHWIND CHARTERS*. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

D. CONSIDERATION OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH TIM KLASSEN AND SHERRY KLASSEN DBA *REEL STEEL SPORTFISHING*.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH TIM KLASSEN AND SHERRY KLASSEN DBA *REEL STEEL SPORTFISHING*. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT..

E. CONSIDERATION OF APPROVAL OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND TO COMMERCIAL FISHERMEN'S WIVES OF HUMBOLDT TO HOLD A MEMORIAL SERVICE ON MAY 27, 2013 AT 9:30 A.M.

COMMISSIONER MARKS MOVED FOR APPROVAL OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND TO COMMERCIAL FISHERMEN'S WIVES OF HUMBOLDT TO HOLD A MEMORIAL SERVICE ON MAY 27, 2013 AT 9:30 A.M. COMMISSIONER NEWMAN SECONDED.

CEO reported this is an annual event.

MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

F. CONSIDERATION OF EXTENSION OF PERMIT 2007-01 TO THE CITY OF ARCATA FOR THE MCDANIEL SLOUGH WETLAND ENHANCEMENT PROJECT.

COMMISSIONER MARKS MOVED FOR APPROVAL OF EXTENSION OF PERMIT 2007-01 TO THE CITY OF ARCATA FOR THE MCDANIEL SLOUGH WETLAND ENHANCEMENT PROJECT. COMMISSIONER HIGGINS SECONDED.

Commissioner Wilson stated there is a good explanation of the reason of the request in the letter asking for the extension.

MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

G. CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING TO BECOME A MEMBER OF THE UPSTATE RAILCONNECT COMMITTEE.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF A MEMORANDUM OF UNDERSTANDING TO BECOME A MEMBER OF THE UPSTATE RAILCONNECT COMMITTEE. COMMISSIONER MARKS SECONDED.

Commissioner Wilson said the District would like to be updated on the conversations taking place on this topic.

Commissioner Higgins requested he not be assigned to the Committee.

MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

H. CONSIDERATION OF AMENDMENT 2013-01 TO COAST SEAFOODS' USE PERMIT 04-03.

Director of Conservation reported Coast Seafoods has requested an amendment to their original Permit to change the method of harvesting with baskets; seems to have less environmental effect due to less shading.

CEO stated there should be more production and lower cost.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF AMENDMENT 2013-01 TO COAST SEAFOODS' USE PERMIT 04-03. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

I. CONSIDERATION OF ADOPTION OF RESOLUTION 2013-04, WHICH ESTABLISHES FINDINGS REGARDING THE FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT FOR THE HUMBOLDT BAY REGIONAL *SPARTINA* ERADICATION PLAN (FEIR, EXHIBIT B), AND THE ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM (INCLUDED AS PART OF EXHIBIT B).

COMMISSIONER HIGGINS MOVED FOR ADOPTION OF RESOLUTION 2013-04, WHICH ESTABLISHES FINDINGS REGARDING THE FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT FOR THE HUMBOLDT BAY REGIONAL *SPARTINA* ERADICATION PLAN (FEIR, EXHIBIT B), AND THE ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM (INCLUDED AS PART OF EXHIBIT B). COMMISSIONER MARKS SECONDED.

Joel Gerwein of the State Coastal Conservancy said he thanked the District for taking on such a significant role with the *Spartina* project; the FEIR prefers all methods to herbicide.

Bill McBroome asked how long the project had been going.

Mr. Gerwein stated on the Refuge different methods of *Spartina* eradication were started in 2006.

Commissioner Wilson reported there were people commenting on the use of herbicides for control, but the changes that were made to the FEIR seemed to satisfy most of them.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER NEWMAN – AYE
COMMISSIONER DALE – ABSENT
COMMISSIONER WILSON – AYE
COMMISSIONER MARKS – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

J. CONSIDERATION OF ADOPTING THE HUMBOLDT BAY REGIONAL INVASIVE *SPARTINA* ERADICATION PLAN (EXHIBIT C), WITH FEIR MITIGATION MEASURES FULLY INCORPORATED, AND ACCEPTING THE HARBOR DISTRICT'S "COORDINATOR" ROLE AS OUTLINED IN THE PLAN.

COMMISSIONER MARKS MOVED FOR ADOPTING THE HUMBOLDT BAY REGIONAL INVASIVE *SPARTINA* ERADICATION PLAN (EXHIBIT C), WITH FEIR MITIGATION MEASURES FULLY INCORPORATED, AND ACCEPTING THE HARBOR DISTRICT'S "COORDINATOR" ROLE AS OUTLINED IN THE PLAN. COMMISSIONER HIGGINS SECONDED.

Director of Conservation said the District is the primary applicant for the project's grants, coordinating permits; there will need to be more permits applied for, such as from the Coastal Commission. Mr. Berman stated the work being done will need to proceed on the Refuge for the time being due to Permits already being in place; additional permitting may require significant Staff time and may need a Project Manager.

MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

K. CONSIDERATION OF AUTHORIZING ACCEPTANCE OF A \$500,000 GRANT FROM THE COASTAL CONSERVANCY FOR IMPLEMENTATION OF THE HUMBOLDT BAY REGIONAL INVASIVE *SPARTINA* ERADICATION PLAN.

COMMISSIONER MARKS MOVED FOR ACCEPTANCE OF A \$500,000 GRANT FROM THE COASTAL CONSERVANCY FOR THE IMPLEMENTATION OF THE HUMBOLDT BAY REGIONAL INVASIVE *SPARTINA* ERADICATION PLAN. COMMISSIONER NEWMAN SECONDED.

Commissioner Wilson thanked Mr. Gerwein for his role in this Project and for being at the meeting.

MOTION CARRIED WITHOUT DISSENT, COMMISSIONER DALE ABSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:18 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary

Kim Farrell
Clerk

11a

PERSONAL SERVICES CONTRACT

THIS AGREEMENT, MADE THIS 12th DAY OF September, 2013 by and between the Humboldt Bay Harbor, Recreation and Conservation District, a California public entity, P.O. Box 1030 Eureka, CA 95502-1030 hereinafter called the "**DISTRICT**" and James Lund, hereinafter called "**CONTRACTOR.**"

Consulting services will be provided by CONTRACTOR for pulp mill operations. By this agreement, CONTRACTOR and DISTRICT agree as follows:

TERM OF CONTRACT

CONTRACTOR is retained on a non-exclusive basis to render services commencing on Effective Date of Agreement. All work to be performed in accordance with this agreement shall be completed by the dates as set forth in Attachment A.

No work can be performed until the CONTRACTOR has received an executed copy of this Agreement.

INVOICES AND PAYMENT

DISTRICT will pay CONTRACTOR for the services hereunder a fee of \$60.00 per hour, on an "as needed" basis. The rate shall include Contractor's overhead for all necessary expenses in providing the work.

CONTRACTOR shall invoice DISTRICT on a monthly basis. Payment will be made to CONTRACTOR within 30 days of the invoice date for the approved invoice amount.

INDEPENDENT CONTRACTOR

It is understood that the services CONTRACTOR will perform hereunder will be in his professional capacity as an independent contractor; and that at no time shall CONTRACTOR be deemed an employee or agent of DISTRICT, nor shall he have the authority to obligate DISTRICT in any manner.

INDEMNIFICATION

CONTRACTOR shall be responsible for all injuries or deaths to persons and all damage to property of DISTRICT or others caused by or resulting from the negligence of CONTRACTOR during the progress of or connected with the services performed pursuant to this Agreement, and shall defend and hold harmless and indemnify DISTRICT and all its officers and employees of DISTRICT from all costs and payments for damages for injuries or deaths arising out of the negligence of CONTRACTOR if CONTRACTOR is otherwise a legal cause of the occurrence arising out of this Agreement.

CONTRACTOR AND DISTRICT shall defend and hold harmless and indemnify each other and all their officers and employees from all costs and payments for damages for injuries or deaths arising out of their respective negligence.

TAXES

CONTRACTOR assumes full and exclusive responsibility for the payment of all compensation and expenses of CONTRACTOR'S support staff employees, if any, and for all state and federal income tax, unemployment insurance, Social Security, disability insurance and other applicable withholdings, measured by the wages, salaries or other remuneration paid CONTRACTOR'S employees; and CONTRACTOR further agrees to comply with all rules and regulations applicable thereto.

PERFORMANCE AND ASSIGNMENT

The standard of care applicable to CONTRACTOR'S services will be the degree of skill and diligence normally employed by others performing the same or similar services.

CONTRACTOR shall not assign or subcontract any interest, obligation or duty in this Agreement without prior written approval of DISTRICT. This contract contemplates the unique skills and abilities of Contractor and may not be assigned.

INSURANCE

Consultant will file with the District before beginning professional services, certificates of insurance satisfactory to the District evidencing general liability coverage for bodily injury, personal injury and property damage; auto liability for bodily injury and property damage combined single limit; workers' compensation (statutory limits) and employer's liability (if applicable); requiring 30 days notice of cancellation to the District. Any insurance, self-insurance or other coverage maintained by the District shall not contribute to it. In the event that the Consultant employs other consultants (sub-consultants) as part of the work covered by this agreement, it shall be the Consultant's responsibility to require and confirm that each sub-consultant meets the minimum insurance requirements specified above.

Any and all deductible amounts are the responsibility of the CONTRACTOR.

TERMINATION

DISTRICT shall have the right, at any time, in its sole discretion and with or without cause, by ten (10) days written notice to CONTRACTOR, to cancel this Agreement. CONTRACTOR shall stop work immediately upon receipt of a notice of termination and promptly deliver to DISTRICT the results of work to date of termination.

CONTRACTOR shall have the right, at any time, in its sole discretion and with or without cause, by thirty (30) days written notice to DISTRICT, to cancel this Agreement. Upon termination CONTRACTOR will promptly deliver to DISTRICT the results of work to date of termination.

In either event, upon termination of this Agreement, DISTRICT will reimburse CONTRACTOR within thirty (30) days for the services which were performed prior to termination, based upon an invoice submitted to DISTRICT describing the services completed prior to termination and an itemization of time spent and expenditures incurred. Such sums shall in no event exceed the total amount described in this Agreement.

EXTENT OF AGREEMENT AND SEVERABILITY

This Agreement represents the entire agreement between DISTRICT AND CONTRACTOR and supersedes all prior negotiations, representations or agreements, either written or oral. In the event any provision of this Agreement shall be determined to be void or unenforceable by any court of competent jurisdiction, then such determination shall not affect any other provision of this Agreement and all such other provisions shall remain in full force and effect.

This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

PROJECT OFFICIALS

The Project Officials during the term of this agreement will be:

DISTRICT:

Jack Crider – Humboldt Bay Harbor District Chief Executive Officer
P O Box 1030
Eureka, CA 95502-1030
(707) 443-0801

CONTRACTOR:

James Lund
5338 Bay Point Court
Eureka, CA 95503
(707) 834-4066

IN WITNESS HEREOF, the parties hereto have executed this Agreement as of the day and year first stated above.

DISTRICT

CONTRACTOR

By: _____	By: _____
Name: <u>Jack Crider</u>	Name: <u>James Lund</u>
Title: <u>Chief Executive Officer</u>	Title: <u>Consultant</u>
Date: _____	Date: _____

11b

HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT

PERMIT AND AGREEMENT TO
OPERATE A BED AND BREAKFAST BUSINESS

Startare Drive
Woodley Island Marina
P.O. Box 1030
Eureka, CA 95501

PERMITTEE:
R. Charles (Doby) and Kim Class
dba *FIRST CLASS*
1578 10th Street
Arcata, CA 95521

This Permit and Agreement is executed in triplicate at Woodley Island Marina, Eureka, California, between HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, hereinafter referred to as "District", and **R. Charles (Doby) and Kim Class**, dba ***FIRST CLASS*** hereinafter referred to as "**R. Charles (Doby) and Kim Class.**"

WHEREAS, **R. Charles (Doby) and Kim Class** will be the Lessees of Slip Number 01, Float G, at the Woodley Island Marina for the sailing vessel *OBSESSION*, pursuant to a Berthing Permit and Rental Agreement for the Woodley Island Marina, a copy of which is attached hereto and incorporated by reference as Exhibit "A" hereto; and

WHEREAS, on or about August 08, 2012, **R. Charles (Doby) and Kim Class** made a written application to the District for a Permit from the District to operate the business ***FIRST CLASS*** on the sailing vessel *OBSESSION* moored at Slip Number 01 Float G at the Woodley Island Marina; and

WHEREAS, on or about August 14, 2013 **R. Charles (Doby) and Kim Class** made written application to renew the Permit to operate the business ***FIRST CLASS*** on a vessel moored at Slip Number 01, Float G at the Woodley Island Marina; and

WHEREAS, Ordinance Number 9, Section 6.78, subparagraph (a) of the District prohibits any commercial endeavor or charter service for hire without a special permit from the District.

AFTER REVIEW AND CONSIDERATION thereof by the Board of Commissioners of the District of the application of **R. Charles (Doby) and Kim Class**:

THE PARTIES, THEREFORE, AGREE AS FOLLOWS:

1. District shall permit **R. Charles (Doby) and Kim Class, FIRST CLASS**, to operate the business **FIRST CLASS** for the purpose of a Bed and Breakfast at the Woodley Island Marina. The Bed and Breakfast shall consist primarily of overnight accommodations and may include sailing excursions. Diving or diving instruction from or on said vessel shall not be allowed and shall be prohibited at all times at any locations within or without the boundaries of Woodley Island Marina while **R. Charles (Doby) and Kim Class** operates the business of a Bed and Breakfasts from the Woodley Island Marina.
2. The term of this Permit and Agreement shall be for one (1) year commencing October 01, 2013 and terminating on September 30, 2014. District or **R. Charles (Doby) and Kim Class** may terminate this Permit and Agreement by giving sixty (60) days written notice of termination to the other party. District may terminate this Permit and Agreement with **R. Charles (Doby) and Kim Class** with or without cause or reason by giving **R. Charles (Doby) and Kim Class** sixty (60) days written notice of termination and **R. Charles (Doby) and Kim Class** shall terminate their business, as defined in Paragraph 1, (60) days from the date of personal service of said written notice of termination or sixty (60) days from the date of deposit or the written notice of termination deposited, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail, and addressed to **R. Charles (Doby) and Kim Class, at 1578 10th Street, Arcata, CA 95521**.

- In the event **R. Charles (Doby) and Kim Class** are in default of any of the provisions of the Berthing Permit and Rental Agreement for the Woodley Island Marina, a copy of which is attached hereto as Exhibit "A", and **R. Charles (Doby) and Kim Class's** Berthing Permit is terminated pursuant to said Agreement, this Permit and Agreement to operate a *Bed and Breakfast* shall terminate forthwith on the date of termination of **R. Charles (Doby) and Kim Class's** Berthing Permit and Rental Agreement for the Woodley Island Marina without the requirement of the hereinabove set forth sixty (60) day notice of termination provisions.
3. In addition to the monthly rental payable by **R. Charles (Doby) Class and Kim Class** to the District pursuant to the Berthing Permit and Rental Agreement for the Woodley Island Marina, a copy of which is attached hereto as Exhibit "A", **R. Charles (Doby) and Kim Class** shall pay District the sum of Two hundred fifty dollars and no cents (\$250.00) per year, however all rates may be changed pursuant to paragraph 3 of the Berthing Permit and Rental Agreement for Woodley Island Marina which provides that the District may change or increase the rates by giving thirty (30) days notice.
 4. On or prior to the date of the Agreement, to wit: October 01, 2013, **R. Charles (Doby) and Kim Class** shall purchase and maintain throughout the term of the Permit and Agreement Commercial General Liability insurance covering **R. Charles (Doby) and Kim Class** pursuant to the terms of this Permit and Agreement. Said insurance policy of "protection and indemnity insurance" insuring **R. Charles (Doby) and Kim Class** from liability for bodily injury, death, or property damage as a result of their operation and shall name District as an additional insured and provide District, prior to October 01 each year, with a Certificate of Insurance stating the amount of the insurance and proof that the District is an additional named insured, and the agreement of said insurance company that District shall be notified forthwith of the event of non-payment of the premium or termination of said insurance

- policy. The amount of insurance shall be One Million Dollars and no cents (\$1,000,000.00) per occurrence. In the event said liability insurance policy referred to in the Paragraph 4 is cancelled or terminated, **R. Charles (Doby) and Kim Class** shall forthwith cease and stop their **FIRST CLASS** business at District's premises at the Woodley Island Marina and shall not resume operations until said liability insurance policy is fully reinstated and in full force and effect.
5. **R. Charles (Doby) and Kim Class** shall, prior to commencing operation of **FIRST CLASS**, obtain any and all necessary permits and licenses, if applicable, including but not limited to City of Eureka business license and United States Coast Guard vessel inspection. A United States Coast Guard inspection shall be conducted annually.
 6. **R. Charles (Doby) and Kim Class** agrees that neither the Humboldt Bay Harbor, Recreation and Conservation District, nor its Board of Commissioners, nor any Officer of the District shall be liable to any extent for the injury or damages to any person or property or for the death of any person arising out of or connected with **R. Charles (Doby) and Kim Class**, and **R. Charles (Doby) and Kim Class** shall indemnify and hold harmless District, its Commissioners, and Officers free and harmless from any liability for any such injury, death or damages. In addition, **R. Charles (Doby) and Kim Class** agrees to hold harmless, indemnify, and hold District non-responsible for any of **R. Charles (Doby) and Kim Class's** operations according to the provisions of paragraphs 11, 13, and 19 of the Berthing Permit and Rental Agreement for Woodley Island Marina, a copy of which is attached hereto as Exhibit "A" and incorporated by reference as though set forth in full.
 7. **R. Charles (Doby) and Kim Class** at all times shall comply and shall obtain compliance of Lessees' family, agents, employees, business visitors, and invitees of all laws, ordinances, rules and regulations, including Ordinance

No.9, the Woodley Island Marina Rules and Regulations, and those of local, state, and federal government.

8. **R. Charles (Doby) and Kim Class** at all times shall ensure that walkways and finger piers are not obstructed in any manner. No tires, ropes, canvas, or other material shall be nailed or attached to finger piers, docks, and piles without the written approval of the District. No person shall throw, discharge, or deposit from any vessel or from the shore or float or in any other manner, any waste, fish or shellfish parts into or upon the waters of the Woodley Island Marina or upon the banks, walls, sidewalks, or parking areas within the boundaries of the Woodley Island Marina. No person shall place or leave waste, dead animals, fish, shellfish, bait, or other putrefying matter on or along seawalls, harbor structures, floats, piers, sidewalks, or parking areas within the boundaries of the Woodley Island Marina. Vessel must be kept free of trash and waste product so as not to attract seagulls, sea lions, harbor seals, and other animals. All trash and waste product shall be properly disposed of each day.
9. **R. Charles (Doby) and Kim Class** may place a sign on the vessel the size of which must be approved by the District's Chief Executive Officer. **R. Charles (Doby) and Kim Class** may place a directional sign for incoming traffic onto Woodley Island Marina in an area approved by the Chief Executive Officer. Type and size of all signs are to be approved by the Chief Executive Officer of the District and, shall reasonably conform in size, shape, and colors of the signs heretofore existing on Woodley Island and the Woodley Island Marina.
10. This Permit and Agreement is not transferable or assignable by **R. Charles (Doby) and Kim Class** without approval in writing by the District. Any transfer of assignment or attempted transfer or assignment of this Permit by **R. Charles (Doby) and Kim Class** shall be null and void.

11. This Permit and Agreement is non-exclusive and District retains the right to enter into agreements with and grant permits to other persons or business for the same purposes as set forth in this Permit and Agreement.
12. The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, successors, and assigns of all of the parties hereto; and all of the parties hereto shall be jointly and severally liable hereunder.
13. Time is of the essence of this Permit and Agreement and of each and every covenant, term, and condition, and provision hereof.
14. **R. Charles (Doby) and Kim Class** is hereby notified by the District that this Permit and Agreement to Operate **FIRST CLASS** in conjunction with the Berthing Permit and Rental Agreement for a vessel at the Woodley Island Marina or property interests created herein, if any, may be subject to a possessory interest tax or property taxation if created pursuant to Sections 107 to 108 of the California Revenue and Taxation Code and that **R. Charles (Doby) and Kim Class** and/or the party in whom the possessory interest is vested may be subject to the payment of property taxes levied upon such interests. **R. Charles (Doby) and Kim Class** agrees and acknowledges that they have actual notice pursuant to Section 107.6 of the California Revenue and Taxation Code and that **R. Charles (Doby) and Kim Class** may be required to pay a possessory interest tax as a result of this Permit and Agreement to operate a Bed and Breakfast in conjunction with the Berthing Permit and Rental Agreement for the vessel for Woodley Island Marina. **R. Charles (Doby) and Kim Class** hereby acknowledge that they have actual knowledge of the existence of a possessory interest tax and have read the provision of Section 107 to 108 of the California Revenue and Taxation Code. **R. Charles (Doby) and Kim Class** agrees to and shall pay all possessory interest taxes levied by any governmental agency by reason

of this Permit and Agreement and their Berthing Permit and Rental Agreement for their vessel, for Woodley Island Marina.

EXECUTED on, September 12, 2013, by authority of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT.

**MIKE WILSON, President
Board of Commissioners
HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT**

R. Charles (Doby) and Kim Class, dba, *FIRST CLASS*, as Permittee in this Permit and Agreement hereby accepts and agrees to all terms and conditions herein above set forth.

Dated: _____, 2013

By _____
**R. Charles (Doby) Class, Owner
*FIRST CLASS***

Dated: _____, 2013

By _____
**Kim Class, Owner
*FIRST CLASS***

11c

Assessment of Cultured Shellfish Feeding Behavior and Water Column Characteristics to Inform Aquaculture Development in Humboldt Bay, California

Conceptual Proposal for the 2013 Saltonstall Kennedy Grant Opportunity

Aquaculture is an important part of Humboldt County's economy. In Humboldt Bay, Kumamoto oysters, Pacific oysters and Manila clams are currently cultured. The footprint of these shellfish culture activities totals approximately 300 acres and the industry supports approximately 60 jobs. As part of an overall effort to create jobs and improve local economic conditions, there are two public projects underway to expand local aquaculture activities. These projects involve 1) development of a marine research and innovation park that will include aquaculture, and 2) pre-permitting of new shellfish culture areas.

Marine Research and Innovation Park: The Humboldt Bay Harbor, Recreation and Conservation District (Harbor District) recently acquired a site on Humboldt Bay which is being converted from a non-operational pulp mill into a marine research and innovation park. Infrastructure at the site will be repurposed for aquaculture operations and it is envisioned that both commercial aquaculture and aquaculture research will be among the sites primary uses. Species cultured at the site may include shellfish, finfish and algae species as appropriate.

Humboldt Bay Mariculture Pre-Permitting Project: The Harbor District is currently pre-permitting subtidal and intertidal sites in Humboldt Bay for expansion of current shellfish culture activities. Once sites are permitted, they will be leased to private shellfish growers.

Additionally, there are several private shellfish culture projects proposed in Humboldt Bay. These projects include sub-tidal shellfish culture, a remote shellfish setting facility and potentially a shellfish hatchery.

Questions have been raised by state and federal agencies, as well as local stakeholders, about Humboldt Bay's capacity to support growth in the aquaculture industry. Our proposed project will address this by assessing the following research questions:

1) Shellfish Feeding Behavior and Suspended Particulate Matter. What is the effect of different levels and types of shellfish culture on suspended particulate matter (food) in Humboldt Bay?

2) Water Quality. Given variable water quality characteristics in different regions of Humboldt Bay, what types and levels of aquaculture will be sustainable?

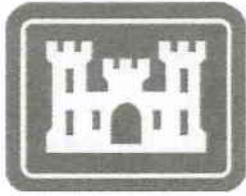
Shellfish Feeding Behavior and Suspended Particulate Matter: Current and proposed aquaculture, particularly shellfish culture, has an effect on the abundance and composition of suspended particulate matter (food) available to all organisms in the bay. To assess the potential effects of current and proposed aquaculture, and provide information regarding Humboldt Bay's ecological carrying capacity, we will:

- 1) Examine the characteristics of particulate matter (e.g., % organic content) and how these characteristics affect bivalve clearance, absorption and growth rates in different regions of the bay.
- 2) Determine how the percent of particulate organic components correlates with chlorophyll concentrations in different regions of the bay and how both correlate with shellfish growth.
- 3) Quantify the feeding behavior of currently cultured shellfish species at potential aquaculture locations in Humboldt Bay over the course of one year to better understand their effect on the ecosystem.

This information will allow for a spatially explicit understanding of Humboldt Bay's capacity to support different types and levels of aquaculture.

Water Quality: Good water quality is important for all types of aquaculture. Additionally, aquaculture can have effects on water quality. To assess appropriate types and levels of aquaculture we need to understand existing water quality characteristics and how they would be effected by aquaculture. We propose to monitor water quality (temperature, salinity, pH, chlorophyll fluorescence, dissolved oxygen and turbidity) in different regions of the bay, including at existing and potential aquaculture sites. Additionally, water quality data from the existing CeNCOOS array will be incorporated into our analysis. A monitoring site located immediately adjacent to the marine research and innovation park will be particularly useful for identifying the species that could be cultured at that site and potential water quality effects of discharge from that site. The water quality information we will collect and evaluate is particularly important in light of the potential effects of ongoing ocean acidification on cultured species.

Overall, the project will allow for a comprehensive assessment of water column characteristics (suspended particulate matter, water quality) and shellfish feeding behavior that will provide new information regarding the potential environmental effects and sustainability of emerging aquaculture activities in Humboldt Bay. The information gained should also prove useful for aquaculture planning efforts in similar bays.



**U.S. Army Corps of Engineers
San Francisco District
Regulatory Division
Eureka Field Office**

Interagency Meeting

Wednesday, Sept. 11, 2013

Woodley Island Marina

Humboldt Bay Harbor-Meeting Room
601 Startare Drive
Eureka CA 95502

Conference Call-in number available upon request

To Whom It May Concern:

The Corps is holding its monthly interagency meeting on Aug. 14, 2013 at 1:00pm. Enclosed is a description of the project(s) that will be reviewed. We invite a representative from your agency to attend so that they may hear project presentation(s) and offer feedback on the issues listed below or issues important to your agency.

Please indicate with an email or telephone call if a representative from your agency will attend.

The agenda is as follows:

1:00pm – 2:00pm

Project: Samoa Industrial Waterfront Preliminary Transportation Access Plan

Applicant/Consultant: Ryan Wells, AICP, Associate Planner – LACO Associates

Project Location: Samoa, Humboldt County, CA

Synopsis: Humboldt Bay Harbor, Recreation and Conservation District requested professional services from LACO Associates for preparation of the Samoa Industrial Waterfront Preliminary Transportation Access Plan. The Plan is a planning-level site reconnaissance, outreach, and report preparation effort to identify a Preferred Alternative Route for an enhanced commercial and industrial transportation route.

Questions and/or comments about the interagency meeting should be directed to Karen Jadro at 707-443-0855 or by email at karen.a.jadro@usace.army.mil or Laurie Monarres at 415-503-6774 or by email laurie.a.monarres@usace.army.mil.