

**MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

January 10, 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 7:04 p.m.

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

President Wilson asked Susan Penn to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT

Ken Bates of the Humboldt Fishermen's Marketing Association thanked Commissioner Wilson for talking to the Association today; he said if anyone took offense for the wording of the letter to the District from the Association, he apologized. Mr. Bates asked that those interested re-read the letter in a different light; he reported the Proposed Woodley Island RV Park has gotten the attention of the fishing fleet.

Susan Penn stated she has concerns with the new RV Park report recently received.

Commissioner Wilson said Mr. Bates and Ms. Penn are on the RV Park Subcommittee and asked that they make their concerns known there as well.

Commissioner Higgins reported the RV Park Subcommittee will meet next week.

Carol Krueger stated the District should initiate dialogue with other agencies to get their feedback; she said George Williamson of PlanWest Partners has not done that.

Randy Lowell, new State Aquaculture Coordinator for the California Department of Fish and Wildlife, introduced himself to the Board and said his involvement with aquaculture started 30 years ago. Mr. Lowell reported there are many exciting things happening in Humboldt Bay regarding aquaculture; he offered his assistance.

Commissioner Higgins stated he is glad the position has been filled; he said he knows a few other people that will be happy to hear the news.

CONSENT CALENDAR

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

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Gave tours of Freshwater Tissue Company property to Humboldt State University and aquaculture representatives.
- ❖ Took his first vacation in five years to Santa Fe.
- ❖ Made a presentation to Humboldt Bay Municipal Water District and said they are supporting the proposed purchase of the Freshwater Tissue Company property.
- ❖ Attended a dredging meeting; said the City of Eureka is about four years away from shoaling problems similar to the District's.
- ❖ Has a meeting with TJS next week to talk about tanker costs to Longview.
- ❖ Working on the Purchase Agreement and Phase 1 Study for the Freshwater Tissue Company property.
- ❖ Presented Marina costs figures to show the necessary rate increases for boat slips if the District does not find another source of revenue.

STAFF REPORT

Director of Conservation

- ❖ Has been working with the Coastal Conservancy to submit a grant application to CalTrans to assist with Spartina eradication.
- ❖ Reported the highest King Tides in 2012 were in December; stated Humboldt Baykeeper organized photo committees for the event.
- ❖ Said the Building 14 demolition is complete.
- ❖ Has been working on a Permit for levee repair near Liscom Slough; reported it will go out for public comment soon.
- ❖ Stated Pacific Gas and Electric has put out a report regarding the potential dredging of King Salmon Canal; they are accepting comments through the end of January. Mr. Berman said the King Salmon community has been very excited, even though the residents would have to contribute financially to the dredging of the finger channels.
- ❖ Reported the District has exchanged a series of letters with CalTrans asking them to review information regarding the billboards on District tidelands; said CalTrans responded to the first two letters asking the District to deal directly with the offending company. CalTrans is no longer responding to the District's requests.

Commissioner Wilson asked staff to set up a meeting with CalTrans representatives.

Ken Bates reported in the past two years, there were two storms with tides higher than the King Tides that came in January.

Bar Pilot Tim Petrusha

- ❖ Stated there is a Harbor Safety meeting next week.
- ❖ Said NOAA is in town to finish the PORTS system.
- ❖ Has been working with PG&E regarding Redwood Dock Berth 1 power and possible electricity for Berths 1 & 2.
- ❖ Has been working on Marina soundings and the dredge committee.
- ❖ Has done some ongoing training on the fire boat.
- ❖ Said a cruise ship is due in February.
- ❖ Has heard rumors about aggregate export from Humboldt Bay.
- ❖ Towed some derelict vessels from Woodley Island Marina to Fields Landing Boat Yard to make room for the expanding crab fleet.

DISTRICT COUNSEL REPORT: None

DISTRICT TREASURER REPORT

District Treasurer reported December is the month the District gets its first payment of property taxes.

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Newman

- ❖ Said commercial crab season should begin on January 15; the meetings for price negotiations have begun.

Commissioner Wilson

- ❖ Attended a dredge committee meeting last week.
- ❖ Attended the presentation the CEO made at the Humboldt Bay Municipal Water District (HBMWD) regarding the Freshwater Tissue Company purchase.
- ❖ Met with the railroad committee to review information received.
- ❖ Attended the Fishermen's Marketing Association meeting today to go over the intentions of the Board regarding the RV Park; It would be an additional source of revenue for the District and would serve to keep Marina rates stable. Said some businesses have had positive comments.

Commissioner Marks

- ❖ Attended the CEO's presentation at HBMWD regarding the Freshwater Tissue Company purchase; said this project will serve to increase jobs and help the local economy.
- ❖ Wishes the commercial crabbers well.

Commissioner Higgins

- ❖ Stated HSU is interested in the Freshwater Tissue Company project as well.
- ❖ Fished on the Reel Steel and caught ten crab; Captain Tim Klassen pointed out shoaling on the inside of the Humboldt Bay Bar. Reported the shoaling is good for surfers and bad for mariners.
- ❖ Said a North Coast Local Agency Coastal Coordination Committee meeting has been scheduled for January 24; a topic for discussion will be the MPA Monitoring Enterprise.
- ❖ Reported the District was scheduled for bankruptcy in 2014.

OTHER

- ❖ Presentation by Adam Wagschal, HT Harvey & Associates, on the *Spartina densiflora* management plan Programmatic Environmental Impact Report (PEIR).

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF RECEIVING AND FILING THE ANNUAL AUDIT FOR THE FISCAL YEAR ENDING JUNE 30, 2012.

Kim McReynolds of DeMello, McAuley, McReynolds and Holland LLP, said she has made the recommendation to the District for a few years to create an inventory control list; stated all reimbursements to employees should always have a receipt. Ms. McReynolds reported this year there were problems locating grant invoices and that filing should be more consistent. Ms. McReynolds said the District's cash is down \$700,000 from last year's figures.

COMMISSIONER MARKS MOVED FOR RECEIVING AND FILING THE ANNUAL AUDIT FOR THE FISCAL YEAR ENDING JUNE 30, 2012. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

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

COMMISSIONER MARKS MOVED FOR EXTENSION OF PERMIT NO. 11-01 TO TAYLOR MARICULTURE LLC FOR THE TAYLOR MARICULTURE BERTH 2 FACILITY. COMMISSIONER HIGGINS SECONDED.

Director of Conservation stated this Item is for a standard Permit extension; and due to delays, Taylor Mariculture is just getting started.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF RECEIVING HEADWATER FUNDS OF \$70,000.00 FOR THE HUMBOLDT AQUACULTURE INNOVATION CENTER GRANT.

COMMISSIONER MARKS MOVED FOR RECEIVING HEADWATER FUNDS OF \$70,000.00 FOR THE HUMBOLDT AQUACULTURE INNOVATION CENTER GRANT. COMMISSIONER HIGGINS SECONDED.

CEO reported Ted Kuiper and Erika Blackwell have been working very hard on the aquaculture innovation project; these funds will help secure additional staff to help with the project.

Erika Blackwell said she is very excited about the project and thinks the District is the best agency to accept the funds; stated she is thrilled about the pulp mill site.

Commissioner Wilson reported the timing is good on this project and that it does not only involve pilot projects, but includes a tenancy aspect. He said the consultants hired for the project have experience refurbishing a pulp mill.

Sid Berg of the Humboldt Building Trades Council stated he has questions about how the money is being applied and if jobs are being created.

CEO reported three consultants will be helping with the re-purposing of the pulp mill; it also helps Taylor Shellfish expand their operation. Mr. Crider asked Mitch White, Operations Manager of Taylor Mariculture LLC, to talk about the possibility of job creation.

Mitch White said this facility will open up the opportunity to expand operations; while the Berth 2 Taylor Mariculture operation has been designed to fit into the space they now occupy, the initial Permit included eight to ten jobs. Mr. White stated there are no exact numbers yet on how many jobs will be created if they are able to use warehousing.

Todd Van Herpe of Humboldt Bay Oyster reported he is happy about the expansion.

Ted Kuiper said after speaking with many people and consultants involved in the processes the District is interested in creating at Freshwater Tissue, the project has the possibility of creating many jobs.

Sid Berg asked if the facility would be compatible with future shipping requirements.

Commissioner Higgins stated it is a large facility and a dock could be efficient.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF AWARD OF CONTRACT AND APPROVAL OF POWER INSTALLATION AGREEMENT WITH ROBERT COLBURN ELECTRIC INC. FOR THE INSTALLATION OF POWER AT REDWOOD MARINE TERMINAL BERTH 1.

COMMISSIONER HIGGINS MOVED FOR AWARD OF CONTRACT AND APPROVAL OF POWER INSTALLATION AGREEMENT WITH ROBERT COLBURN ELECTRIC INC. FOR THE INSTALLATION OF POWER AT REDWOOD MARINE TERMINAL BERTH 1. COMMISSIONER NEWMAN SECONDED.

District Counsel reported he suggested a minor change to the motion to add incorporating a prevailing wage into the contract.

COMMISSIONER HIGGINS ACCEPTED THE FRIENDLY AMENDMENT. COMMISSIONER NEWMAN SECONDED.

Sid Berg asked if this project had gone out for public bid and said he must have missed it; Mr. Berg encouraged the prevailing contractor to hire local apprentices and said it is up to local agencies to enforce this.

Commissioner Wilson asked Mr. Berg to bring a copy of the desired language to Commissioner Marks to possibly be placed in future contracts; Commissioner Marks is the Union representative for the Commission.

MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF AWARD OF CONTRACT AND APPROVAL OF THE WOODLEY ISLAND MARINA POWER PEDESTAL PURCHASE AGREEMENT WITH DOCK BOXES UNLIMITED.

COMMISSIONER MARKS MOVED FOR AWARD OF CONTRACT AND APPROVAL OF THE WOODLEY ISLAND MARINA POWER PEDESTAL PURCHASE AGREEMENT WITH DOCK BOXES UNLIMITED. COMMISSIONER HIGGINS SECONDED.

Commissioner Higgins said the purchase of the power pedestals should lead to tenant's conservation of electricity.

MOTION CARRIED WITHOUT DISSENT.

F. CONSIDERATION OF ENTERING INTO AN AGREEMENT FOR SERVICES WITH THE COASTAL ECOSYSTEMS INSTITUTE OF NORTHERN CALIFORNIA TO SUPPORT DISTRICT ENGAGEMENT WITH THE HUMBOLDT BAY SEA LEVEL RISE ADAPTATION PLANNING PROJECT.

COMMISSIONER MARKS MOVED FOR ENTERING INTO AN AGREEMENT FOR SERVICES WITH THE COASTAL ECOSYSTEMS INSTITUTE OF NORTHERN CALIFORNIA TO SUPPORT DISTRICT ENGAGEMENT WITH THE HUMBOLDT BAY SEA LEVEL RISE ADAPTATION PLANNING PROJECT. COMMISSIONER MARKS SECONDED.

Director of Conservation stated the Coastal Conservancy awarded a grant to Coastal Ecosystems, a non-profit that began from the Humboldt Bay Initiative; the District will help coordinate multi-agency meetings with this project. Mr. Berman reported the District is receiving some funds from the grant to cover Staff time; Agenda Item G puts Trinity Associates as lead coordinator; and Agenda Item H is a Memorandum of Understanding with Humboldt County to help with planning.

Commissioner Higgins reported he is glad to see progress being made with such an important issue on the Coast.

G. CONSIDERATION OF APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH TRINITY ASSOCIATES TO ASSIST WITH THE HUMBOLDT BAY SEA LEVEL RISE ADAPTATION PLANNING PROJECT.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH TRINITY ASSOCIATES TO ASSIST WITH THE HUMBOLDT BAY SEA LEVEL RISE ADAPTATION PLANNING PROJECT. COMMISSIONER MARKS SECONDED.

Aldaron Laird said this project has been a team effort with Director of Conservation and Hank Seeman from the County of Humboldt. Mr. Laird stated he believes Humboldt Bay has developed more than any other area on the West Coast regarding Sea Level Rise.

MOTION CARRIED WITHOUT DISSENT.

H. CONSIDERATION OF APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH HUMBOLDT COUNTY TO SUPPORT COUNTY ENGAGEMENT WITH THE HUMBOLDT BAY SEA LEVEL RISE ADAPTATION PLANNING PROJECT.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH HUMBOLDT COUNTY TO SUPPORT COUNTY ENGAGEMENT WITH THE HUMBOLDT BAY SEA LEVEL RISE ADAPTATION PLANNING PROJECT. COMMISSIONER MARKS SECONDED.

Director of Conservation said he has not received the County's copy yet, and asked if the Motion could be framed to where minor changes can be made by District Staff.

COMMISSIONER HIGGINS ACCEPTED THE FRIENDLY AMENDMENT. COMMISSIONER MARKS SECONDED.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:47 P.M.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk