

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

DATE: November 8, 2012

TIME: 6:00 p.m. Executive Closed Session
7:00 p.m. Regular Session

PLACE: Woodley Island Marina Meeting Room

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 24 hours in advance of the meeting.

1. Call to Order at 6:00 p.m.

A. Move to Executive Closed Session pursuant to the provisions of the California Government Code Section 54956.8 (Conference with Real Property Negotiator)

1. Conference with Real Property Negotiator
Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Jack Crider, Chief Executive Officer

Under Negotiation:

- ❖ Samoa Access Plan road easement negotiations with Freshwater Tissue Company

2. Adjourn Executive Closed Session

3. Call to Order Regular Session at 7:00 P.M. and Roll Call

4. Pledge of Allegiance

5. Report on Executive Session

6. Public Comment

Note: This portion of the Agenda allows the public to speak to the Board on the various issues not itemized on this Agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.

7. Consent Calendar

Note: All matters listed under the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion. There will be no separate discussion of these items. If discussion is required, that item will be removed from the Consent Calendar and considered separately.

- a. Consideration of approval of minutes from the September 13, 2012 Board meeting.
- b. Consideration of approval of minutes from the October 11, 2012 Board meeting.

Revised Agenda for November 8, 2012 Regular Board Meeting

8. Communications and Reports

- a. Chief Executive Officers Report
- b. Staff Reports
- c. District Counsel's and District Treasurer's Reports
- d. Commissioner and Committee Reports
- e. Other

9. Non Agenda

10. Unfinished Business

11. New Business

- a. Consideration of application for Brownfields Grant with the potential expense not to exceed \$3,500.00.
- b. Consideration of extension of Permit No. 11-03 to Union Pacific Railroad for soil and sediment remediation activities at the former G&R Metals site.
- c. Consideration of approval of signing a joint letter with the North Coast Local Agency Coastal Coordination Committee regarding the Marine Protected Area Monitoring Enterprise North Coast Coordinated Proposal.

12. Administrative and Emergency Permits

13. Adjournment

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

November 8, 2012

PRESENT

Commissioner Newman
Commissioner Dale
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.

District Counsel reported out of the Executive Closed Session as follows: Samoa Access Plan road easement negotiations with Freshwater Tissue Company – no action to report. District Counsel stated Closed Session would likely resume after the Regular Meeting of the Board of Commissioners.

President Wilson asked Ted Kuiper to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT

John Finger, owner of Hog Island Oyster Company in Tomales Bay, California, introduced himself and his partner to the Board and expressed their interest in the aquaculture expansion project.

Susan Penn said she does not personally like the idea of locked dock gates and asked if CEO considered them necessary since currently there are security cameras pointed toward the docks; she asked Mr. Crider to consider the drawbacks of locked dock gates before moving forward with the project. CEO stated the District is still looking at the design of dock gates; and while Woodley Island Marina has had some security issues, there have not been many. Commissioner Wilson reported the project would be on the Agenda before action was taken.

Russell Miller, Woodley Island Marina tenant, suggested the District consider adding a fuel dock to increase revenue instead of an RV Park.

Skip McMaster, Woodley Island Marina tenant, agreed with Mr. Miller and stated he disagrees with putting an RV Park on Woodley Island. He reported he has been to Moss Landing where an RV park was built and there were multiple problems for the commercial fishermen, such as: insufficient parking, boat deck lights bothered the RV tenants, and the RV tenants complained about the boats, especially during crab season.

Chuck Ellsworth, Eureka resident, said he was concerned about inexperienced RV drivers navigating through the tunnel and encouraged the Board to consider putting an RV park in Fields Landing. Mr. Ellsworth stated the laundry and restroom facilities on Woodley Island are not adequate for the amount of additional people expected to visit the island.

Dave Bitts, Woodley Island Marina tenant, stated he was relaying comments for Maurice DeFreeze, who could not attend this meeting. Mr. Bitts said Mr. DeFreeze went to Fields Landing and encourages the Board to consider that site since there is power, easy access and a good view; Mr. Bitts stated he agrees with Mr. DeFreeze.

Mike Cunningham, Woodley Island Marina tenant said he opposes the RV park and suggested the District increase revenue by providing more crab-related storage or building a freezer facility for bait fish, possibly partnering with private enterprise. Mr. Cunningham said most crab fishermen store their gear at home or at

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some other local location; he stated storage for crab gear would be low maintenance with no power or plumbing needed and suggested increasing storage capability at Redwood Dock. Mr. Cunningham suggested a committee should be formed to review the RV Park Feasibility Study, such as was created for allowing a dog access area on Woodley Island. Commissioner Wilson said a committee had been formed that would be giving a report.

CONSENT CALENDAR

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

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Bar Pilot John Powell read a letter from Randy Gans at Security National thanking the District for using its newly acquired fireboat to help with the recent fire at Fairhaven.

Ken Bates stated he would like to take back his criticisms of the fireboat.

- ❖ Attended an NCRA meeting and participated on a conference call.
- ❖ Attended a retirement dinner for Supervisor Jimmy Smith.
- ❖ Made a presentation to Old Town Rotary.
- ❖ Toured a treed area with a potential buyer at Samoa Peninsula.
- ❖ Attended Woodley Island RV Park Feasibility meetings with Ken Bates and Fishermen's Marketing Association members.
- ❖ Had lunch with Security National representatives about Fairhaven Dock improvements, labor, and railroad improvements.
- ❖ Attended meetings regarding the following: Brownfields grant, eelgrass and aquaculture expansion, HSU Wave Energy, trucking and lumber with Green Diamond, cruise ship, Prosperity 2012, and road easements with Freshwater Tissue.
- ❖ Meeting with the owner of Mario's Marina tomorrow.

STAFF REPORT

Director of Conservation

- ❖ A Marine Debris Removal Grant application was submitted by the Wiyot Tribe.
- ❖ A Spartina grant extension through 2013 is being considered.
- ❖ The MPA Monitoring Enterprise has revised their schedule in response to concerns from North Coast residents.
- ❖ NCLACCC (North Coast Local Agency Coastal Coordination Committee) meeting will take place to coordinate partnerships and support for monitoring proposals.
- ❖ Shelter Cove residents wrote a letter to the State Water Quality Control Board regarding the need for the fish cleaning station.

Bar Pilot John Powell

- ❖ Recently finished Marina soundings; will convert data shortly.
- ❖ Attended a Green Diamond meeting and a cruise ship meeting.
- ❖ Reported two ships are scheduled to arrive in Humboldt Bay around November 20.
- ❖ Has been working on the 2013 Tide Book layout.

Director of Facility Maintenance

- ❖ Is now happily married.

DISTRICT COUNSEL REPORT: None

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Newman

- ❖ No report.

Commissioner Dale

- ❖ Toured the old sewer plant site in Fields Landing site with Susan Penn; while he does not think it is an appropriate RV Park site, he said it should be recorded in analysis.

Commissioner Wilson

- ❖ Has been tracking down information on gravel export from rail to barge in Humboldt Bay; NCRA stated it was not financially feasible a few years ago.
- ❖ Had a meeting with THA President Pete Johnson asking them to ascertain and list their assets,
- ❖ Stated the District's site in Fields Landing is currently zoned coastal dependent, which the State takes very seriously and it is extremely hard to get the zoning changed. Commissioner Wilson said this change would have to be part of the local coastal plan update, which would occur after the County's General Plan Update. He reported the process of the General Plan Update got delayed again this week and asked the community to request forward movement from their Supervisors.

Commissioner Marks

- ❖ Took a trip to Shelter Cove a few weeks ago and met with the Director for the State Water Quality Control Board on the status of the fish cleaning station.
- ❖ Said this is the last year of his first term and he would still like to see a pedestrian trail developed around Humboldt Bay.
- ❖ Had a meeting with Commissioner Wilson and CEO regarding interesting things on Samoa Peninsula.

Commissioner Higgins

- ❖ Stated he saw about 5,000 fish in the Eel River as Volunteer Coordinator for the Eel River Recovery Project.
- ❖ Said the RV Park comments are constructive.

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF APPLICATION FOR BROWNFIELDS GRANT WITH THE POTENTIAL EXPENSE NOT TO EXCEED \$3,500.00.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF APPLICATION FOR BROWNFIELDS GRANT WITH THE POTENTIAL EXPENSE NOT TO EXCEED \$3,500.00. COMMISSIONER DALE SECONDED.

CEO reported this project falls outside the scope of work for the Samoa Industrial Waterfront Transportation Access Plan; the District is attempting to get more contamination testing done in Samoa. CEO said the County of Humboldt has offered to do the grant writing and this amount is for LACO Associates to help them get this grant application completed.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF EXTENSION OF PERMIT NO. 11-03 TO UNION PACIFIC RAILROAD FOR SOIL AND SEDIMENT REMEDIATION ACTIVITIES AT THE FORMER G&R METALS SITE.

COMMISSIONER HIGGINS MOVED FOR EXTENSION OF PERMIT NO. 11-03 TO UNION PACIFIC RAILROAD FOR SOIL AND SEDIMENT REMEDIATION ACTIVITIES AT THE FORMER G&R METALS SITE. COMMISSIONER MARKS SECONDED.

Director of Conservation reported this project needs an extension due to permitting delays; he said the project uplands areas has been completed, but work can only be done in the summer months.

Susan Penn asked what the plans are for the site once it is clear. Director of Conservation stated he did not know, but it is his understanding that the City of Eureka wants to extend its waterfront trail.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPROVAL OF SIGNING A JOINT LETTER WITH THE NORTH COAST LOCAL AGENCY COASTAL COORDINATION COMMITTEE REGARDING THE MARINE PROTECTED AREA MONITORING ENTERPRISE NORTH COAST COORDINATED PROPOSAL.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF SIGNING A JOINT LETTER WITH THE NORTH COAST LOCAL AGENCY COASTAL COORDINATION COMMITTEE REGARDING THE MARINE PROTECTED AREA MONITORING ENTERPRISE NORTH COAST COORDINATED PROPOSAL. COMMISSIONER MARKS SECONDED.

Commissioner Higgins reported he wanted to see HSU take a co-lead for MLPA.

Commissioner Wilson said this letter is a draft and the letter is not slated to be approved as-is; he asked Commissioner Newman if the letter looked like it took a reasonable path.

Commissioner Newman stated he supports this as a draft.

Commissioner Wilson reported he would like to make a friendly amendment to approve this Item and give Commissioners Newman and Higgins and Director of Conservation authority to change the draft and send out the final letter.

COMMISSIONERS HIGGINS AND MARKS ACCEPTED THE FRIENDLY AMENDMENT.

MOTION CARRIED WITHOUT DISSENT.

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ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:15 P.M.

President Wilson called the Executive Closed Session to order at 8:20 P.M.

District Counsel reported out of the Executive Closed Session as follows: Samoa Access Plan road easement negotiations with Freshwater Tissue Company – no action to report.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk