

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

DATE: June 8, 2023

TIME: Closed Session – 5:00 P.M.
Regular Session – 6:00 P.M.

PLACE: Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501
Public Advisory: The Woodley Island Meeting Room is now open to the public.

How to Observe and Participate in the Meeting:

Observe: Members of the public can attend the meeting in person or observe the meeting on Zoom at the following link: <https://us02web.zoom.us/j/6917934402>

Meeting ID: 691 793 4402
One tap mobile
(669) 900-9128, 6917934402#

Public members observing on Zoom will not be able to participate or provide comment. Members of the public who may wish to provide public comment during the meeting must attend in person.

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 (707) 443-0801 at least 24 hours in advance of the meeting.

1. Call to Order Closed Session at 5:00 P.M.

2. Public Comment

Note: This portion of the Agenda allows the public to speak to the Board on the closed session items. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Closed Session Agenda. 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.

3. Move to Closed Session

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS.** Property: Humboldt County APN: 401-031-083-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz,

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District Counsel. Negotiating parties: Samoa Pacific Group, LLC. Under negotiation: price and terms of payment.

4. Call to Order Regular Session at 6:00 P.M. and Roll Call

5. Pledge of Allegiance

6. Report on Closed Session

7. 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.*

8. Consent Calendar

- a) Adopt Minutes for April 13, 2023 Regular Board Meeting
- b) Adopt Minutes for April 27, 2023 Special Board Meeting
- c) Adopt Minutes for May 11, 2023 Regular Board Meeting
- d) Receive District Financial Reports for April 2023
- e) Approve PO No 1963 to Anderson Trucking, LLC for Waste Haul Operations at Redwood Marine Terminal II
- f) Consider Accepting Application for Filing for Harbor District Permit No. 2023-02: Manila Community Services District - Flood Reduction and Drainage Enhancement Project
- g) Consider Accepting Application for Filing for Harbor District Permit 2023-03: Caltrans - Eureka Slough Bridges Geotechnical Investigation

9. Communications, Reports and Correspondence Received

- a) Correspondence Received – Celebration of Life for Roy Curless
- b) Executive Director’s Report
- c) Staff Reports
- d) District Counsel and District Treasurer Reports
- e) Commissioner and Committee Reports

10. Unfinished Business

a) Consider Adopting Resolution 2023-12: A Resolution Certifying an Environmental Impact Report (EIR) Previously Certified by the County of Humboldt, Adopting a Mitigation Monitoring and Reporting Program, and Making Findings Relative to and Approving Harbor District Permit 2023-12 with Conditions for the Humboldt Bay Master Water Intakes

Recommendation: Staff recommends that the Board receive a staff report, receive public comment, and adopt Harbor District Resolution No. 2023-12 which includes:

- Certifying an Environmental Impact Report (EIR) Previously Certified by the County of Humboldt
- Adopting the Mitigation Monitoring and Reporting Program
- Adopting Findings Relative to the Permit Application for the Humboldt Bay Master Water Intakes
- Approving Permit 2022-02 with conditions for the Humboldt Bay Master Water Intakes

Summary: The Humboldt Bay Harbor, Recreation, and Conservation District (District) proposes to modernize and operate two formerly used water intake systems in Humboldt Bay and install new pumps, piping, and meters to deliver bay water to existing and future District tenants. Improvement of the water intakes is part of a long-term District program to develop facilities for use by aquaculture and other sea-water-dependent tenants. The water intakes are located approximately one-half mile apart along the Samoa Channel at the Redwood Marine Terminal II (RMT II) Dock and Red Tank Dock (Figure 1). The proposed project includes bay water withdrawal and pumping to manifolds at specific upland points that will be connected to future permitted water users. The project also includes off-site habitat restoration to offset any reduction in the bay's biological productivity that will result from water withdrawal and entrainment of aquatic larvae. Habitat restoration work will include pile removal at the District's Kramer Dock property located in Fields Landing and will be phased in conjunction with the phasing of water withdrawal quantities. Impact mitigation includes habitat restoration associated with modeled impacts to longfin smelt.

11. New Business

a) Review of Preliminary Budget and Goals for Conservation Programs, Recreation Programs, and Tidelands

Recommendation: Staff recommends the Board: Review and provide direction regarding the Preliminary budget and goals for Conservation, Recreation and Tidelands.

Summary: The budget is prepared annually under the direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors no later than August 1st.

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- b) Consider Adopting Resolution 2023-10, A Resolution to Authorize the Execution of a Grant Agreement and Accept Funds from the California Department of Fish and Wildlife for Secretariat Services for the Harbor Safety Committee of the Humboldt Bay Area for Fiscal Year 2023-2024**

Recommendation: Staff recommends the Board: Adopt Resolution 2023-10.

Summary: The California Department of Fish and Wildlife (CDFW) Office of Spill Prevention and Response (OSPR) in compliance with the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990 established five regional Harbor Safety Committees (HSC) throughout California as described in California Government Code 8670.23. Each HSC is responsible for planning for the safe navigation and operation of tankers, barges, and other vessels within each of California’s major harbors and must produce an annual Harbor Safety Plan (HSP) encompassing all vessel traffic within the harbor. These functions are essential to the consistent achievement of maritime safety and the prevention of major marine oil pollution incidents.

- c) Consider Adopting Resolution 2023-11, A Resolution of the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District Accepting the Real Property in the County of Humboldt Designated as Assessor Parcel Number 401-031-083 and Authorizing the Executive Director and/or President of the Board of Commissioners to Fund and Close Escrow**

Recommendation: Staff recommends the Board: Adopt Resolution No. 2023-11 and accept Real Property in the County of Humboldt, designated as Assessor Parcel Number 401-031-083, and authorize the Executive Director and/or President of the Board of Commissioners to fund and close escrow.

Summary: By way of that certain Agreement for the Purchase and Sale of Real Property, Samoa Pacific Group, Owner, agreed to convey to the Humboldt Bay Harbor, Recreation, and Conservation District (“District”), as assignee to the Humboldt Bay Development Association, certain real property designated as Assessor Parcel Number 401-031-083, for the total purchase price of \$3,000,000.

12. Future Agenda Items

- a) Adopt Preliminary Budget

13. Adjournment