

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

DATE: December 10, 2020

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

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/3432860852>

Meeting ID: 343 286 0852
One tap mobile
(669) 900-9128, 343 286 0852# US

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. Swearing in Elected Commissioners for District 1, District 2 and District 5 pursuant to California Elections Code Section 10265

4. Move to Closed Session

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease and sublease of District's lease interest by District under lease between the District and Mario's Marina LLC dated April 1, 2016 for the real property commonly known as Mario's Marina in Shelter Cove (APN: 108-171-023-000), Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Mario's Marina and Shelter Cove Fisherman's Preservation, Inc. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Number 401-031-061 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director. Negotiating party: Pete Jackson, Green Diamond Resource Company. Under negotiation: price and payment terms.

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- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Number 401-112-021 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director. Negotiating party: Green Cloud Inc. Under negotiation: price and payment terms.

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

6. Pledge of Allegiance

7. Report on Closed Session

8. 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.*

9. Consent Calendar

- a) Adopt Minutes for November 12, 2020 Regular Board Meeting
- b) Adopt Minutes for November 19, 2020 Special Board Meeting
- c) Receive District Financial Reports for October 2020

10. Communications, Reports and Correspondence Received

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Correspondence Received

11. Unfinished Business

a) Introduce Amendment NO. 2 Ordinance NO. 7 An Ordinance Implementing Certain Portions of the Humboldt Bay Master Plan

Recommendation: Staff recommends that the Board: Introduce Amendment NO. 2 Ordinance NO. 7 An Ordinance Implementing Certain Portions of the Humboldt Bay Master Plan and consent to read by title only.

Summary: There are existing billboards that occur within tidal and submerged lands under the regulatory jurisdiction of the District. The Humboldt Bay Management Plan does not adequately define District policy regarding billboards. The Board directed Staff to draft amendments to the Humboldt Bay Master Plan to clarify the District's existing regulations prohibiting billboards from the tidal and submerged lands.

b) Consider approving the First Amendment to Limited Obligation Note and Loan Documents with Coast Seafoods

Recommendation: Staff recommends that the Board: Authorize the Executive Director to execute the First Amendment to Limited Obligation Note and Loan Documents with Coast Seafoods.

Summary: In 2014 the Harbor District borrowed up to \$1.25 million from Coast Seafood to remove hazardous material from the former Pulp Mill which is now owned by the Harbor District. The \$1.25 million was used to leverage over \$10 million of additional funds from the USEPA to clean up the property. The Harbor District has been making payments on this loan, and the proposed amendment outlines the terms whereas the Harbor District will pay off the loan in full by March 2023.

12. New Business

a) Extension of Permit No. 14-05 for Invasive Spartina Eradication and Native Salt Marsh Restoration

Recommendation: Staff recommends that the Board: Approve an extension of Permit 14-05 from December 18, 2020 to December 17, 2021 to allow for continuance of the Humboldt Bay spartina eradication program and authorize the Executive Director to review and approve future permit extensions.

Summary: In 2014, the District issued Permit 14-05 to itself for the removal of the non-native plant species *Spartina densiflora*. The permit requires an extension in order to be active from December 18, 2020 through December 17, 2021.

b) Award of Contract to Tenera Environmental Consulting to Develop an Impact Assessment Model for Bay Water Intakes Proposed by the District

Recommendation: Staff recommends that the Board: Award a contract to Tenera Environmental Consulting to develop an impact assessment model for bay water intakes proposed by the District for a cost not to exceed \$34,000.

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Summary: As part of permitting for water intakes that will be used by District tenants on the Samoa Peninsula, there is a need for a model of potential fish larvae impacts. The Commission will consider awarding a contract to Tenera Environmental Consulting to develop the model.

c) Receive a Report of the Historic Shipping Volumes from Humboldt Bay

Recommendation: Staff recommends that the Board: Receive a report from Staff.

Summary: Staff has collected a log of all the shipping from Humboldt Bay from 2000 to present. Staff will provide a summary report of the historic ship traffic and projections for future years. The ship tonnage is utilized to calculate the Harbor Usage Fees which are utilized to help pay off the debt incurred by the Harbor deepening project.

d) Review of the Report to the Legislature 2020 Regarding the “Assessment of the North Coast Railroad Authority and Viability of a Great Redwood Trail”

Recommendation: Staff recommends that the Board: Review the assessment and provide direction to staff as may be appropriate.

Summary: The North Coast Railroad Authority Closure and Transition to Trails Act was approved in September 2018. The Act directs the California State Transportation Agency, in consultation with the Natural Resources Agency, to “conduct an assessment of the North Coast Railroad Authority to provide information necessary to determine the most appropriate way to dissolve North Coast Railroad Authority and dispense with its assets and liabilities,” as well as “a preliminary assessment of the viability of constructing a trail on the entirety of, or a portion of, the property, rights-of-way, or easements owned by North Coast Railroad Authority, and recommendations relating to the possible construction of a trail.”

e) Consider Adopting Resolution 2020-17, A Resolution Authorizing Adoption of the Humboldt County Operational Area Hazard Mitigation Plan 2020 Update

Recommendation: Staff recommends that the Board: Approve Resolution 2020-17 to adopt the Humboldt County Operational Area Hazard Mitigation Plan 2020 Update.

Summary: The Harbor District partnered with the County of Humboldt, Cities, Towns, Tribes and other Special Districts to pool resources and create consistent mitigation strategies within the Humboldt County Operational Area. Adoption of the Humboldt County Operational Area Hazard Mitigation Plan 2020 Update affirms the Harbor District’s commitment to this effort and makes the Harbor District eligible for future hazard mitigation funding opportunities.

f) Review of Subcommittees

Recommendation: Staff recommends that the Board: Review the list of current subcommittees for accuracy and propose changes to current subcommittee members.

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Summary: Subcommittees are formed regularly throughout the year. Staff would like to review the active subcommittees annually to ensure they are still necessary and meeting, as well as giving members the opportunity to reevaluate their membership.

13. Future Agenda Items

- a) Suction Dredging (Long Fin Smelt Mitigation)
- b) Bar Pilot Recruitment
- c) Personnel Policy Revisions
- d) Brown Act Training

14. Adjournment