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

DATE:

January 9, 2014

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 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 Sections 54957.6 (Negotiations with Represented Employees), 54956.8 (Conference with Real Property Negotiator) and 54956.9 (Potential initiation of litigation).
 - Conference with Labor Negotiator
 <u>Agency Negotiators:</u> Chief Executive Officer, District Counsel, Two (2) or less of the members of the Board of Commissioners
 <u>Employee Organization:</u> As recognized by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District, including International Longshore and Warehouse Union, Local 14A.
 - Conference with Real Property Negotiator
 <u>Agency Negotiatiors</u>: Mike Wilson, Board President; Chief Executive Officer; District Counsel
 Under Negotiation:
 Potential terms for District property acquisition from Pacific Gas & Electric Company
 - Conference Regarding Potential Initiation of Litigation
 One potential case concerning enforcement of District's rights against a leasehold tenant
- 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.

Agenda for January 9, 2014 Regular Board Meeting

7. Consent Calendar: None

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.

8. Communications and Reports

- a. Chief Executive Officers Report
 - Redwood Terminal 2 (Freshwater pulp mill site) Cleanup Update
- b. Staff Reports
- c. District Counsel's Report
- d. District Treasurer's and District Planner's Reports
- e. Commissioner and Committee Reports
- f. Other

9. Non Agenda

10. Unfinished Business

11. New Business

- a. Consideration of adoption of Resolution 2014-01, a Resolution of the Humboldt Bay Harbor, Recreation and Conservation District Authorizing the Adoption of the Humboldt Operational Area Hazards Mitigation Plan.
- b. Consideration of approval of Amendment No. 3 to the Humboldt Bay Harbor, Recreation and Conservation District Professional Services Agreement with Planwest Partners, Inc. for Samoa Industrial Waterfront Transportation Access Plan.
- c. Consideration of award of contract for the Chemical Recovery Boiler and Turbine Generator at Redwood Terminal 2.
- d. Consideration of approval of contract with Leroy Zerlang to lease a portion of the Fields Landing Boat Yard for marine services.
- e. Consideration of contract for Spartina densiflora Eradication Project Coordinator.
- f. Consideration of approval of Draft Analysis of Brownfield Cleanup Alternatives and Draft EPA Grant Application.

12. Administrative and Emergency Permits

13. Adjournment

HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

Resolution 2014-01

A RESOLUTION OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT AUTHORIZING THE ADOPTION OF THE HUMBOLDT OPERATIONAL AREA HAZARDS MITIGATION PLAN

WHEREAS, all of Humboldt County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Humboldt County, Cities and Special Purpose Districts with like planning objectives has been formed to pool resources and create consistent mitigation strategies within the Humboldt Operational Area; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Humboldt Bay Harbor, Recreation and Conservation District:

Adopts in its entirety, Volume I and Part 1, the Humboldt Bay Harbor, Recreation and Conservation District jurisdictional annex of Part 5 for other Special Districts and the Appendices of Volume II of the Humboldt Operational Area Hazard Mitigation Plan (Hazard Plan).

- 1.) Will use the adopted and approved portions of the Hazard Plan to guide pre and post disaster mitigation of the hazards identified.
- 2.) Will coordinate the strategies identified in the Hazard Plan with other planning programs and mechanisms under its jurisdictional authority.
- 3.) Will continue its support of the Steering Committee and continue to participate in the Coalition Partnership as described by the Hazard Plan.

 Will help to promote and support the mitigation successes of all Hazard Plan Coalition Partners.
PASSED AND ADOPTED on this 9th day of January, 2014, by the following vote:
AYES:
NOES:
ABSENT:
ABSTAIN:
MIKE WILSON, Board President
ATTEST: PATRICK HIGGINS, Board Secretary

CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. 2014-01 entitled,

A RESOLUTION OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT AUTHORIZING THE ADOPTION OF THE HUMBOLDT OPERATIONAL AREA HAZARDS MITIGATION PLAN

as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the day of 9th day of January 2014; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of January 2014.

PATRICK HIGGINS, Secretary Board of Commissioners

complete document 1+p://co.humbold+,ca.us/natural-resources/hazard mitigation,

EXECUTIVE SUMMARY

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EXECUTIVE SUMMARY

The Disaster Mitigation Act (DMA) is federal legislation that requires proactive, pre-disaster planning as a prerequisite for some funding available under the Robert T. Stafford Act. The DMA encourages state and local authorities to work together on pre-disaster planning. The enhanced planning network called for by the DMA helps local governments' articulate accurate needs for mitigation, resulting in faster allocation of funding and more cost-effective risk reduction projects.

Hazard mitigation is the use of long- and short-term strategies to reduce or alleviate the loss of life, personal injury, and property damage that can result from a disaster. It involves strategies such as planning, policy changes, programs, projects, and other activities that can mitigate the impacts of hazards. It is impossible to predict exactly when and where disasters will occur or the extent to which they will impact an area, but with careful planning and collaboration among public agencies, stakeholders and citizens, it is possible to minimize losses that disasters can cause. The responsibility for hazard mitigation lies with many, including private property owners; business and industry; and local, state and federal government.

Humboldt County and a partnership of local governments within the County have developed and maintained a hazard mitigation plan to reduce risks from natural disasters and to comply with the DMA. This plan will act, and has acted, as the key to funding under FEMA hazard mitigation grant programs.

PLAN UPDATE

Federal regulations require monitoring, evaluation and updating of hazard mitigation plans. An update provides an opportunity to reevaluate recommendations, monitor the impacts of actions that have been accomplished, and determine if there is a need to change the focus of mitigation strategies. A jurisdiction covered by a plan that has expired is no longer in compliance with the DMA.

The initial Humboldt County Operational Area Hazard Mitigation Plan was approved by the Federal Emergency Management Agency (FEMA) on January 25, 2008. Since then, the partnership has completed or initiated ongoing action on over 68 percent of the 272 initiatives identified in the initial plan. A comprehensive progress report of the initial plan was prepared as part of the update effort and is included in appendix D of volume 1 of this plan. Highlights of the mitigation success stories from the initial plan include the following:

- Increased participation in the National Fire Protection Association's Firewise program. Six communities in Humboldt County have successfully achieved and maintained Firewise recognition: Bridgeville, Honeydew, Orleans, Petrolia, Upper Jacoby Creek, and Willow Creek.
- Humboldt County has received \$495,000 in grant funds from the U.S. Forest Service to support the Fire-Adapted Landscapes and Safe Homes (FLASH) program. The program encourages property owners to mitigate wildfire hazards through vegetation management by awarding a rebate for the creation of defensible space around homes and strategic fuel breaks along escape routes and high-risk areas.
- The continuation of on-going earthquake and tsunami hazard mitigation programs through The Redwood Coast Tsunami Work Group (RCTWG).
- In response to significant earthquake hazards, many jurisdictions in Humboldt County have taken action in the past five years to mitigate their risk of damage. Ten jurisdictions have

taken steps toward seismic retrofitting critical facilities, such as water storage areas, fire stations, emergency operation centers, and wastewater treatment facilities.

- A Type 2 urban search and rescue (USAR) team has been established within the Humboldt Operational Area after years of planning, supported by significant training efforts, grant funding, and the placement locally of a California Emergency Management Agency (CalEMA) medium-cache USAR trailer. This is an important capacity for this earthquake-prone area that has the potential for being cut off from larger population centers after a large event. Citizens will need to depend on their own resources, and post-earthquake search and rescue in urban areas will be very important.
- The Humboldt Bay Municipal Water District (HBMWD) was successful in obtaining one Hazard Mitigation Grant and is in the process of finalizing the National Environmental Protection Act analysis for a second Hazard Mitigation Grant. Funding in the amount of \$2.85 million was obtained to replace approximately 10,000 feet of HBMWD's 18-inch Techite pipeline from the Terminal Reservoir on Samoa to the Humboldt Bay Crossing, just before the pipe goes under the bay to the Humboldt Community Services District's (HCSD) Truesdale Pump Station.
- The City of Fortuna is in the process of finalizing paperwork for a \$453,000 Hazard Mitigation Grant for the City's Wastewater Treatment Plant Flood Protection Project.
- Humboldt County completed a streambank stabilization project in 2008 along the right bank
 of the lower Mad River west of McKinleyville with funding from the USDA Natural
 Resources Conservation Service, the Governor's Office of Emergency Services, and adjacent
 landowners.
- Humboldt County completed a bluff stabilization project in 2012 near the end of one of the
 primary runways at the Arcata-Eureka Airport to remediate cumulative losses of the runway
 safety area due to erosion and landsliding. Work included mechanically stabilized earth walls
 up to 70 feet high.

Updating the plan consisted of the following phases:

• Phase 1, Organize and Review—A planning team was assembled to provide technical support for the plan update, consisting of key County staff from the Department of Public Works and a technical consultant. The first step in developing the plan update was to reorganize the planning partnership. The initial planning effort covered 26 local governments. This partnership was increased to 34 for the update as shown in tables ES-1 and ES-2.

A 14-member steering committee was assembled to oversee plan update, consisting of planning partner staff, citizens, and other stakeholders in the planning area. Coordination with other county, state and federal agencies involved in hazard mitigation occurred throughout the plan update process. This phase included a comprehensive review of the existing plan, the California State Hazard Mitigation Plan, and existing programs that may support or enhance hazard mitigation actions.

	MUNICIPA	TABLE ES-1. AL PLANNING PARTN	IERS	
Humboldt County	Arcata	Blue Lake	Eureka	
Ferndale	Fortuna	Rio Del	Trinidad	

TABLE ES-2. SPECIAL-PURPOSE DISTRICT PARTNERS

Humboldt Community Service District Loleta Fire Protection District Manila Community Service District Petrolia Fire Protection District McKinleyville Community Service District Rio Dell Fire Protection District Samoa Peninsula Fire Protection District Orick Community Service District Redway Community Service District Willow Creek Fire Protection District Weott Community Service District County Service Area #4 Westhaven Community Service District Garberville Sanitary District Willow Creek Community Service District Humboldt Bay Harbor, Recreation and Conservation District Arcata Fire Protection District Humboldt Bay Municipal Water District Briceland Fire Protection District Reclamation District #768 Fortuna Fire Protection District Shelter Cove Resort Improvement District No. 1 Humboldt Fire Protection District No. 1 Southern Humboldt Community Healthcare District

- Phase 2, Update the Risk Assessment—Risk assessment is the process of measuring the potential loss of life, personal injury, economic injury, and property damage resulting from natural hazards. This process assesses the vulnerability of people, buildings and infrastructure to natural hazards. All facets of the risk assessment of the plan were re-visited by the planning team and updated with the best available data and technology. The work included the following:
 - Hazard identification and profiling
 - Assessment of the impact of hazards on physical, social and economic assets
 - Vulnerability identification
 - Estimates of the cost of potential damage.

Risk assessment models devolved from the initial planning effort were enhanced with new data and technologies that have become available since 2008. There were some limitations in the modeling due to the lack of data. The need to address these data gaps was identified in some of the mitigation initiatives presented in this plan. The results of the risk assessment were used by the planning partnership to rank risk and to gauge the potential impacts of each hazard of concern on their jurisdiction.

- Phase 3, Engage the Public—A public involvement strategy developed by the Steering
 Committee was implemented by the planning team. It included public meetings to present the
 risk assessment as well as the draft plan, distribution of a hazard mitigation survey, a Countysponsored website for the plan update, and multiple media releases.
- Phase 4, Assemble the Updated Plan—The planning team and Steering Committee assembled key information into a document to meet the DMA requirements for all planning partners. The updated plan contains two volumes. Volume 1 contains components that apply to all partners and the broader planning area. Volume 2 contains all components that are jurisdiction-specific. Each planning partner has a dedicated chapter in Volume 2.

• Phase 5, Plan Adoption/Implementation—Once pre-adoption approval has been granted by CalEMA and FEMA Region IX, the final adoption phase will begin. Each planning partner will individually adopt the updated plan. The plan maintenance process includes a schedule for monitoring and evaluating the plan's progress periodically and producing a plan revision every 5 years. This plan maintenance strategy also includes processes for continuing public involvement and integration with other programs that can support or enhance hazard mitigation.

RISK ASSESSMENT RESULTS

Based on the results of the risk assessment, hazards were ranked as follows for the risk they pose to the overall Humboldt Operational Area (1 represents the greatest risk and 8 the lowest):

1. Earthquake

5. Landslide

2. Severe weather

6. Drought

3. Flood

7. Tsunami

4. Wildfire

8. Dam failure.

Each participating jurisdiction also ranked risks associated with natural hazards within its boundaries. Table ES-3 summarizes how many participating jurisdictions assigned each risk ranking (1 through 9, for highest risk to lowest risk) to each evaluated hazard of concern.

TABLE ES-3. SUMMARY OF HAZARD RANKING RESULTS										
	Number of Jurisdictions Assigning Ranking to Hazard									
	No. 1	No. 2	No. 3	No. 4	No. 5	No. 6	No. 7	No. 8	No. 9	Not Ranked
Dam Failure	0	0	1	0	4	4	7	10	1	4
Drought	0	0	2	5	1	12	6	5	0	0
Earthquake	24	7	0	0	0	0	0	0	0	0
Flood	0	7	13	4	4	0	0	3	0	0
Landslide	0	0	1	6	12	4	6	2	0	0
Severe Weather	3	15	7	6	0	0	0	0	0	. 0
Tsunami	2	0	5	3	3	4	3	4	6	1
Wildland Fire	2	2	2	7	7	6	4	1	0	0

The summary of risk ranking results indicates the following general patterns:

- Earthquake, severe weather and flood generally received the highest risk rankings.
- Tsunami and wildfire tended to receive high or low rankings based on the geographic location of each jurisdiction. Tsunami was ranked as a higher risk for coastal communities; wildfire was ranked higher for warmer, drier inland jurisdictions.
- Dam failure, drought and landslide generally were ranked lower than other hazards.

MITIGATION GUIDING PRINCIPLE, GOALS AND OBJECTIVES

The following principle guided the Steering Committee and the planning partnership in selecting the initiatives contained in this plan update:

"Through partnerships and careful planning, identify and reduce the vulnerability to hazards in order to protect the health, safety, quality of life, environment, and economy of the communities within the Humboldt Operational Area."

The Steering Committee and the planning partnership established the following goals for the plan update:

- 1. Protect Health and Safety
- 2. Protect Property
- 3. Protect the Economy
- 4. Protect Quality of Life
- 5. Protect Environment
- 6. Promote Partnerships in Planning

The following objectives were identified that meet multiple goals, acting as a bridge between the mitigation goals and actions and helping to establish priorities:

- 1. Eliminate or minimize disruption of local government operations caused by hazards.
- 2. Increase resilience of (or protect and maintain) infrastructure and critical facilities.
- 3. Reduce hazard-related risks and vulnerability of the populations in Humboldt County.
- 4. Sustain reliable local emergency operations and facilities during and after a disaster.
- 5. Seek to enhance emergency response capabilities within the planning area.
- 6. Enhance understanding of hazards and the risk they pose through public education that emphasizes awareness, preparation, mitigation, response and recovery alternatives.
- 7. Continually improve understanding of the location and potential impacts of hazards that impact the planning area utilizing the best available data and science as it becomes available, and share this information with all stakeholders.
- 8. Establish a partnership among all levels of government and the business community to improve and implement methods to protect property.
- 9. Develop and implement hazard mitigation strategies that reduce losses to wildlife habitat and protect water supply and quality, while also reducing damage to development.
- 10. Integrate hazard identification information and mitigation policies into other planning-based processes that direct or impact land uses in the planning area.
- 11. Enhance building codes and their proper implementations so that new construction can withstand the impacts of hazards and lessen the impact of that development on the environment's ability to absorb the impact of hazards.
- 12. Seek to integrate and coordinate all phases of emergency management within the planning area.

MITIGATION INITIATIVES

Mitigation initiatives presented in this update are activities designed to reduce or eliminate losses resulting from natural hazards. The update process resulted in the identification 380 mitigation initiatives for implementation by individual planning partners, as presented in Volume 2 of this plan. In addition, the steering committee and planning partnership identified countywide initiatives benefiting the whole partnership, as listed in Table ES-4.

IMPLEMENTATION

Full implementation of the recommendations of this plan will require time and resources. The measure of the plan's success will be its ability to adapt to the changing climate of planet earth as well as the field of hazard mitigation. Funding resources are always evolving, as are state and federal mandates. Humboldt County and its planning partners will assume responsibility for adopting the recommendations of this plan and committing resources toward implementation. The framework established by this plan commits all planning partners to pursue initiatives when the benefits of a project exceed its costs. The planning partnership developed this plan with extensive public input, and public support of the actions identified in this plan will help ensure the plan's success.

TABLE ES-4. ACTION PLAN—COUNTYWIDE MITIGATION INITIATIVES						
Hazards Addressed	Lead Agency	Possible Funding Sources or Resources	Time Linea	Objectives		
		partnership and, to the extent possible bain applications for grant funding that inc				
All Hazards	Planning Partners	Grant Funding	Short term, Ongoing	6, 8, 12		
CW-2—Encourage the development and implementation of an operational area-wide hazard mitigation public-information strategy that meets the needs of all planning partners.						
All Hazards	Humboldt County, Planning Partners	Cost sharing from the Partnership General fund allocations	Short term, Ongoing	6, 7, 8, 12		
		Cost sharing with stakeholders				
CW-3—Coordinate updates to land use and building regulations as they pertain to reducing the impacts of natural hazards, to seek a regulatory cohesiveness within the planning area. This can be accomplished via a commitment from all planning partners to involve each other in their adoption processes, by seeking input and comment during the course of regulatory updates or general planning.						
All Hazards	Governing body of each eligible planning partner.	General funds	Short term, Ongoing	1, 3, 11, 12		
risk and vuliPre- and posLinks to PlaHazard mitig	nerability t-disaster information such as nning Partners' pages, FEMA	ayers, private property mitigation alternated notices of grant funding availability, Red Cross, NOAA, USGS and the National progress reports, mitigation success steepers.	onal Weather	Service.		
All Hazards	Humboldt County	General fund	Short term, Ongoing	6, 7, 8, 12		
CW-5—Maintain the Hazard Mitigation Plan Steering Committee as a viable body over time to monitor progress of the plan, provide technical assistance to Planning Partners and oversee the update of the plan according to schedule. This body will continue to operate under the ground rules established at its inception.						
All Hazards	Humboldt County	Existing, ongoing programs	Short term, Ongoing	All		
CW-6—Amend or enhance the Humboldt County Operational Area Hazard Mitigation Plan as well as the general Plans for each municipality as needed to comply with state or federal mandates (i.e., CA. Assembly Bill # 2140) as guidance for compliance with these programs become available.						
All Hazards	Humboldt County, each municipal planning partner	General funds	Short term, Ongoing	All		
CW-7—Work was area, date of c	rith the Humboldt County Asso onstruction and foundation type	essor to begin the capture of general build e, to better support future risk assessments	ing stock infor	mation such		
All Hazards	Humboldt County	General fund	Long term, depending on funding	6, 7, 8		

Volumes 1 and 2 of the Humboldt Operational Area Hazard Mitigation Plan 2013 Update

This plan is also posted at: www.co.humboldt.ca.us/natural-resources/hazardmitigation/

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AMENDMENT No. 3

HUMBOLDT BAY HARBOR RECREATION & CONSERVATION DISTRICT PROFESSIONAL SERVICES AGREEMENT WITH PLANWEST PARTNERS, INC. FOR SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN

This is the third Amendment to Agreement for Professional Services initiated January 2012 between the Humboldt Bay Harbor Recreation and Conservation District, and Planwest Partners, Inc. ("CONTRACTOR") for providing services to prepare portions of the Project Management and Plan Development for the Samoa Industrial Waterfront Transportation Access Plan. The original Agreement extended through December 31, 2012, and the first amendment extended the Agreement to June 30, 2013. The second amendment extended the Agreement to December 31, 2013. This third amendment extends the Agreement to March 31 2014 and adjusts the Compensation Amount.

3. TERM

Services of CONTRACTOR shall commence on the date that the CLIENT authorizes this AGREEMENT, and the AGREEMENT shall remain in effect until March 31 2014, unless extended in writing by mutual agreement.

4. COMPENSATION & SCHEDULE

As compensation for the services performed hereunder, the CLIENT shall pay CONSULTANT a sum not to exceed \$25,350.00 (twenty-five thousand, three hundred & fifty dollars), which includes CONSULTANT services, on a time and materials basis at current charge rates.

By: Jack Crider, CEO	Date:
Planwest Partners, Inc. Levye Williamson	Date: <u>December 27, 2013</u>
Principal Planner	

Humboldt Bay Harbor Recreation & Conservation District