

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

September 11, 2008

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Hunter
Commissioner Higgins

The Closed Session was called to order at 6:04p.m. Closed Session adjourned at 6:29 p.m.

President Hunter called the regular meeting of the Board of Commissioners to order at 7:00 p.m.

President Hunter led those present in the Pledge of Allegiance.

President Hunter asked for a Moment of Silence to remember those killed in the attacks on the United States September 11, 2001.

District Counsel reported the Closed Session item as follows: Real Property Negotiations – the possible acquisition of a portion of the Mario's Marina property in Shelter Cove. No action was taken.

PUBLIC COMMENT: None

CONSENT CALENDAR

Commissioner Higgins pulled the Consent Calendar items for corrections.

Item A: Commissioner Higgins made a change to Page 7, last paragraph to read "Commissioner Higgins said that he would have to recheck his editorial statement, but that he continues to be concerned with the Harbor District's budget."

Item B: Commissioner Higgins made a change to Page 6, paragraph 1 and Page 3 under Commissioner Wilson's report to remove his name from the commissioners who attended the Humboldt Bay Stewards Forum and replace with Commissioner Hunter's name.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR INCLUDING THE REQUESTED CHANGES. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- ❖ 8/28: The Redwood Marine Terminal Business Plan public comment period ended.
- ❖ 9/2: The comments on the Business Plan were bundled and sent to TranSystems for their review.
- ❖ 9/8-9: Harbor District sponsored a CAPA meeting. This will be the last meeting as President for CEO. CEO said he became Chair of CMANC, another California harbor association, on 7/1.
- ❖ 9/11: Director of Conservation attended an Ocean Protection Council meeting. He will talk on the District's formation of a collaborative fisheries research project for the North Coast.
- ❖ Humboldt Bay Maritime Expo planning continues.

DISTRICT COUNSEL REPORT: None

STAFF REPORT: None

COMMISSIONERS REPORTS

Commissioner Pellegrini:

- ❖ 9/8: Met with Supervisor Geist, Trinidad Mayor Chi-Wei Lin, three Yurok tribe representatives and a NOAA representative regarding a potential Klamath Marine Sanctuary. She said she would like to schedule a presentation for the September 25th Board meeting.
- ❖ 9/10: The Eureka Chamber of Commerce hosted a reception for the California Coastal Commission.

Commissioner Curless:

- ❖ Met with owners of the Humboldt Redwood, formerly Pacific Lumber Company. The owners are currently working on a contract with the loggers. Commissioner Curless said there are 350 mill jobs and other logging positions.

Commissioner Wilson:

- ❖ Has received calls regarding dock pieces on the beach and asked whose responsibility it is to remove them. CEO stated some of the floats are likely from the old Eureka Boat Basin that became the property of the contractor when removed. Some pieces of derelict docks with these old floats have broken free, creating a navigational hazard. Staff works with the Sheriff or the landowner on disposal. When the debris is on open ocean beach, CEO said typically the Humboldt County Sheriff is contacted.
- ❖ Attended the CA Coastal Commission reception.
- ❖ Rode on the Madaket for a historical tour of Humboldt Bay sponsored by the ORCA, Humboldt Bay Stewards and the Humboldt Baykeepers.
- ❖ Would like the Board of Commissioners to send a letter in opposition of lifting the moratorium on offshore drilling.
- ❖ Received phone calls stating the meeting agenda was sent out today, not Monday as usual. He said public notice needs to be sent out on time. He urged the staff to move towards electronic packets and to move forward with the search for a new copier.
- ❖ Suggested an ad hoc committee to research videotaping the Board meetings since Andy Colonna is looking to discontinue this service. Commissioner Higgins said he spoke with Shawn at the Eureka High School media lab about videotaping and will contact him again.
- ❖ Said he would like to have on the agenda at the next Board meeting the formation of a bay-related economic development committee.

Commissioner Hunter:

- ❖ Said his main job is Vice President of Marketing at Coast Central Credit Union. Due to a death in his family, he is now involved in running the family business of Eureka Ice and Cold Storage. It is an important business to the local fishermen and is currently under threat of closing. Commissioner Hunter said he is working with the City of Eureka on a solution.
- ❖ Read a story in the Triplicate on West Coast salmon feasting offshore.

Commissioner Higgins:

- ❖ Stated the collaborative fisheries research project is taking shape and thanked the District's Director of Conservation for his involvement. Implementation is expected for next year, if the funding is available. Local data will be collected for use by Pacific Fisheries Management Council (PFMC) and Marine Life Protected Areas (MLPA) when making decisions regarding closures.
- ❖ Said Mexico is building a \$5 billion seaport to open in 2012 and will be a major competitor on the West Coast.

ADVISORY COMMITTEE REPORTS

Commissioner Pellegrini reported the marina is currently 94% full; almost the 95% Ken Bates, Humboldt Fishermen's Market Association, said they would like to see before the Harbor District increased the marine rates.

OTHER

NCRA Status Report by Allan Hemphill, Chair, NCRA

Mr. Hemphill spoke about the status of the lawsuit, re-opening the southern end of the railroad, status of the work on the northern end, work NCRA has done with Timber Heritage Association and trail development. He then entertained questions from the Board of Commissioners and the audience.

NON-AGENDA: None

UNFINISHED BUSINESS

A. DISCUSSION OF THE DRAFT REDWOOD MARINE TERMINAL BUSINESS PLAN AND GOLDMAN, SACHS CO. NEGOTIATIONS – NO ACTION.

President Hunter said nothing has happened since the last Board meeting.

Mr. Elsebusch asked if any negotiations had been made in Closed Session. District Counsel responded the Board of Commissioners charged the committee with the job to negotiate an acceptable agreement with Goldman, Sachs to bring back to the Board for consideration in public session.

Sid Berg said the District's Enabling Legislation has a statute of limitations on how long a public agency can lease public trust lands. District Counsel said there are many limitations on public trust lands. The Board of Commissioners should continue to be interested in the concept of a firm (i.e. Goldman, Sachs) with the financial expertise to find someone willing to invest in the District's infrastructure.

Commissioner Pellegrini said currently the longest Harbor District lease is 25 years, not the 66 years allowed by law.

B. CONSIDERATION OF ADOPTION OF RESOLUTION 2008-11 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY COAST SEAFOODS FOR THE SHELLFISH CULTURE FEASIBILITY STUDY.

COMMISSIONER PELLEGRINI MOVED FOR THE ADOPTION OF RESOLUTION 2008-11 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY COAST SEAFOODS FOR THE SHELLFISH CULTURE FEASIBILITY STUDY. COMMISSIONER WILSON SECONDED.

Susan Penn asked for the findings and President Hunter read them aloud.

Greg Dale, Coast Seafoods, said it is a condition of the Coastal Commission and Corps of Engineers permits to explore growing oysters above 1½ fee; and because this condition is not included in the current Harbor District permit, they had to apply for a new permit.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF GRANTING PERMIT 08-03 TO COAST SEAFOODS FOR SHELLFISH CULTURE FEASIBILITY STUDY.

COMMISSIONER PELLEGRINI MOVED TO GRANT PERMIT 08-03 TO COAST SEAFOODS FOR SHELLFISH CULTURE FEASIBILITY STUDY. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF ADOPTION OF RESOLUTION 2008-12 DECLARING PERSONAL PROPERTY BELONGING TO THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT SURPLUS.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2008-12 DECLARING PERSONAL PROPERTY BELONGING TO THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT SURPLUS. COMMISSIONER CURLESS SECONDED.
ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 9:43 p.m.

APPROVED BY:

RECORDED BY:

____Signature on File_____
Roy Curless
Secretary

____Signature on File_____
Patricia L. Tyson
Director of Administrative Services