

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

July 8, 2021

The Humboldt Bay Harbor, Recreation and Conservation District met in Regular Session on the above date, Closed Session met at 5:00 P.M. Open Session met at 6:00 P.M via video conference with a teleconference option.

CLOSED SESSION – 5:00 PM

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters on the closed session meeting agenda: No one.

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of lease of real property in Samoa Peninsula, Humboldt County, with Assessor’s Parcel Numbers, 401-031-055-000, 401-031-070-000, 401-031-054-000, 401-031-061-000, 401-112-013-000, 401-031-071-000, and 401-112-029-000, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Town of Samoa, Green Diamond, Sniper Properties. Under negotiation: price and payment terms.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of lease of real property in Samoa Peninsula, Humboldt County, with Assessor’s Parcel Numbers, 401-112-030-000 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Evergreen Business. Under negotiation: price and payment terms.
- d) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One case. Facts and circumstances involve the threat of litigation arising from the Humboldt Bay Intertidal Mariculture Pre-Permitting Project.

REGULAR SESSION – 6:01 P.M.

ROLL CALL:

PRESENT: DALE
 DOSS
 HIGGINS
 KULLMANN
 MARKS

ABSENT: NONE

QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON CLOSED SESSION: No reportable action.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: no one.

CONSENT CALENDAR

- a) Receive District Financial Reports for May 2021
- b) New Charter Agreement Proposal for Mario Arguilles dba Mario's Guide Service to operate a Charter Service at Woodley Island Marina

COMMISSIONER MARKS MOVED TO ACCEPT CONSENT CALENDAR ITEMS A-B.

COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED

- a) Executive Director's Report
 - I. None.
- b) Staff Reports
 - I. None.
- c) District Counsel and District Treasurer Reports
 - I. None.
- d) Commissioner and Committee Reports
 - I. Commissioners reported on recent activities and subcommittees
- e) Correspondence Received
 - I. None.

UNFINISHED BUSINESS

- a) **Consider Adopting Resolution No. 2021-08 Adopting the FY 2021-22 District Budget**

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Kent Sawatsky commented.
- IV. Chair Kullmann moved the discussion back to the Commission.

COMMISSIONER MARKS MOVED TO ADOPT RESOLUTION NO. 2021-08 ADOPTING THE FY 2021-22 DISTRICT BUDGET.

COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

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Ayes: DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: DALE
Abstain: NONE

b) Preliminary Cost Estimates for Development of a New Multipurpose Terminal to Support the Emerging West Coast Offshore Wind Industry

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Scott Frazier, Kent Sawatsky, and Carmen Gonzales commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
- V. Report only, no action taken.

NEW BUSINESS

a) Consider Approving Resolution 2021-09 Establishing Findings Relative to Permit 2021-03 and Approving Permit 2021-03 for the Arcata/Samoa Beach Fiber Project

- I. District staff presented the item.
- II. The Commission discussed the item
- III. Chair Kullmann opened the item to public comment. Kent Sawatsky and Jennifer Kalt commented.

COMMISSIONER HIGGINS MOVED TO APPROVE RESOLUTION 2021-09 ESTABLISHING FINDINGS RELATIVE TO PERMIT 2021-03

COMMISSIONER DOSS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

COMMISSIONER HIGGINS MOVED TO APPROVE PERMIT 2021-03 FOR THE ARCATA/SAMOA BEACH FIBER PROJECT.

COMMISSIONER DOSS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

b) Consider Approving Resolution 2021-10 Adopting an Initial Study / Mitigated Negative Declaration, a Mitigation Monitoring and Reporting Program, and Establishing Findings and Approve Permit 2020-02 for the Hog Island Oyster Company Shellfish Farm

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- I. District staff presented the item with input from John Finger of Hog Island Oyster Company.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Mike Zamboni, Kent Sawatsky, Ted Romo and Scott Frazier commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
COMMISSIONER DALE MOVED APPROVE RESOLUTION 2021-10 ADOPTING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION, A MITIGATION MONITORING AND REPORTING PROGRAM AND ESTABLISHING FINDINGS.

COMMISSIONER MARKS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN

Noes: DOSS, MARKS

Absent: NONE

Abstain: NONE

COMMISSIONER DALE MOVED TO APPROVE PERMIT 2020-02 FOR THE HOG ISLAND OYSTER COMPANY SHELLFISH FARM.

COMMISSIONER MARKS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN

Noes: DOSS, MARKS

Absent: NONE

Abstain: NONE

c) Review the Fields Landing Boat Yard Stormwater and Industrial Water Systems and Provide Direction as Required

- I. Executive Director and District Engineer presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Kent Sawatsky, and Jennifer Kalt commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
- V. Report only, no action taken.

d) Review Humboldt County Intention to Establish the Samoa Peninsula Enhanced Infrastructure Financing District, Establishing a Public Financing Authority, and Authorizing Other Actions and Provide Direction as Appropriate

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Kent Sawatsky commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
- V. Report only, no action taken.

FUTURE AGENDA ITEMS

- a) Bar Pilot Recruitment
- b) Green Diamond Shared Services Agreement
- c) Coast Guard Utilities Contract
- d) Long Fin Smelt
- e) Brown Act Training

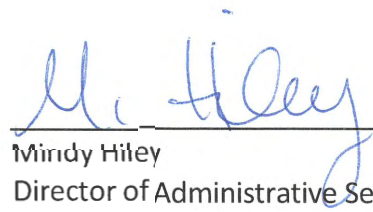
ADJOURNMENT – 8:28 P.M.

APPROVED BY:

RECORDED BY:



Patrick Higgins
Secretary of the Board of Commissioners



Mindy Hiley
Director of Administrative Services