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

DATE: December 18, 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
24 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 Section
      54955.6 (Conference with Real Property Negotiators).
      1. Conference with Real Property Negotiator
         Agency Negotiator: Board President, Executive Director and District Counsel
         Under Negotiation:
         Timber Heritage Association purchase of Redwood Marine Terminal Berth 1 Roundhouse Real
         Property
      2. Conference with Real Property Negotiator
         Agency Negotiator: Board President, Executive Director and District Counsel
         Under Negotiation:
         Freshwater Tissue Company Notice of Retaining Parcel C per the Option Agreement

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.

7. Consent Calendar:

   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.
   a. Consideration of approval of minutes from the June 12, 2014 Board Meeting.
   b. Consideration of approval of minutes from the July 10, 2014 Board Meeting.
8. Communications and Reports
   a. Executive Directors Report
      - “Name That Boat" Contest
      - Boiler Sale – Next Step
      - Terminal 2 energy audit – Andy Sorter
   b. Staff Reports
   c. District Counsel, District Planner and District Treasurer Reports
   d. Commissioner and Committee Reports
   e. Other

9. Non Agenda

10. Unfinished Business
   a. Consideration of adopting Resolution 2014-14 which establishes findings relative to the application by the Humboldt Bay Harbor District for the Humboldt Bay Regional Invasive Spartina Eradication and Native Salt Marsh Restoration Project.
   b. Consideration of granting Permit 14-05 to the Humboldt Bay Harbor District for the Humboldt Bay Regional Invasive Spartina Eradication and Native Salt Marsh Restoration Project.

11. New Business
   a. Consideration of extension of Permit 11-01 with Taylor Mariculture LLC Berth 2 facility.
   b. Consideration of Memorandum of Understanding with the County of Humboldt for collaboration on the former Pulp Mill Infrastructure and Site Reuse Plan.
   c. Consideration of payment of New Markets Tax Credit legal counsel, surveyor and engineers.

12. Administrative and Emergency Permits

13. Adjournment
MINUTES (SUBJECT TO APPROVAL)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOUR, RECREATION AND CONSERVATION DISTRICT

June 12, 2014

PRESENT:
Commissioner Newman
Commissioner Marks
Commissioner Higgins

ABSENT:
Commissioner Dale
Commissioner Wilson

President Marks called the Executive Closed Session to order at 6:12 p.m.

Kent Sawatzky asked about the USEPA Settlement Agreement being a Closed Session item. He said if the settlement is between two government agencies and does not involve litigation, it may not be a Closed Session item. District Counsel responded USEPA threatened litigation if the issue is not settled. Mr. Sawatzky then stated if the money involved is super-funded dollars, anyone involved after Phase 1 is jointly and severally responsible.

President Marks convened Closed Session at 6:15 p.m.

President Marks adjourned the Executive Closed Session at 6:52 p.m.

President Marks called the Regular Meeting of the Board of Commissioners to order at 7:01 p.m.

President Marks led those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Contrary to what was stated on the meeting agenda, there was no discussion in Closed Session involving negotiations with represented employees; Conference with Real Property Negotiator: no action taken.

PUBLIC COMMENT

Monte Provolt said he thought there was an understanding from USEPA the Harbor District would not be held liable for the clean-up of the pulp mill site. Now on the Closed Session agenda there is discussion of liability; what has changed? Is the Board trying to track down the responsible party? District Counsel stated at this time there are discussions only.

Mr. Provolt said the Board should be encouraging private buyers of the property. Grant dollars are being taken from others; tax dollars are being taken from taxpayers. The County of Humboldt lost their property tax revenue when the District purchased the property. District Counsel responded the District does not pay real property tax. When the District can lease out the property, possessory use tax equal to property tax will be paid by the tenant to the County. Enhancing the property through rehabilitation increases taxes to the County.

Debbie Provolt asked if non-profit agencies pay property tax. District Counsel responded yes. Ms. Provolt asked if Humboldt State University would pay property tax. District Counsel responded no, they are a public entity.

Ken Sawatzky asked about the recommended actions contained in the most current Humboldt Bay Management Plan and the Port of Humboldt Bay Revitalization Plan.

Debbie Provolt asked about the USEPA Settlement Agreement and if negotiations are with another government entity, are they closed or public negotiations. She also asked if this unexpected issue has
anything to do with USEPA’s Superfund requirements. District Counsel said the District is evaluating USEPA’s claims against the District.

CONSENT CALENDAR

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT:

- CEO reported on Redwood Terminal 2 cleanup efforts as follows:
  - Boiler ash is being put into the tanks to solidify the liquors in the bottom of the tanks
  - Tanks are being flattened and prepared to ship; sale of scrap will be credited to the District’s account
  - KapStone operations are shut down at this time for maintenance
- The first of three truckloads of dredge equipment has been delivered; 17 more to go.
- The T-Mobile cell tower at Fields Landing has been installed; lease will be approximately $1,700 per month.

STAFF REPORTS:

Conservation Report:
- Staffed a booth representing the Harbor District at the Oyster Festival. The booth included touch tanks and posters about the mariculture pre-permitting project.
- Attended a meeting with US Fish & Wildlife regarding eelgrass monitoring.
- Public comment period near closing for both the water trails project and the revised NOP for the mariculture pre-permitting project.

District Treasurer Report:
- Compiling year end information for the upcoming audit.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Newman:
- Reported there has been a long dry spell for fishing; and if the weather behaves, fishing may start up again.

Commissioner Marks:
- Attended a NCRA meeting in Healdsburg. He said a war is brewing between NWP Co. and Smart. They share the same rail line in the southern part of the district. Smart is putting in track that will slow down the freight movement in certain areas.

Commissioner Higgins:
- Parcel 4, adjacent to Redwood Terminal 2, has been acquired by a private buyer.
- Reading previous minutes remind him of moving quickly on the reorganization of the District website.
- Has been helping with the Eel River Recovery Project, studying pike minnow. On June 22 at Tooby Park, pike minnow will be identified.

OTHER BUSINESS: None
UNFINISHED BUSINESS:

A. PUBLIC HEARING AND FIRST READING OF FY 2014/15 BUDGET.

Director of Administrative Services reported the summary of the FY 2014/15 Budget as follows: Revenue $12,167,587; Operating Expenses $2,178,700; Non-Operating Expenses $8,590,176; Deduct the Single Use Revenue ($170,000); Total Budget Balance $1,228,721.

The impact of the bond and the California Department of Boating and Waterways long-term debt refinancing are unknown at this time; therefore no change has been reflected in the proposed budget.

Susan Penn said the gangway gates have not proven to be an improvement, more of a nuisance. She said they will be in constant need of repair and will not help to keep the tenants safe.

NEW BUSINESS:

A. CONSIDERATION OF ACCEPTING FOR FILING APPLICATION FOR PERMIT 14-01 TO NORTHCOAST REGIONAL LAND TRUST FOR THE MARTIN SLOUGH TIDE GATE IMPROVEMENT PROJECT.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF ACCEPTING FOR FILING APPLICATION FOR PERMIT 14-01 TO NORTHCOAST REGIONAL LAND TRUST FOR THE MARTIN SLOUGH TIDE GATE IMPROVEMENT PROJECT. COMMISSIONER NEWMAN SECONDED.

Commissioner Newman stated he is on the Board of the Northcoast Regional Land Trust. Since he receives no compensation for his position, District Counsel said there is no conflict of interest and Commissioner Newman is eligible to vote.

District Counsel stated the general advice is usually to be conservative, even if technically there is no conflict of interest. In this case there is no conflict because there is no expenditure of District funds and no financial remuneration to Commissioner Newman.

Director of Conservation said the applicant is eager to get started; trying to get the work done before the rain starts in the Fall.

Monte Provoit asked if the tide gate is larger, will it keep the golf course under water longer. Commissioner Higgins replied the golf course will be under water less with the new tide gate.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF ACCEPTING FOR FILING APPLICATION FOR PERMIT 14-02 TO CHEVRON USA, INC. FOR THE EUREKA TERMINAL REPAIR PROJECT.

COMMISSIONER NEWMAN MOVED FOR THE APPROVAL OF ACCEPTING FOR FILING APPLICATION FOR PERMIT 14-02 TO CHEVRON USA, INC. FOR THE EUREKA TERMINAL REPAIR PROJECT. COMMISSIONER HIGGINS SECONDED.

Director of Conservation reported the repairs covered by this permit have been mandated by the State; 23 pilings are to be replaced, as well as other repairs. He also said it is possible the project is qualified for a CEQA exemption since the repairs are on an existing facility and similar materials will be used.

MOTION CARRIED WITHOUT DISSENT.
President Marks called for a five-minute break at 7:50 p.m.

President Marks reconvened the meeting at 7:55 p.m.

C. CONSIDERATION OF ACCEPTING FOR FILING APPLICATION FOR PERMIT 14-03 TO COAST SEAFOODS COMPANY FOR RENEWAL AND EXPANSION OF COAST SEAFOODS SHELLFISH FARM PARCELS.

COMMISSIONER NEWMAN MOVED FOR THE APPROVAL OF ACCEPTING FOR FILING APPLICATION FOR PERMIT 14-03 TO COAST SEAFOODS COMPANY FOR RENEWAL AND EXPANSION OF COAST SEAFOODS SHELLFISH FARM PARCELS. COMMISSIONER HIGGINS SECONDED.

Coast Seafoods is requesting the renewal of the permit for the existing 296 acres of shellfish culture, requesting expansion of its farm by an additional 621 acres and add eight additional bins within its flupsey operations.

Monte Provolt asked how the Board could deny the application by Coast Seafoods since Coast Seafoods gave the District a loan of $1.25 million for the transportation of liquors from the pulp mill property.

Kent Sawatzky asked how the lease is structured and if Coast Seafoods is paying market rate for the leased acres.

Sebastian Elrite said he would like to see full utilization of the leased acres. He said Coast Seafoods has 3,400 acres and approximately 300 are usable.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF ADOPTION OF RESOLUTION 2014-06, A RESOLUTION TO ENTER INTO A CONTRACT AND ACCEPT FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR SECRETARIAT SERVICES FOR THE HARBOR SAFETY COMMITTEE OF THE HUMBOLDT BAY AREA.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2014-06, A RESOLUTION TO ENTER INTO A CONTRACT AND ACCEPT FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR SECRETARIAT SERVICES FOR THE HARBOR SAFETY COMMITTEE OF THE HUMBOLDT BAY AREA. COMMISSIONER NEWMAN SECONDED.

A ROLL CALL VOTE WAS TAKEN:

    COMMISSIONER NEWMAN – AYE
    COMMISSIONER DALE – ABSENT
    COMMISSIONER MARKS – AYE
    COMMISSIONER WILSON – ABSENT
    COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.
E. CONSIDERATION OF BALLOT FOR ELECTION OF SPECIAL DISTRICT REPRESENTATIVES TO SERVE ON LAFCO.

COMMISSIONER HIGGINS MOVED TO VOTE FOR TROY NICOLINI TO BE THE SPECIAL DISTRICT REPRESENTATIVE TO SERVE ON LAFCO. COMMISSIONER NEWMAN seconded. MOTION CARRIED WITHOUT DISSENT.

F. CONSIDERATION OF ACCEPTING THE GRANT AGREEMENT WITH THE CALIFORNIA NATURAL RESOURCES AGENCY FOR THE HUMBOLDT BAY SPARTINA ERADICATION PROJECT.

Director of Conservation reported the grant agreement is typical of state agency grants the District has accepted in the past, with the following notable points: The Grantor may require the District record a Deed Restriction for those areas treated under this grant which would consist of: the State would have to approve any transfer or sale of the property in the future; the property could not be used again for mitigation since these are mitigation funds; and the property could not be used as security for debt. Also the District will have to pay California prevailing wages for work conducted with these grant funds.

Some of the properties contained in the agreement belong to the Cities of Arcata and Eureka; the District cannot force these agencies to sign the deed restrictions.

Staff recommended the Board of Commissioners authorize the CEO to enter into the grant agreement with the California Natural Resources Agency when the issues have been resolved and District Counsel approves.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF ACCEPTING THE GRANT AGREEMENT WITH THE CALIFORNIA NATURAL RESOURCES AGENCY FOR THE HUMBOLDT BAY SPARTINA ERADICATION PROJECT UPON RESOLUTION OF THE BOARD CONCERNS AND DISTRICT COUNSEL GIVES APPROVAL. COMMISSIONER NEWMAN seconded.

Monte Provolt asked if the Spartina is recurring. Director of Conservation responded this is a huge project, mostly on Refuge lands. The crews are making slow and steady progress.

Kent Sawatzky said there is no sunset provision on deed restrictions.

MOTION CARRIED WITHOUT DISSENT.

G. CONSIDERATION OF ADOPTION OF RESOLUTION 2014-07, A RESOLUTION AUTHORIZING THE COMMENCEMENT OF PROCEEDINGS IN CONNECTION WITH THE REFINANCING OF CERTAIN LONG-TERM DEBT OBLIGATIONS, AND APPOINTING THE WEIST LAW FIRM AS BOND COUNSEL AND STERN BROTHERS & CO. AS PLACEMENT AGENT IN CONNECTION THEREWITH.

Monte Provolt said if the refinancing is going to save the District $200,000, then the money should be earmarked for marina improvement.

A ROLL CALL VOTE WAS TAKEN:

COMMISSIONER NEWMAN – AYE
COMMISSIONER DALE – ABSENT
COMMISSIONER MARKS – AYE
COMMISSIONER WILSON – ABSENT
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None.

The Regular Meeting of the Board of Commissioners adjourned at 8:20 p.m.

APPROVED BY: ________________________________  RECORDED BY: ________________________________

Patrick Higgins, Vice President for Greg Dale, Secretary

Patricia Tyson
Director of Administrative Services
MINUTES (SUBJECT TO APPROVAL)
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

July 10, 2014

PRESENT:
Commissioner Marks
Commissioner Wilson
Commissioner Higgins
Commissioner Newman
Commissioner Dale

President Marks called the Executive Closed Session to order at 6:15 p.m.

President Marks adjourned the Executive Closed Session at 6:55 p.m.

President Marks called the Regular Meeting of the Board of Commissioners to order at 7:04 p.m.

President Marks led those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Public Employee Performance Evaluation – No action taken; Threatened Litigation – No action taken.

PUBLIC COMMENT: None

CONSENT CALENDAR: None

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT:

- Redwood Terminal 2
  - CEO reported on Redwood Terminal 2 cleanup efforts that 1.5 million gallons of caustic liquors have been shipped and the District has paid $200,000 in trucking services to date. The District has been reimbursed $140,000 through the Coast Seafoods loan. EPA has cut back to shipping one green tank per day and are now blending solids with fly ash to get the pH level lower in order to transport the solids to Washington.
  - CEO thanked President Marks for taking the Redwood Region Economic Development Commission on a tour of the Pulp Mill.
  - The “For Lease” signs are out.
- The dredge was completely disassembled in order to transport it to Fields Landing. The reassembling was difficult, but is approximately 95% done. There is still equipment remaining in Oregon due to trucking delays. The seller has requested the District pay his bank to stop accruing interest and file lien releases.
- Staff is waiting on good weather to do the diving inspection on the outfall pipe.
- The new forklift has been delivered.
- CEO has devoted a lot of his time on the New Markets Tax Credit project.

STAFF REPORTS:

Director of Conservation Report:
- Participated with California Fish and Wildlife staff in a round of eelgrass monitoring. Former Conservation Specialist Jeff Robinson set it up years ago.
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- Attended a Sea Level Rise Adaptation meeting.
- Working with PG&E on King Salmon dredging.
- Has been working on several permit applications: The Martin Slough Tide Gate Replacement, Coast Seafoods Expansion, and Chevron Dock Repairs are all in the works and are up on the District’s the website.

Bar Pilot Report:
- The US Army Corps of Engineers dredge is here and is pushing hard in the bar and entrance channel. They are trying to get areas down to a depth of 44 ft. to start and then finally to 48 ft.
- First chip ship, NYK Lines, is due next Monday at 5:00 a.m. at California Redwood. K line, another large shipping carrier, might also start shipping chips.

District Planner Report:
- Working with the Humboldt County Economic Development staff. The EDA grant was filed, asking to provide more detail on infrastructure. The EDA, CDBG, and the TIGER Grants are all in the works.
- Working on a reuse permitting for the Shelter Cove building. He has been asked to find a competitive bid. The good news is the price is down and there is a good local Cultural Resources Consultant who has a great working relationship with Tribal Historic Preservation Officers.
- The Coastal Development Permit will proceed.
- Has been helping out on the New Market Tax Credit project.

District Treasurer Report:
- His staff is assisting District staff during District Bookkeeper’s absence.

COMMISSIONER AND COMMITTEE REPORTS:

President Marks:
- Enjoyed leading the tour of the Pulp Mill for the RREDC.
- Attended North Coast Railroad Authority meeting. Northwestern Pacific Corporation (NWP Co) celebrated their 3rd year of successfully moving freight. They talking about doing some repair work between Windsor and Healdsburg for $1.25M, but are waiting until their budget is in the black before they take on any other projects. Talked about cleaning up some of their property, which NWP Co. said they could do for $250K, but then raised the price to $600K. They had an agreement for a cell tower in Willits and are going to renegotiate.
- Said Cameron Renner from Renner Petroleum had some safety issue with trucks being able to drive through without stopping in some areas.

Commissioner Wilson:
- Said it is the 100 year anniversary of NWP Co.

Commissioner Higgins:
- Attended the Fort Bragg Salmon Festival, promoting the Eel River Recovery Program.
- Attended the Marine Life Protection Act meeting.
- Has been spending time on the New Market Tax Credit project.

OTHER BUSINESS:

E. ALBERT LEMUS (BY PHONE) – UPDATE ON NEW MARKETS TAX CREDIT PROGRAM

Via conference call Albert Lemus of Lowes Enterprises updated the Board of Commissioners on the New Markets Tax Credit project. He said he will be able to provide an answer for funding on July 25, 2014. The Harbor District is in a very enviable position to have 5 interested
intermediaries. The appraisal of Parcel A came in at $3.8M, which is lower than expected. Lowes Enterprises is working to restructure the leverage loan to adjust to the shortfall. The current shortfall is $1M. Mr. Lemus asked for direction on whether or not to include parcels B and C, which would exacerbate leverage shortfalls to approximately $3M. The Harbor District has the option to secure a loan to cover the shortfall secured by parcels A, B, and C.

Commissioner Higgins said the property is worth $3.8M blighted; if it were cleaned up and developed, it might be a whole different number. Mr. Lemus said the appraisal is without any contaminants on the property.

Mr. Lemus has been working with CEO to put together a project scope to make the building economically viable for tenants. Should they also include the acquisition of Parcels B and C into the appraisal? Adding those parcels into the appraisal would add to the shortfall, however the additional loans would be included into the paperwork.

CEO said he informed the Board of Commissioners that Mr. Lemus would be here next week and they could refine the details then.

Mr. Lemus said Option A is a $13M tax credit transaction and does not include Parcels B and C. The total leverage is approximately $8.842M which generates the New Markets benefit of $4.1M. The Coast Seafoods loan has been considered for additional leverage. The gap is approximately $1.1M. There are a number of options to fill the gap; details will be discussed next week.

CEO asked how much capital will be generated for improvements on the property for $1M. Mr. Lemus said the District will receive a $3.563M benefit.

Mr. Lemus said Option B has one significant difference. In this scenario the District would acquire Parcels B and C for $2.38M and the District would have $270,000 for improvements on the site. The total would change to $16.2M from $13M. The benefits grow to approximately $6.1M, which is substantial. Mr. Lemus said he is in discussion with a couple of lenders who are interested. He asked the Board for approval to explore both options.

President Marks asked if the District went with the second option, would it mean more pressure on the project? He said while the benefits are great, the Board does not want to hinder the process. Mr. Lemus asked if money was not an issue, how long would it take to close on Parcels B and C. CEO said it would happen extremely fast. The seller is extremely motivated. Mr. Lemus said there is no timing difference between Options A and B other than the closing time on Parcels B and C. He is looking forward to spending more time with the Board next week and clarifying the process.

President Marks thanked Mr. Lemus for his time and the call ended.

UNFINISHED BUSINESS:

A. SECOND READING AND ADOPTION OF FY 2014/2015 BUDGET.

Director of Administrative Services said the Total Budget Balance amount has not changed since the first reading done on June 12, 2014. The only change was the dollar amounts for revenue for the Brownfields loan and TIGER Grant, which in turn changed the expenditures under non-operating expenses on property improvement. CEO said the reason for the change on the Brownfields loan was that the District had a two year allocation and did not get the first year so the District reduced the first year and excluded the TIGER Grant from the budget. Director of Administrative Services stated the FY 2014/15 Budget totals as follows: total revenue:
$12,876,997; total operating expenses: $2,178,700; total non-operating expenses: $9,299,576;
total excess revenue over (under) expenses: $1,398,721; total deduction of single-use revenues:
$170,000; Total Budget Balance: $1,228,721.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF FY 2014/2015 BUDGET.
COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS:

A. CONSIDERATION OF ADMINISTRATIVE CONTRACTS FOR DIRECTOR OF
ADMINISTRATIVE SERVICES, DIRECTOR OF CONSERVATION, DIRECTOR OF FACILITIES
MAINTENANCE, DIRECTOR OF HARBOR OPERATIONS AND BAR PILOT, AND BAR PILOT.

CEO explained that this is an annual process of renewing the contracts for management
employees.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF THE ADMINISTRATIVE
CONTRACTS FOR DIRECTOR OF ADMINISTRATIVE SERVICES, DIRECTOR OF
CONSERVATION, DIRECTOR OF FACILITIES MAINTENANCE, DIRECTOR OF HARBOR
OPERATIONS AND BAR PILOT, AND BAR PILOT. COMMISSIONER NEWMAN SECONDED.
MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE
WITH SILVER STAR SPORT FISHING LLC DBA SILVER STAR SPORT FISHING.

COMMISSIONER NEWMAN MOVED FOR THE APPROVAL OF PERMIT AND AGREEMENT
TO OPERATE A CHARTER SERVICE WITH SILVER STAR SPORT FISHING LLC DBA
SILVER STAR SPORT FISHING. COMMISSIONER WILSON SECONDED. MOTION CARRIED
WITHOUT DISSENT.

C. CONSIDERATION OF LEGAL SERVICES WITH NIXON PEABODY FOR A YET TO BE
FORMED NONPROFIT ORGANIZATION THAT WILL BE THE NEW MARKETS TAX CREDIT
QUALIFIED BORROWER.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF CONTRACT FOR LEGAL
SERVICES WITH NIXON PEABODY FOR A YET TO BE FORMED NONPROFIT
ORGANIZATION THAT WILL BE THE NEW MARKET TAX CREDIT QUALIFIED BORROTHE
DISTRICTR. COMMISSIONER NEWMAN SECONDED.

Commissioner Wilson asked for the staff report.

CEO said it had been an intense day with interviews from accounting and legal firms. The
interview team consisted of Commissioner Higgins, District Planner, and CEO. They selected
Novogradac and Company LLP for the financial consulting firm. Nixon Peabody, as the legal
consulting firm, is a large firm with a strong environmental component. CEO asked the Board to
approve Nixon Peabody as legal counsel to represent Qualified Active Low Income Community
Business non-profit and Novogradac and Company LLP for the accounting firm. There is a $2500
retainer for Nixon Peabody and a smaller retainer for Novogradac.

Commissioner Wilson said if the District is going through the time and expense of creating a non-
profit, consideration should be given to the idea of making the mission broader to possibly be a
tool for other products and things that the District does. District Counsel said when you form a
corporation, the mission is usually broad. There should not be much of anything to restrict what
the corporation can legally do.

Commissioner Dale asked if the corporation has a lifespan. District Counsel said no, it does not
have a lifespan.

President Marks said it does not have to be non-profit, it can be for profit but that carries more
complications.

Commissioner Higgins said it is a complicated game. The District cannot just go recruit any
lawyer to do New Markets Tax Credits. They are highly qualified and have seasoned teams.
Albert Lemus has a track record with a capacity to perform. Building a foundation is a step in the
right direction. He said he likes the idea of Nixon Peabody having a background in economic
development.

COMMISSIONER HIGGINS ACCEPTED THE FRIENDLY AMENDMENT TO INCLUDE ITEM 10.
D. APPROVAL OF ACCOUNTING SERVICES WITH NOVOGRADAC & COMPANY FOR
FINANCIAL CONSULTING FOR NEW MARKET TAX CREDIT PROGRAM. COMMISSIONER
NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF ACCOUNTING SERVICES WITH NOVOGRADAC & COMPANY FOR
FINANCIAL CONSULTING FOR NEW MARKET TAX CREDIT PROGRAM.

This item was discussed under item 10 C, see motion above.

E. CONSIDERATION OF RELEASE OF RFP FOR LEASES FOR THE HUMBOLDT BAY
MARICULTURE PRE-PREMITTING PROJECT.

Adam Wagschal, HT Harvey & Associates, reported the project is funded through the Headwaters
Fund and the Humboldt Bay Harbor, Recreation and Conservation District. The District is
obtaining all required regulatory permits to lease out sites to local shellfish growers. The goal is to
have the permits in hand within the next year. There is some chance the project description will
change as the District goes through the process. Selections need to be made about who will
lease the sites. The District started a planning process to educate people about the sites and is
now looking at releasing Requests for Proposals. The three parts of the RFP include: how to
divide the parcels for leasing, base costs for bids on the parcels, and proposed advertising
through the RFP. The District has been pursuing permits for larger areas. The District has
determined minimum costs for each parcel using lease costs in the bay and other places in the
country as a basis for determination. Administrative costs will be incurred by the Harbor District
and City of Eureka. Ted Kuiper helped compile much of the information. There is a lot of
variability in terms of cost. California Department of Fish and Wildlife has been the best source for
site lease costs. The District decided to come up with one minimum cost for bidding for intertidal
sites. The District has been looking at advertising by notifying existing shellfish growers, putting
ads in various magazines, and using an extensive email distribution and mailing list.

CEO said staff is asking the Board to approve the RFP as it has been developed. This does not
guarantee the proposers have a lease and the Harbor District does have the right to reject. Staff
is looking to distribute the RFP and see what kind of response is received. There is still at least a
whole year worth of permitting to do. The response from the RFP will give a strong indication if
there is a demand for the property. CEO stated the District does not want to get into tracking
production; just simple leases.
Commissioner Dale said there should be some language in the RFP which requires production. Mr. Wagschal said the state does require production on their leases. CEO said even though, the District should include production in the lease.

COMMISSIONER NEWMAN MOVED FOR THE APPROVAL OF RELEASE OF RFP FOR LEASES FOR THE HUMBOLDT BAY MARICULTURE PRE-PERMITTING PROJECT. COMMISSIONER DALE SECONDED.

Commissioner Wilson there should be some communication with the Wiyot Tribe about the RFP and maybe asking them for some comment.

Ted Kuiper thanked District Staff for their great effort and well written RFP. He said he likes how the parcels have been subdivided. The timeline for the proposals should be discussed prior to the release of the RFP. He suggested the comment period should be extended to two periods of 30 days each. There are several publications that would be beneficial to advertise in. Mr. Kuiper suggested the District push back the deadline for receipt of proposals in order to get a bigger response. Subdivisions of subtidal 3, B, and C is recommended. These sites should be cut in half for smaller parcels for flupsy growers.

CEO said this is an ongoing process and is not final. The intertidal sites will go fast, then the District can focus more on the subtidal sites. Commissioner Wilson said proposals will be accepted after the deadline as well.

Commissioner Higgins said an extension would be reasonable with other factors left to the discretion of staff. CEO said there is not a lot of time, so staff is trying to expedite this process. Mr. Wagschal said the end date does have real implications. Commissioner Wilson said he is scheduled to present at the Shellfish Growers meeting.

Todd VanHerpe, Humboldt Bay Oyster Company, asked for more consideration to be given to the smaller operators that could benefit from flupsy sites.

Sebastian Elrite, Aqua-Rodeo Farms, said he has been following the process and is pleased with how it is starting to shape up. He would like to see intertidal 2 divided up into smaller parcels. He has 10 acres, but is probably only using 3 acres of it. Smaller parcels mean bigger opportunity for smaller shellfish growers. Commissioner Dale said it is also a good idea for intertidal 1.

Commissioner Wilson asked if staff can slice it up more? CEO said the District has 6 areas at Woodley Island Marina that are small and available to smaller growers. Mr. VanHerpe said the water quality is not as great at the Marina as it is at the other parts of the bay. It is better than nothing, but ideally other areas of the bay would be better. CEO stated these are $200-$300/month tideland leases. Staff is thinking to keep the larger sizes, but let smaller growers get together and share the sites. Commissioner Wilson said the District could still have smaller spaces for the same price and there could be a minimum price for acreage. Commissioner Higgins said CEO suggested a collaborative strategy where small growers can get in. It sounded reasonable to him. CEO said extending out another 30 days to the 10th of October would would fit in the schedule.

COMMISSIONER NEWMAN PROPOSED A FRIENDLY AMENDMENT TO EXTEND THE COMMENT PERIOD BY 30 DAYS. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.
F. CONSIDERATION OF ADOPTING RESOLUTION NO. 2014-08, A RESOLUTION ADOPTING AN INITIAL STUDY WITH MITIGATED NEGATIVE DECLARATION AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HUMBOLDT BAY WATER TRAILS PROJECT.

COMMISSIONER WILSON MOVED FOR THE ADOPTION OF RESOLUTION NO. 2014-08, A RESOLUTION ADOPTING AN INITIAL STUDY WITH MITIGATED NEGATIVE DECLARATION AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HUMBOLDT BAY WATER TRAILS PROJECT. COMMISSIONER HIGGINS SECONDED.

District Planner said three sites have been identified. Improvements at Woodley Island, Fields Landing, and Arcata. Moffitt and Nichols was retained to do the CEQA process and responses to the comments are available. The mitigation report has been modified to take into consideration Eelgrass concerns. District Planner recommended the Board accept the adoption of the CEQA documents.

Commissioner Wilson said it is great to have three projects shovel ready.

Commissioner Higgins said this project preceded his joining the Board.

Sebastian Elite, Aqua-Rodeo Farms, said he is excited about the I Street location in Arcata because he uses that location frequently.

A ROLL CALL VOTE WAS TAKEN:

- COMMISSIONER NEWMAN – AYE
- COMMISSIONER DALE – ABSENT
- COMMISSIONER MARKS – AYE
- COMMISSIONER WILSON – ABSENT
- COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

G. CONSIDERATION OF HUMBOLDT BAY WATER TRAILS PROJECT CEQA DOCUMENTS (SCH#2014052065) FOR ADOPTION.

COMMISSIONER DALE MOVED FOR ADOPTION OF THE HUMBOLDT BAY WATER TRAILS PROJECT CEQA DOCUMENTS (SCH#2014052065). COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None.

The Regular Meeting of the Board of Commissioners adjourned at 8:58 p.m.

APPROVED BY: ______________________________________  RECORD BY: ______________________________________

Greg Dale
Secretary

Patricia Tyson
Director of Administrative Services
Agenda Report

For Agenda of: December 11, 2014

Title: [xx] Consideration of extending Permit 11-01 with Taylor Mariculture LLC for the Taylor Mariculture Berth 2 Facility.

Place on Agenda: New Business – [xx]

Summary of the Issue: The District approved a Tideland Lease and a Permit for Taylor Mariculture LLC (Taylor) to establish a mariculture facility on and adjacent to Berth 2 of the Redwood Marine Terminal in 2012 (Permit 11-01). The initial permit required that all work be completed by January 26, 2013. This deadline was extended by the Board twice before, in 2013 and 2014.

Revised plans for the project that included an amended lease by the Harbor District to Taylor for a portion of its existing warehouse on the site were approved by the Board on January 23, 2014. Taylor has since obtained all required regulatory approvals and started work on the project; however, it does not expect to finish construction prior to January 2015. Therefore, Taylor is requesting an additional one year extension of Permit 11-01 to permit the completion of construction, which it expects to finish in June 2015. The proposed project, and all other permit conditions, will remain unchanged. The existing Mitigated Negative Declaration and associated findings already made by the Commission are adequate and no new CEQA review is needed.

Fiscal Impact: There are no fiscal impacts.

Staff Recommendation:

Staff recommends that the Board of Commissioners approve the Extension of Permit 11-01 to Taylor Mariculture LLC for the Taylor Mariculture Berth 2 Facility for one additional year, expiring on January 26, 2016.
MEMORANDUM OF AGREEMENT

Between

County of Humboldt
520 E Street
Eureka, CA 95501-0315

And

Humboldt Bay Harbor Recreation and Conservation District
P.O. Box 1030
Eureka, California 95502-1030

Executive Summary
This memorandum of agreement (MOA) establishes the basis for mutual cooperation between the County of Humboldt, heretofore referred to as the Applicant, and the Humboldt Bay Harbor Recreation and Conservation District, heretofore referred to as the Co-Applicant, collectively referred to as "the Parties."

This MOA describes how the Applicant, and Co-Applicant will collaborate on the Former Pulp Mill Infrastructure and Site Reuse Plan. The MOA has been completed by the two partners to specify the principal duties and responsibilities of each partner in program implementation and grant administration.

Background
The Parties share the common goal of economic development and the reuse of brownfield sites on Humboldt Bay. The Applicant and the Co-Applicant bring complementary skills, experience, and networks to this project. Our partnership will ensure strong project management, fiscal responsibility, oversight, and the implementation of a planning project that will achieve shared economic development objectives for the Humboldt Bay region of Humboldt County.

The County of Humboldt’s Economic Development Team has extensive experience successfully managing grants for project completion, federal compliance, public engagement and attraction of private sector investment. The Humboldt Bay Harbor, Recreation and Conservation District owns the site and focused on securing funding to achieve the adaptive reuse of the Former Pulp Mill site as well as identifying tenants that will create employment and economic activity.

Project Description and Objectives
The project is planning for infrastructure and site reuse on a former pulp mill located on the Samoa Peninsula, in Humboldt County California. The pulp mill was closed permanently in 2010 and acquired by the Humboldt Bay Harbor Recreation and Conservation District (Co-applicant) in 2013. The site features massive industrial infrastructure including access to 30 million gallons per day of industrial water, 60 million gallons per day of wastewater treatment capacity with an ocean outfall pipe, a domestic wastewater system, 60kV electrical service, 8” gas main, a dock and several large structures. Stakeholders and the public will be engaged in the
site redevelopment process, infrastructure systems, land, and buildings will be evaluated for reuse potential, new site users will be identified and evaluated for job creating potential, preliminary plans, studies and cost estimates will be made for modifications and improvements to the property.

In adherence with EDA guidelines the Parties agree to adhere to:

A. The requirements set forth in the Economic Adjustment application forms and all applicable exhibits to these forms.

B. The Award documents which include:
   1) The Financial Assistance Award.
   2) The Line Item Budget accompanying the Award
   3) The Special Award Conditions.
   4) Economic Development Administration (EDA) Standard Terms and Conditions - Capacity Building Programs
   5) Department of Commerce Financial Assistance Standard Terms and Conditions (January 2013)


The parties to the Agreement understand that they will be bound by the application forms and award documents that they execute and the applicable statutes and regulations as provided in the Agreement, and that all the parties to the Agreement agree to each submit the following application materials with original signatures:

a) SF-424 - first 4 pages of the Application.
b) SF-4242B -- Assurances - Non Construction Programs
c) Exhibit C - EDA Capacity Building Investments - Additional Assurances
d) CD-511 - Certification Regarding Lobbying
e) SF-LLL - Disclosure of Lobbying Activities (for EDA project) only if lobbying for project is done.

Applicant will also be primarily responsible for administration of funds and submission of project reports, including EDA financial reports and progress reports as required by the terms of the award. Co-Applicant will contribute to narrative progress reports throughout the grant period. Upon funding, Applicant will provide Co-Applicant with a grant summary reflecting all required reports and deadlines, and both Parties will establish appropriate tracking systems to support timely reporting.

Confidentiality
Any sensitive information and data the Parties discover, analyze, or share over the course of their collaboration shall remain confidential.
Parties agree to inform each other of any third parties with whom they wish to share all or partial information pertaining to this project, and to obtain the express consent of the other Party before doing so.

These confidentiality provisions shall survive for two (2) years following the termination of this memorandum of agreement.

**Acknowledgements**
All documents and work products created or developed in furtherance of the objectives set forth this memorandum of agreement (including any underlying data and supporting materials) shall be made fully available for use by either Party and shall remain their joint property, except where grant agreements provide otherwise. No such products may be released to other individuals, organizations, or the public without prior approval by both Parties except as may otherwise be required by funding and/or applicable law.

**Agency and Insurance**
Neither Party is to be considered the agent or employee of the other and no principal-agent relationship exists. Neither Party shall have the right or authority to create any obligation on behalf of the other. This MOA does not create, transfer, or apportion any actual or potential liability between the Parties. Each Party provides, or has the capacity to acquire, its own insurance to cover its own losses or liabilities, should any arise, out of the collaboration more fully described in this MOA.

**Contacts**
The primary point of contact for the Applicant will be Andrew Whitney. The primary point of contact for the Co-Applicant will be Jack Crider. (See page 4 for full contact information.) Any change in these primary contacts shall be promptly communicated in writing to the other Party.

**Authority**
Each Party, by executing this Agreement, holds forth that it has the requisite authority to enter into this Agreement.

**Dispute Resolution**
The Parties intend to use informal mediation to resolve all disputes that arise out of this Agreement. To the extent that informal negotiation and mediation does not resolve a dispute, the Parties shall jointly determine and jointly (equally) pay for a third party mediator to provide for a binding solution.

**Effective Date, Renewal, Termination & Term**
The terms of this memorandum of agreement shall be effective from the date of the parties' signatures (counterpart signatures are allowed), and except as otherwise provided herein, shall continue in effect for a period of two years from date of execution. At the end of that two year period, the Parties shall review this agreement and negotiate any necessary changes, as evidenced by a jointly executed replacement MOA. To the extent that the Parties wish to continue with this agreement as written, and neither party has heretofore provided 60 days written notice to the other party of its intent to terminate this agreement, this agreement shall
renew automatically for an additional two year period. Either Party may terminate this Agreement at any time so long as 60 days written notice is provided the other Party.

On Behalf of County of Humboldt
Name: Phillip Smith-Hanes

Title: County Administrative Officer

Signature __________________________

Date: ______________________________

On Behalf of Humboldt Bay Harbor, Recreation and Conservation District
Name: Jack Crider

Title: Chief Executive Officer

Signature __________________________

Date: ______________________________

Contact Information
Andrew Whitney, Economic Development Specialist
County of Humboldt
520 E Street
Eureka, California 95501-0315
Telephone (707)445-7745
Facsimile (707)445-7219
awhitney@co.humboldt.ca.us

Jack Crider, Chief Executive Officer
Humboldt Bay Harbor, Recreation and Conservation District
P.O. Box 1030
Eureka, California 95502-1030
Telephone (707) 443-0801
Facsimile (707) 443-0800
jcrider@humboldtbay.org
Appendix A: Project Summary

Former Pulp Mill Infrastructure and Site Reuse Plan:

As described in a proposal to the Economic Development Administration (EDA), the project's goal is to foster public private-partnerships for the reuse of the Former Pulp Mill site. The site is located on the Samoa Peninsula in the unincorporated area of Humboldt County. The site was hastily closed in 2008 and 260 manufacturing workers lost their jobs and millions of gallons of improperly stored caustic chemicals were abandoned. In the summer of 2013 the Humboldt Bay Harbor Recreation and Conservation District acquired the site with the intention of protecting the marine environment from the caustic chemicals and redeveloping the property for productive use.

The District is currently seeking private enterprises to assist in the decommissioning/deconstruction of the mill and are in discussions with several potential tenants that may move onto the site in a phased process as the cleanup and re-purposing of the site is completed. The site has great potential for mariculture development, cultivation of shellfish, which fits into the Specialty Food industry cluster identified in the 2012 Humboldt County Comprehensive Economic Development Strategy (CEDS) as a Target of Opportunity. The production of farmed shellfish relies on the excellent water quality of Humboldt Bay; the productive capacity of the bay depends on the environmental stewardship of its waters.

Several potential projects are in the initial stages of planning for the site. Some potential projects involve the manufacture of biofuels: pelletized wood and cellulosic ethanol. These projects would link the biomass productive capacity of Humboldt County's forested rural areas with the manufacturing infrastructure that exists on the site. Biofuels that might be manufactured at the former mill would support the forest products industry by using lower value forest products and adding value to them before export to other areas. The pelletized wood venture could foster shipping exports to areas that are actively seeking carbon-neutral fuel sources. The site also has potential to generate carbon-neutral power in the form of salinity gradient power and wave energy as the site has access to both massive quantities of fresh water and the Pacific Ocean. These two forms of power are currently in the research and development phase and offer an opportunity for scientific innovation.

The site features a dock located on a deep-water shipping channel and is ideally situated for import/export operations. The value added processing of bulk cargos is a promising use of this site. Planning for the reuse of the site's dock facility and structures will be a key component of achieving this type of reuse.

All of these potential uses may need access to the former mill's freshwater access and wastewater treatment and disposal capacity, including the ocean outfall pipe for discharge and intake. The challenges that this project will overcome are to identify the most promising new users, estimate their potential infrastructure needs, overcoming the technical challenges of dividing the infrastructure among multiple users, and gathering the information and data needed to permit and implement the reuse of the site's infrastructure under the challenging permitting regime of California’s Coastal Development regulations. The project will also engage the public in the site planning process.
November 26, 2014

Mr. Phillip Smith-Hanes
County Administrative Officer
County of Humboldt
520 E Street
Eureka, CA, 95501-0315

Dear Mr. Smith-Hanes:

The U.S. Economic Development Administration (EDA) is pleased to inform the County of Humboldt that your application to fund a Former Pulp Mill Infrastructure and Site Reuse Plan has been selected through EDA’s competitive application review process for further consideration for funding. Please note that this notification of further consideration is intended to inform you of EDA’s competitive preliminary selection of your project for this funding cycle, but does not guarantee final approval or legally bind EDA to make an award. Subject to availability of funds, the proposed project, estimated to cost $310,000, will be considered for $155,000 in EDA funding under the Economic Adjustment program, authorized under section Title II, Section 209 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. section 3121 et seq.).

If you would like EDA to further consider your application, you must provide:

1. **Acknowledgement.** By December 12, notify EDA via email or letter that you, the applicant(s) agree to provide EDA the information requested by the deadline stated in item 2 of this letter and acknowledge and accept the terms and conditions of EDA’s further consideration as stated in item 2.

2. **Additional Information.** Provide EDA the following information by December 15:

   a. Since the Humboldt Bay Harbor Recreation and Conservation District owns the project property, it must be a co-applicant with the County of Humboldt. Please submit the following forms signed by an authorized representative of the Humboldt Bay Harbor Recreation and Conservation District: SF-424, SF-424B (Assurances – Non-Construction Programs), Exhibit C (Capacity Building Investments – Additional Assurances, and CD-511. Please also send a completed and signed SF-LLL form if required. Please also send a copy of the By-Laws, Articles of Incorporation, and Certificate of Good Standing (or its legal equivalent) from the State of California for the Humboldt Bay Harbor Recreation and Conservation District.
b. Please submit a Joint Agreement between the County of Humboldt and the Humboldt Bay Harbor Recreation and Conservation District. We will email you an example for your use.

c. Detail about the personnel and fringe benefits time your staff members will be working on the project. Specifically, please provide a table listing the position of each staff member contributing time working on the project. For each position, please provide the annual salary, percent of time spent working on the project and the dollar value of time spent on the project, making clear how much will be reimbursed by EDA funds and how much will contribute towards your match. Please also specify how much in fringe benefits will be reimbursed by EDA funds and how much will contribute towards your match. We will email you a template for your use.

Please send the information to your Project Officer, Richard Berndt, at RBerndt@eda.gov or by mail to the above address.

Please note that EDA must ensure that the applicants abide by "staffing" contribution regulatory requirements, namely, clear documentation of commitment to perform specific elements of the proposed scope of work; reasonable basis for valuation; and regular reporting for financial and progress tracking purposes.

The information requested above will supplement your application and enable EDA to proceed with processing your application. Failure to meet this deadline, or the submission of incorrect or incomplete information, will jeopardize approval of your application. If you cannot meet this deadline, please advise Mr. Berndt as soon as possible.

Upon receipt, EDA will assess the information provided. EDA’s assessment of this information may result in a determination that:

1. No additional information is necessary;

2. Additional information is required, because the submission is incomplete, inaccurate, or otherwise unacceptable to EDA, and the applicant(s) must revise the submission before EDA will consider processing the application further; or

3. EDA will discontinue considering your application for funding, because the information submitted does not present a project that complies with applicable law or EDA’s regulations or policies.

Your organization must comply with EDA’s regulations (see 13 C.F.R. chapter III), as well as the Federal Funding Opportunity announcement Economic Development Assistance Programs—Application Submission and Program Requirements for EDA’s Public Works and Economic Adjustment Assistance Programs, which was published November 25, 2013 (see www.eda.gov).

Final approval of an award is conditioned upon EDA’s assessment of the additional information requested, project feasibility, funding priorities, and the availability of funds for obligation.
EDA’s mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. Please do not hesitate to contact Mr. Berndt at (206) 220-7682 or RBerndt@eda.gov if you have questions regarding the requested information or status of your application.

Sincerely,

A. Leonard Smith, Regional Director

Copies: Andrew Whitney, County of Humboldt, Economic Development Specialist
Malinda Matson, EDA, Economic Development Representative