

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

January 26, 2017

The Humboldt Bay Harbor, Recreation, and Conservation District met in regular session on the above date, 6:00 P.M. Closed Session, 7:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

CLOSED SESSION - 6:00 P.M.

President Higgins adjourned the Executive Closed Session at 6:45 PM.

REGULAR SESSION – 7:00 P.M.

ROLL CALL:

PRESENT: HIGGINS
 MARKS
 DALE

ABSENT: DOSS
 THIRD DIVISION COMMISSIONER SEAT: VACANT

QUORUM: Yes

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION: District Counsel reported on Executive Closed Session as follows: Conference with Real Property Negotiators -Exclusive Right to Negotiate Inyo Networks: No action taken.

PUBLIC COMMENT

The following individuals addressed the Council regarding subject matters not on this meeting's agenda: Steve Rosenburg & Ted Romo.

CONSENT CALENDAR:

Commissioner Dale noted a correction to the Sept 29th minutes- to change the Roll Call under "Item A" of *Unfinished Business*. The Roll Call noted him as absent, when he was present.

COMMISSIONER MARKS MOVED FOR APPROVAL OF THE CONSENT CALENDAR. COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

COMMUNICATIONS AND REPORTS

Executive Director Report

- o King Salmon Dredge Eelgrass Mitigation Program
- o Marinas and Dock Dredging
- o President Higgins trip to Texas
- o Renewable Energy Capital- Solar Installation at RMT II
- o DG Fairhaven Power Plant

Staff Reports

Director of Facility Maintenance:

- o Wind storm damage report
- o HWMA to cover the disposal expenses for used motor oil.
- o Recent hires and retirements

Director of Harbor Operations:

- o Soundings of Bay entrance. Implemented a draft restriction of 31 feet, due to some shoaling at the entrance.
- o Buoy 2 at Bay entrance is 500 feet out of position and siting directly in channel. Not a hazard to navigation.
- o Captain of Europa Cruise Ship, scheduled to show up first week May 2017, contacted staff and cancelled Eureka stop.

District Counsel, District Planner, District Treasurer and District Engineer Reports

District Counsel: Nothing to report

District Planner:

- o Progress on Eelgrass Management Plan. Next Meeting with project partners is February 6th, 2017.
- o Draft EIR for Mariculture Pre-permitting Project for intertidal portion will be released in February, with reduced footprints. Subtidal portion already certified.
- o Yeung Oyster Farm Permit IS/Draft MND comments due in February.
- o CEQA document for Bay dredging- Eureka and District marina & dock sites- in progress.
- o Shelter Cove site- putting together application for new Shelter Cove facility. CDP application in progress.

District Treasurer:

- o Management reports going out.
- o Auditor's report- February issue date.
- o State Controller's report due next week.

District Engineer

- o Working on pre-permitting and dredge items
- o Historical Report
- o RMTII- acceptance of Brownfield application confirmed, more information this spring.
- o Conceptual aquaculture plans for machine building.
- o Fields Landing- submitted Industrial Storm Water permit submitted on the 1st of January.
- o Working on plans for fish cleaning station at Shelter Cove.

Commissioner and Committee Reports

- ❖ Commissioners shared various activities and items of interest.

UNFINISHED BUSINESS: NONE

NEW BUSINESS

A. CONSIDERATION OF APPOINTMENT OF DISTRICT 3 COMMISSIONER.

1. Selection Committee sent memo on January 11th, 2017, with two recommendations.
 - o Ranked 1- Stephen Kullmann
 - o Ranked 2- David Narum
 - o The Committee had interviewed 5 candidates, including Casey Allen, Dan Clasen, and Natalia Nelson.
 - o Since the 17th, the District has received over 70 letters of support for Casey Allen.
2. Commission has several options:
 1. Accept selection committee's recommendation and appoint Kullmann
 2. Accept selection committee's 2nd ranked and appoint Narum
 3. Reject selection committee's recommendation and appoint another.
 4. Interview the Selection Committee's candidates, plus Casey Allen
 5. Advertise for more candidates and find other choices

Commissioners discussed applicant turnout. Chair Higgins noted that Commissioner Doss, though absent, indicated a preference to interview the Selection Committee's candidates plus Casey Allen.

COMMISSIONER MARKS MOVED TO INTERVIEW THE SELECTION COMMITTEE'S CANDIDATES, PLUS CASEY ALLEN. COMMISSIONER DALE SECONDED.

CHAIR HIGGINS MOVED TO AMEND COMMISSIONER MARKS'S MOTION TO INCLUDE THE MEETING DATE OF FEBRUARY 2ND, 2017, AND TIME OF 7:00 PM.

Chair Higgins opened up public comment on the item. Commenters included: Steve Rosenberg, Kent Sawatzky, Karen Brooks, Mark Lovelace, Uri Driscoll, Debbie Provolt, Mitch Farro, Mike Wilson, and Ted Romo.

Chair Higgins called the question. **MOTION CARRIED WITHOUT DISSENT.**

B. CONSIDERATION OF SUBORDINATION REQUEST BY THE CITY OF EUREKA RELATING TO PROPOSED BOND ISSUE FOR THE EUREKA SUCCESSOR AGENCY PURSUANT TO SECTION 34177.5(C) OF THE CALIFORNIA HEALTH AND SAFETY CODE.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF THE SUBORDINATION REQUEST BY THE CITY OF EUREKA. COMMISSIONER DALE SECONDED THE MOTION.

Chair Higgins opened up public comment on the item. Commenters included: Kent Sawatzky.

Chair Higgins called the question. MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF CONTRACT WITH MERKEL & ASSOCIATES, INC. TO COMPLETE A PRELIMINARY EELGRASS MITIGATION PLAN FOR KING SALMON'S FISHERMAN CHANNEL, NOT TO EXCEED \$23,328.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF THE MERKEL & ASSOCIATES CONTRACT, NOT TO EXCEED \$23,328. COMMISSIONER MARKS SECONDED THE MOTION.

Chair Higgins opened up public comment on the item. Commenters included: Kent Sawatzky.

Chair Higgins called the question. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH INYO NETWORKS INC. FOR A NON-EXCLUSIVE USE OF THE OCEAN OUTFALL PIPE TO LAND FIBER OPTIC COMMUNICATION CABLES.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF THE EXCLUSIVE RIGHT TO NEGOTIATE WITH INYO NETWORKS. COMMISSIONER MARKS SECONDED THE MOTION.

The Commission discussed the topic, including details of the company and historical context of the project. The Commission noted that the Lost Coast Outpost had written about the item recently, but had not accurately portrayed the project.

Chair Higgins opened up public comment on the item. Commenters included: Paul Helliker, Kent Sawatzky, Sean McLaughlin, Michael Hough, Connie Stewart, Rex Bohn, and Gabor Sziladi.

Chair Higgins called the question. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: NONE

The Regular Meeting of the Board of Commissioners adjourned at 8:23 PM

APPROVED BY


Patrick Higgins
Secretary

RECORDED BY:


George Williamson
District Planner