

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

**October 23, 2014**

**PRESENT:**

Commissioner Newman  
Commissioner Dale  
Commissioner Marks  
Commissioner Wilson  
Commissioner Higgins

President Marks called the Executive Closed Session to order at 6:06 p.m.

Pete Johnston reported he, Larry Doss and CEO met yesterday to discuss the agreement between Timber Heritage Association and the Harbor District. He said he believes THA has proven to be a viable organization and is happy the agreement is further along than they expected. THA had been focusing on moving large equipment to the Roundhouse property and that is done; it is time to refocus on the agreement.

Larry Doss told the Board he appreciates their offer of the property and hopes to further discuss some of the agreement's ambiguities.

The Board of Commissioners then convened to Executive Closed Session.

President Marks adjourned the Executive Closed Session at 6:35 p.m.

President Marks called the regular meeting of the Board of Commissioners to order at 7:03 p.m.

Commissioner Wilson led those present in the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Status of Conference with Real Property Negotiator: Timber Heritage Association purchase of Redwood Marine Terminal Berth 1 Roundhouse Real Property and Sale of Boiler at Redwood Terminal 2 property. No action taken on either item.

**PUBLIC COMMENT:** None

**CONSENT CALENDAR**

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

**COMMUNICATIONS AND REPORTS**

**EXECUTIVE DIRECTOR'S REPORT:**

- ❖ USEPA is mobilizing on the pulp mill site to remove the sludges. There is a large shear to cut the tanks apart. The tanks will be transported to Klamath Falls.
  - Steve Calanog, USEPA, is overseeing the cleanup process. The liquors transport was completed last month – 650 truckloads with no incident. The next phase is the sludge removal and transport; this will take 4-5 months. Commissioner Higgins asked if the rain creates any problems. Mr. Calanog said they are monitoring the rainfall; a manageable problem.
- ❖ Mariculture Pre-Permitting Project – 13 proposals were received; local and non-local, small, startup and larger companies. No proposals were received for the subtidal sites.
  - ED suggested forming a committee to review the proposals: 2 Board members (Commissioners Higgins and Newman), 1 Headwaters Fund member, 1 Eureka City staff or council member. The committee would establish selection criteria, discuss second option sites with proposers and make recommendations to the Board in February 2015.

- ❖ Attended a California Shellfish Initiative Working Group meeting in Santa Rosa. Issues discussed: improve permitting procedures and improve communication with permitting agencies. Assembly Joint Resolution 43 for the expansion and protection of shellfish beds was also discussed.

**STAFF REPORTS:**

**Director of Harbor Operations**

- ❖ The second log ship of the year, loaded with 3.2 million board feet of logs left Humboldt Bay this week. The next log ship will arrive in late October – early November.
- ❖ Has been working with the County and City of Eureka on the Foreign Trade Zone designation.
- ❖ Is going to attend the Harbor Safety Committee Summit in Napa next week.
- ❖ Has been working on updating the storage leases.

**District Planner -**

- ❖ King Salmon dredging – Working on scheduling the King Salmon Phased dredging Project with PG&E. His planning an agency pre-permitting meeting and will invite representatives from every agency with permitting jurisdiction. Also being planned is the King Salmon resident's meeting at Fields Landing Boat Yard to discuss the dredging schedule. He said pizza will be served.
- ❖ Met with Rob Holmlund, City of Eureka Community Development Director regarding land use changes.
- ❖ Reviewing the proposals submitted for the Redwood Terminal 2 improvements.
- ❖ Praxis, a fiber optic cable company, toured Redwood Terminal 2.

**DISTRICT COUNSEL REPORT:** None.

**COMMISSIONER AND COMMITTEE REPORTS:**

**Commissioner Newman:**

- ❖ Getting closer to opening of crab season. Testing protocols are being determined.
- ❖ Last Friday, he, Commissioner Dale and ED travelled to Nevada to tour the Barrick Corp. mine. US Mine Corp. is interested in the Redwood Terminal 2 site and they appear to be a very community-conscious and safety-oriented company.

**Commissioner Dale:**

- ❖ Attended the Shellfish Initiative Working Group meeting in Santa Rosa.
- ❖ Visited the Nevada mine and watched ore processing.

**Commissioner Marks:**

- ❖ Said he is only thinking of softball during this rainy season, not the pulp mill.

**Commissioner Wilson:**

- ❖ Said everyone should visit the First Street Gallery in Eureka and see Cynthia Hooper's exhibit of Humboldt Bay.

**Commissioner Higgins:**

- ❖ Attended the North coast Land Trust Dinner – the event of the year! He commended Commissioner Newman on his efforts on behalf of the North Coast.
- ❖ Doing water temperature probes throughout the Eel River Basin. It is the driest year on record in the last 100 years and it is important to track the water temperatures during these times.
- ❖ Counted 2,457 salmon in Eel River's 12<sup>th</sup> Street Pool.
- ❖ Attended the Round Valley Salmon Festival sponsored by the Eel River Recovery Project.

**OTHER:** None

## UNFINISHED BUSINESS

**A. CONSIDERATION OF ADOPTING RESOLUTION 2014-13 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT.**

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2014-13 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT. COMMISSIONER DALE SECONDED.

Adam Wagschal, HT Harvey & Associates, and Mike Foget, SHN Engineers, spoke on the project. Water Quality is one of the contributing factors to the project, which is CEQA-exempt due to the fact the improvements and repairs are being made to existing structures with no change to the footprint.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER NEWMAN – AYE

COMMISSIONER DALE – AYE

COMMISSIONER MARKS – AYE

COMMISSIONER WILSON - AYE

COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF GRANTING PERMIT 14-06 TO MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT.**

COMMISSIONER DALE MOVED FOR THE APPROVAL OF GRANTING PERMIT 14-06 TO MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

## NEW BUSINESS:

**A. CONSIDERATION OF APPROVAL OF EMPLOYMENT AGREEMENT WITH EXECUTIVE DIRECTOR JACK CRIDER.**

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF EMPLOYMENT AGREEMENT WITH EXECUTIVE DIRECTOR JACK CRIDER. COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF APPROVAL OF CONTRACT WITH SHN ENGINEERS AND GEOLOGISTS FOR SERVICES RELATED TO PRE-DREDGE SURVEY SERVICES FOR 13 HUMBOLDT BAY FACILITIES.**

Executive Director reported an RFP was distributed for survey services for 13 sites in Humboldt Bay needing dredging. He said he is satisfied with SHN's proposal and it will be up to the Harbor District and City of Eureka to make sure they are able to complete the surveys without interruption.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF CONTRACT WITH SHN ENGINEERS AND GEOLOGISTS FOR SERVICES RELATED TO PRE-DREDGE SURVEY SERVICES FOR 13 HUMBOLDT BAY FACILITIES. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT

**C. CONSIDERATION OF APPROVAL OF CONTRACT WITH EUGENE COWAN FOR SERVICES RELATED TO PROVIDING TAX AND LEGAL ADVICE WITH RESPECT TO THE DEVELOPMENT OF THE HUMBOLDT BAY ECO-INDUSTRIAL PARK FACILITIES.**

Executive Director reported Humboldt Bay Eco-Industrial Park is the New Market Tax Credits name for Redwood Terminal 2. Twelve providers were interviewed. Initially Nixon-Peabody was chosen; but a potential conflict arose, so their agreement was terminated. Eugene Cowan was the second choice.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF CONTRACT WITH EUGENE COWAN FOR SERVICES RELATED TO PROVIDING TAX AND LEGAL ADVICE WITH RESPECT TO THE DEVELOPMENT OF THE HUMBOLDT BAY ECO-INDUSTRIAL PARK FACILITIES. COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF APPROVAL OF CONTRACT WITH UTILITY COST MANAGEMENT, LLC FOR THE CSDA UTILITY BILL PROJECT.**

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF CONTRACT WITH UTILITY COST MANAGEMENT, LLC FOR THE CSDA UTILITY BILL PROJECT. COMMISSIONER WILSON SECONDED.

Director of Administrative Services reported Utility Cost Management, LLC (UCM) has been working through CSDA with special districts for years, with a proven track record. UCM expertly applies utility regulations to the district's bills in order to uncover billing errors. They monitor developments in the regulatory environment to ensure that the utility bills are in line with the latest regulations and interpretive decisions. Fees are paid as a percent of savings/findings.

MOTION CARRIED WITHOUT DISSENT.

**E. CONSIDERATION OF APPROVAL OF CONTRACT WITH SUSTAINABLE WORLD SOLUTIONS, LLC TO HOLD A GLOBAL MUSIC AND NATURAL FOOD FESTIVAL.**


Robert Zack and Ava Stern presented to the Board of Commissioners their vision for a festival highlighting Humboldt Bay and the North Coast. They suggested a \$200,000 start-up fee was not out of line.

President Marks assigned Commissioner Wilson to work with he and Executive Director on the contract and details/time frame with Mr. Zack and Ms. Stern.

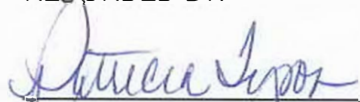
**ADMINISTRATIVE AND EMERGENCY PERMITS:** None.

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

APPROVED BY:

  
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Greg Dale  
Secretary

RECORDED BY:

  
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Patricia Tyson  
Director of Administrative Services