

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

October 24, 2013

PRESENT

Commissioner Newman
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

ABSENT

Commissioner Dale

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:05 P.M.

President Wilson asked Adam Wagschal to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT

Steve Harris, Operating Engineers District representative, stated there are qualified people in the area to work on the Pulp Mill project, and would like to work with the District to employ local workers.

Susan Penn, Woodley Island Marina tenant, said there have been a lot of recent dog issues on the Island. Recently a dog aggressively approached a visiting friend of hers; the dog belonged to a fisherman who when approached, acted with hostility toward her friend. Ms. Penn reported the incident was conveyed to the District office; and while there are many signs on the Island saying there are no dogs allowed, the rules are confusing when there is a dog area present. She stated it is not fair that fishermen can have dogs on their boats, but anyone visiting her boat cannot.

Commissioner Wilson asked Commissioner Higgins who he worked with on this topic when it came up previously. Commissioner Higgins said it was with past Commissioner Pellegrini. Commissioner Wilson assigned Commissioners Higgins and Newman to work with Director of Facility Maintenance on this subject.

Director of Facility Maintenance reported Staff is aware of the situation and are looking into changing the Island signs and reviewing District Ordinance 9.

Sebastian Elrite of Aqua Rodeo Farms said oyster tourism has been increasingly successful and is raising funds to purchase a boat for six-man tours; visit the website www.indiegogo.com to donate.

CONSENT CALENDAR

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

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Reported at Redwood Terminal 2, the first significant volume of liquors left, leaving one empty tank; sulfuric acid will be taken care of next. CEO is still working on bringing power to the offices and warehouse; the District could end up with a credit from PG&E. Staff has been doing a lot of cleanup around the site; found a climber to ascend the stack to install an aviation light; a dock inspection revealed that only the top boards need to be replaced to be able to bring in a chemical barge.

STAFF REPORTS

Director of Conservation

- ❖ Reported he and Captain Powell surveyed the condition of the Redwood Terminal 2 ocean outfall pipe with the side scan sonar, a requirement of the State Lands Commission to change the lease into the District's name.
- ❖ Will attend a meeting with SHN Consulting Engineers to discuss sediment reuse.
- ❖ Said there will be a Sea Level Rise Adaptation planning process public meeting on November 12.

Director of Facility Maintenance

- ❖ Reported the Maintenance staff have been busy making repairs to the dock and cleaning the site at Redwood Terminal 2.
- ❖ Went with Captain Petrusha and City of Eureka Harbormaster to Oregon to assess the dredge the District has been discussing purchasing.

Bar Pilot Tim Petrusha

- ❖ Reported a log ship recently left the Bay; expecting two more by the end of the year. There is talk of a chip barge coming to the Bay before traveling to Canada.

DISTRICT COUNSEL REPORT: None

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Newman

- ❖ Stated crab quality tests will be done soon.

Commissioner Wilson

- ❖ Read a draft letter to EPA regarding employing a local work force at Redwood Terminal 2.
- ❖ Was at the Board of Supervisors on Monday as part of the General Plan Update process; asked to participate on a committee to discuss the Economic Development section and make recommendations to the Board of Supervisors.
- ❖ Received the second administrative draft from LACO regarding the Samoa Industrial Waterfront Transportation Access Plan.

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Commissioner Marks

- ❖ Chaired an Economic Development Committee about aquaculture facilitated by Ted Kuiper, which was well attended; said Humboldt Bay is the only high-health bay in California, so larva shipment could create about 110 jobs with \$10,000,000 coming into the local economy. Stated pre-permitting would be helpful.

Commissioner Higgins

- ❖ Stated there were great presentations at the Economic Development Committee and much excitement with many good suggestions; the next meeting is November 11, Shelter Cove and Field Landing will be discussed. Thanked the press for being there.
- ❖ Went diving in the Eel River and will be going again soon.
- ❖ Said the District's website will be revamped soon.

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF CREATION OF AN INTERAGENCY AD HOC HARBOR DEVELOPMENT COMMITTEE.

Commissioner Wilson reported this item is coming from the Humboldt BayHarbor Working Group. The Group is requesting \$5,000 be spent from the District Budget to record the meetings. Commissioner Wilson requested no meetings take place until the Economic Development Committee meetings have ended and stated City of Arcata should also be asked to participate.

Susana Munzell said the Group welcomes the representatives on the Committee; had a lengthy conversation with Commissioner Wilson earlier where understandings were met. Ms. Munzell reported there are issues that the Working Group is not able to respond to completely without first talking to the other agencies on the Committee; glad there is progress with a Committee being formed.

Commissioner Wilson asked the Group to postpone the November 6 meeting because he cannot make it.

Ms. Munzell stated she would speak with the other Committee participants.

COMMISSIONER NEWMAN MOVED FOR CREATION OF AN INTERAGENCY AD HOC HARBOR DEVELOPMENT COMMITTEE AND THE EXPENDITURE OF \$5,000 FROM DISTRICT'S BUDGET TO FACILITATE RECORDING OF MEETINGS. COMMISSIONER MARKS SECONDED.

Commissioner Higgins said he is impressed with the amount of time Commissioner Wilson has committed.

Ms. Munzell asked when the Economic Development Committee meetings would end so the Committee can begin meetings. Commissioner Higgins reported there will be about five more meetings, so it will not end until around May; welcomed the Group to come to the EDC meetings.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF APPROVAL OF THE FOLLOWING CONTRACTS FOR TASKS RELATED TO THE SPARTINA ERADICATION PROGRAM:

1. CONTRACT WITH H.T. HARVEY AND ASSOCIATES TO ASSIST THE DISTRICT AND CONSERVANCY WITH COMPLETING THE REMAINING PERMITTING, AND WITH THE ASSOCIATED BIOLOGICAL MONITORING.

Director of Conservation said more permitting is needed to expand Spartina eradication areas; H.T. Harvey wrote the EIR, so it makes sense for them to be on call to review some of the work. Mr. Berman reported this Item is on an hourly basis up to \$10,000, which is what was budgeted with the Coastal Conservancy grant.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF CONTRACT WITH H.T. HARVEY AND ASSOCIATES TO ASSIST THE DISTRICT AND CONSERVANCY WITH COMPLETING THE REMAINING PERMITTING, AND WITH THE ASSOCIATED BIOLOGICAL MONITORING. COMMISSIONER HIGGINS SECONDED.

MOTION CARRIED WITHOUT DISSENT.

2. CONTRACTS WITH US FISH & WILDLIFE SERVICE TO COMPLETE THIS YEAR'S SEED BANK RESEARCH COMPONENT OF THE PROJECT.

Commissioner Wilson recused himself and left the room to avoid any possible conflicts of interest.

Director of Conservation stated this Item has been changed to working with Friends of the Dunes, who will employ people to complete this year's seed bank research component; is for \$17,000.

COMMISSIONER HIGGINS MOVED FOR CONTRACT WITH FRIENDS OF THE DUNES TO COMPLETE THIS YEAR'S SEED BANK RESEARCH COMPONENT OF THE PROJECT. COMMISSIONER MARKS SECONDED.

MOTION CARRIED WITHOUT DISSENT.

Commissioner Wilson returned to the room.

3. CONTRACT WITH RANSOM SEED LABORATORIES FOR ANALYSIS ASSOCIATED WITH THE SEED BANK RESEARCH COMPONENT OF THE PROJECT.

Director of Conservation said all the money being spent is from the grant from the Conservancy.

COMMISSIONER HIGGINS MOVED FOR CONTRACT WITH RANSOM SEED LABORATORIES FOR ANALYSIS ASSOCIATED WITH THE SEED BANK RESEARCH COMPONENT OF THE PROJECT. COMMISSIONER MARKS SECONDED.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF LEARNING SITE AGREEMENT CONTRACT TO BE ESTABLISHED BETWEEN HSU/CSU AND THE HUMBOLDT BAY HARBOR DISTRICT TO COVER HSU STUDENT INTERN.

COMMISSIONER HIGGINS MOVED FOR LEARNING SITE AGREEMENT CONTRACT TO BE ESTABLISHED BETWEEN HSU/CSU AND THE HUMBOLDT BAY HARBOR DISTRICT TO COVER HSU STUDENT INTERN. COMMISSIONER NEWMAN SECONDED.

Director of Administrative Services reported this Item is for an intern from HSU who would inventory small assets from the Pulp Mill and develop a marketing plan, then implement it; or students could develop a scope of work to re-establish utilities. This is an unpaid position with no benefits, but the students could get credit through their coursework.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF THE CONTRACT WITH CROWLEY TUG & BARGE FOR TRANSPORTATION SERVICES.

CEO said finding a chemical barge has been a tough process and this seems to be the only one available on the West Coast.

Commissioner Higgins asked if for some reason the chemicals do not get moved, is the District still responsible for payment.

CEO reported the amount is below what was originally thought and still would be even if there were delays; is confident with USCG and EPA being there and considers the risk manageable.

District Counsel stated the total estimated costs do not include some things the District will have to consider, such as a marine surveyor and insurance.

CEO said there are risks but the Coast Guard will know what is going on; there will be two barges and some trucks needed to transport. Mr. Crider reported a third barge would not be needed because it would not be full.

Commissioner Wilson reported if there is rejection of the product and the barge does not come, how much the District will be obligated for. CEO stated none.

Commissioner Higgins said the community does not want the liquors around the area.

COMMISSIONER MARKS MOVED FOR APPROVAL OF CONTRACT WITH CROWLEY TUG & BARGE FOR TRANSPORTATION SERVICES. COMMISSIONER NEWMAN SECONDED.
MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF LOUISIANA-PACIFIC PULP MILL ACCESS AGREEMENT.

District Counsel reported Louisiana-Pacific was responsible for monitoring and remediation of the groundwater but now that the District owns the property, they need permission to go on the site.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF LOUISIANA-PACIFIC PULP MILL ACCESS AGREEMENT. COMMISSIONER MARKS SECONDED.

MOTION CARRIED WITHOUT DISSENT.

F. DISCUSSION OF POTENTIAL DREDGE PURCHASE.

Director of Facility Maintenance stated he went to inspect the dredge with Bar Pilot Tim Petrusha and City Harbormaster Jeff Raimey.

Bar Pilot Tim Petrusha said while the barge is not brand new and perfect, it is in sound working condition and the knowledge of the man running it is incredible; is satisfied with the equipment.

Sebastian Elrite asked what size the cutter is.

Bar Pilot Petrusha reported 12 inches and the Staff is checking on compliance with the local Air Board; there are 9 to 10,000 feet of pipe and that the dredge has been in the Bay. Mr. Petrusha stated the dredge's owner would be available for the first two dredging cycles for training; asking for a detailed inventory list. Mr. Petrusha said the dredge is currently set up to go up to 20 feet, but there are extenders that go up to 40 feet.

Director of Facility Maintenance reported there is also a cutter-burner so that pieces of pipe can be fitted together and 8-14 feet of pipe.

Commissioner Wilson asked if City Staff seemed to have a positive view of the dredge.

Director of Facility Maintenance stated they seemed to feel that it would suit their needs as well.

CEO said the City Staff has seemed positive since yearly dredging will be done in small volumes, which is easier to budget for than ten-year increments where millions of dollars are concerned.

Commissioner Wilson reported assuming everything works out such as financing, the question to ask is if this is the best piece of equipment to purchase; would like comparisons done with other equipment.

Bar Pilot Petrusha stated an inventory list with the current potential dredge is being requested and should be helpful in that aspect.

CEO said included in the price is Vern Scovell's expertise and training.

Susan Penn asked if annual dredging will require yearly permitting.

CEO reported the City and possibly private dock owners will also need the permitting; has been discussing a master permit for ten years with SHN that would include a certain yardage amount.

Commissioner Wilson stated no matter what technology is used, permitting will always be a cost to factor.

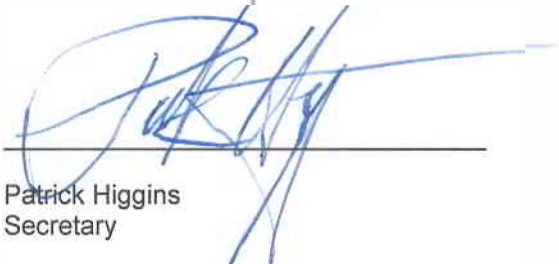
ADMINISTRATIVE AND EMERGENCY PERMITS

Director of Conservation said Administrative Permit #2013-04 was issued to the District to replace decking at the Redwood Marine Terminal Berth Two dock to facilitate a chemical barge; will also leave the District with a functional dock. Mr. Berman reported an Emergency Permit will need to be issued from the Coastal Commission, but they are between their meeting cycles.

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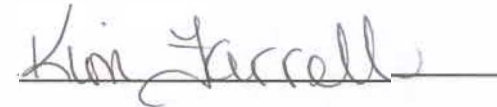
President Wilson adjourned the Regular Meeting of the Board of Commissioners at 9:05 P.M.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk