

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

October 27, 2016

PRESENT:

Commissioner Doss
Commissioner Dale
Commissioner Higgins
Commissioner Wilson
Commissioner Marks

President Higgins called the Special meeting of the Board of Commissioners to order at 7:08 p.m.

President Higgins asked Leroy Zerlang to lead the Pledge of Allegiance.

Executive Director reported out of Executive Closed Session as follows: Conference with Real Property Negotiators: Parcel C, Owners Charles and Jane Benbow – No action taken.

PUBLIC COMMENT

Pete Oringer said the sampling of 17 sites at the Timber Heritage Association (THA) museum site occurred on October 11-12. Lab results are forthcoming within 5-8 weeks. Three areas identified as suspicious for asbestos, fairly benign. USEPA will receive the results and then will share with Harbor District, County of Humboldt and THA.

Pat Rainsford, retired USCG, said when he came to Humboldt County after service, he was asked to review the Contingency Plan for Humboldt Bay Power Plant. The Plan was used once and he reviewed the report from the incident concerning venting the reactor after high levels of heat, pressure and hydrogen gas were reached. When the reactor was vented, the results were sent into the air and into the surrounding waters. Mr. Rainsford said he had some concerns with the application from PG&E for the Humboldt Bay Power Plant Wetland Sediment Sampling. President Higgins said this item is further down on the agenda and he welcomed Mr. Rainsford's continued comments at that time.

CONSENT CALENDAR: None

EXECUTIVE DIRECTOR REPORT

- ❖ Solar Power Purchase Agreement was completed and signed, PG&E has received the Interconnection Request.
- ❖ Samoa Peninsula Fire District has waived any real property taxes and return remitted funds paid during the New Market Tax Credits transaction. Annually District Staff will receive fire training and will be charge a fee.
- ❖ Successful Redwood Marine Terminal II Grand Opening, Eelgrass Kickoff and Humboldt Bay Symposium.
- ❖ At next month's Coastal Commission meeting, the Subtidal Pre-permitting is on the consent calendar, final permit will be issued in December.
- ❖ Final dredge disposal options should be ready for review next week.
- ❖ Tide gate at King Salmon completely destroyed during last storm event, District staff fabricating repairs.

STAFF REPORTS:

Director of Operations and Facility Maintenance:

- ❖ Grand Opening of Redwood Marine Terminal II – Preparations and event were a success.
- ❖ RMT2 new roof, siding and windows – received "after the rains" report. Contractors were quick to make repairs.
- ❖ Building inspections are complete, will receive notifications from contractors.
- ❖ Getting ready for winter at the Marina, building repairs on the Café roof and siding.
- ❖ RMT1 – getting ready for a busy crab season.

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Director of Harbor Operations:

- ❖ M/V CHUETSU SPIRIT loaded four hatches of chips for export at California Redwood Dock.
- ❖ Next chip ship GLORIUS PLUMERIA November 11.
- ❖ Next log ship first week of December.
- ❖ Scheduling sampling for Woodley Island Marina, Vibracore unit ready to go.
- ❖ Will attend a cruise ship conference CLIA-NWC/CLIA Alaska Fall Reception in Seattle, November 1-2.
- ❖ Rescue Swimmer training today with Humboldt Bay Fire and again next week.

DISTRICT COUNSEL, DISTRICT PLANNER AND DISTRICT TREASURER REPORT

District Planner:

- ❖ SPI dock piling replacement permit was granted last meeting. Assisting SPI with their Coastal Commission permit.
- ❖ Assisted with the Grand Opening of the RMT2.
- ❖ Asbestos surveyor here next week as part of the requirement for the demolition permit for the marina building in Shelter Cove.
- ❖ Coordinating the responses to comments on the Coast Seafoods Final EIR; arranging for an agency meeting to discuss the responses to comments; next will be the mitigation monitoring report for the District permit.
- ❖ The County of Humboldt filed their interim use ordinance; Coastal Commission is asking for more information in order to process the CDI Interim Use LCP amendment.
- ❖ Coordinating with County of the Samoa Lagoons Dredge Disposal Site
- ❖ CDBG/EDA grant Coordination with County
- ❖ Fisherman's Channel – 2017 dredging permitting
- ❖ Eelgrass Management Plan – held a project partners meeting and a public workshop – draft expected next Spring.
- ❖ Coastal Regional Sediment Management Plan.
- ❖ Timber Heritage Association – Samos Shops Option.
- ❖ Yeung Oyster Farm permit.
- ❖ PG&E Humboldt Bay Generating Station – Final Site Restoration Plan.
- ❖ Regional Water Quality Control Board – Wastewater Treatment Prop 1 Grant Application.
- ❖ Vessel 1091.
- ❖ Website Management and Facebook posts.

District Engineer:

- ❖ Pre-permitting subtidal sites.
- ❖ Revised conceptual drawings for Shelter Cove facility.
- ❖ Stormwater permitting at Fields Landing Boat Yard.
- ❖ Update on dredge alternatives.
- ❖ RMT2 permitting of ocean outfall.
- ❖ Infrastructure assessment on Samoa Peninsula.

District Treasurer:

- ❖ Was not able to attend the RMT2 Grand Opening because he was working out of town.
- ❖ Auditors are working; monthly reports are being prepared on time.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Doss:

- ❖ Attended a CA Coastal Sediment Action Plan meeting on the Internet.
- ❖ Attended a meeting with some Woodley Island Marina boat captains to talk about dock repairs.
- ❖ Attended RMT2 Grand Opening.
- ❖ Attended the Kick Off meeting for the Humboldt Bay Eelgrass Management Plan.
- ❖ Attended the 2x2 Committee with one of the Eureka City Council members regarding dredging.

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Commissioner Dale:

- ❖ Annual Pacific Shellfish Growers Meeting in Washington.
- ❖ Joint Subcommittee on Fisheries and Aquaculture at Bodega Bay Marine Lab chaired by Senator McGuire and attended by Congressman Huffman.
- ❖ Attended the Kick Off meeting for the Humboldt Bay Eelgrass Management Plan.
- ❖ Attended the RMT2 Grand Opening – Hats off to Director of Operations and Facility Maintenance and District Staff – the facility has come a long way.
- ❖ Attended Humboldt Bay Symposium.

Commissioner Higgins:

- ❖ Attended RMT2 Grand Opening – a first class event.
- ❖ Attended the Kick Off meeting for the Humboldt Bay Eelgrass Management Plan.
- ❖ Attended the Humboldt Bay Symposium.
- ❖ Eel River Recovery Project – November 6 at Fortuna Monday Club – Celebrate five years!
- ❖ Shared three short fish videos.

Commissioner Wilson:

- ❖ Attended the RMT2 Grand Opening, Kick Off meeting for the Humboldt Bay Eelgrass Management Plan and the Humboldt Bay Symposium.
- ❖ Gave a tour with Natalie Arroyo for Jen Kalt's Environmental Planning Class on v/CORAL SEA.
- ❖ Asked when the planned date is for the Interim Use Ordinance to be heard by the Coastal Commission. Executive Director said it is not yet known.
- ❖ November 14 – applications for Third Division Commissioner due.
- ❖ Hoping to start having weekly meetings regarding dredging.
- ❖ Asked to have permit extensions appear on the Consent Calendar with some description of the project.

Commissioner Marks:

- ❖ Attended the RMT2 Grand Opening, Kick Off meeting for the Humboldt Bay Eelgrass Management Plan and the Humboldt Bay Symposium.
- ❖ NWPCo is reporting a push on getting on more business and installing more railroad ties. Hoping to get rail for freight to Willits. Also heard a pitch from Leer, a security company who clears encampments along the rail line.

OTHER

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF GRANTING ACCESS AND PROPERTY USE OF REDWOOD MARINE TERMINAL 1 TO THE FRIENDS OF THE VESSEL 1091 FOR EMERGENCY REPAIRS AND AUTHORIZING STAFF TO ISSUE EMERGENCY PERMITS.

Executive Director reported there will be a King Tide November 12-15 at 8+ feet – shoreside water depth at 4-6 feet. The vessel 1091 was built in 1944 and last dry docked in 1995. It is 158' and 264 tons and is in need of repairs; this would be the perfect time at King Tide to take the vessel out of the water and empty the ballast tanks that are leaking plus remove any extra weight. Donations of two D9s with winches, excavator, tug and logs have been offered. Friends of the 1091 want airbags, not logs, to be used – at a cost of \$20,000 – putting out no money or time. City of Eureka will contribute \$5,000 for out of pocket expenses. The District requires proof of ownership (recently received) and liability releases to be obtained from the District, City of Eureka, and Zerlang and Zerlang Marine Services. Once the vessel is out of the water, it will be inspected, repaired and put back into the water if the Coast Guard certifies the condition. If the vessel fails inspection, it is better to have it on shore than the bay bottom. The Friends of the 1091 (Humboldt Bay Naval SEA/AIR Museum) lost their non-profit status. Dr. Davis sold the vessel to the non-profit, but they are now in violation of the sales/transfer agreement. The Friends of 1091 owe the City over \$15,000 in moorage and the City needs the dock space for large transit

vessels. The 1091 will sink and the Bay already has the v/DENNIS GAYLE at the bottom of the bay with nobody financially responsible.

COMMISSIONER WILSON MOVED FOR GRANTING ACCESS AND PROPERTY USE OF REDWOOD MARINE TERMINAL 1 TO THE FRIENDS OF THE VESSEL 1091 FOR EMERGENCY REPAIRS AND AUTHORIZING STAFF TO ISSUE EMERGENCY PERMITS. COMMISSIONER DALE SECONDED.

Leroy Marsh, project manager, said the 1091 is not ready to sink. The bottom is deteriorating and there are three leaking ballasts; there are a total of 27 ballasts. It does need to come out for repairs, zincs replaced, keel coolers repaired, etc. The method of removing from the water has been done by many museums. The location at the Timber Heritage Museum would be ideal for a museum.

Commissioner Doss said he wanted it to be clear that the purpose of this action is to remove the vessel from the water. He is happy to have a conversation later about the museum idea. Working with the City, two government agencies working together in the public's best interest.

Andrew Whitney, City of Eureka, said the vessel is historic and important, but needs to be removed from the water. The Coastal Industrial land where the vessel will be placed is zoned appropriately. The City would like the Commercial Street dock to be used for revenue, free tenancy is not the desired solution. Permits are being sought for this emergency situation.

Commissioner Marks said the Board needs to focus on the emergency situation; future options can be discussed at a later time.

Leroy Zerlang said there is the possibility the vessel sinks on the way or breaks in half; needs to be considered. November 12 is an ambitious deadline.

Executive Director said the vessel is a landing craft, designed to take on this type of moving on land; however we don't know if and how much it has been compromised.

Commissioner Dale said he does think the vessel is going to make it to land just fine, but he does not think the vessel will be returned to the bay. \$20,000 for roller bags will probably not happen, but logs or telephone poles can be used.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF MODIFICATIONS TO EXHIBIT C, SALARY SCHEDULES FOR HARBOR MAINTENANCE WORKER 1, DOCK MASTER AND OFFICE BOOKKEEPER.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF MODIFICATIONS TO EXHIBIT C, SALARY SCHEDULES FOR HARBOR MAINTENANCE WORKER 1, DOCK MASTER AND OFFICE BOOKKEEPER. COMMISSIONER WILSON SECONDED.

Executive Director reported CalPERS compliance review findings: "Earning and pay rates are reported incorrectly or exceed the maximum listed on a publicly available pay schedule." Long term senior staff have exceeded the maximum list pay schedule. Harbor Maintenance Worker 1 senior staff refuses promotion to Harbor Maintenance Worker 2, exception being added – Hired prior to 6/30/1992. Dock Master maximum hourly wage category increased from \$35 to \$39. Office Bookkeeper maximum hourly wage category increase from \$28 to \$31.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF ACCEPTING FOR FILING APPLICATION FOR PERMIT NO 2016-08, FROM PG&E FOR HUMBOLDT BAY POWER PLANT WETLAND SEDIMENT SAMPLING.

Executive Director reported the Department of Toxic Substances Control requires soil samples. Samples have been taken at Buhne Slough, Duck Pond and Frog Pond. One foot diameter samples – six inches deep – hand trowel. Humboldt Bay samples are done by hand held soil dredge. Executive Director stated application is complete and recommends accepting for filing.

COMMISSIONER MARKS MOVED FOR THE ACCEPTING FOR FILING APPLICATION FOR PERMIT NO. 2016-18, FROM PG&E FOR HUMBOLDT BAY POWER PLANT WETLAND SEDIMENT SAMPLING. COMMISSIONER DALE SECONDED.

Commissioner Wilson asked for clarification – the application states sampling will be done in Summer 2016 and should be 2017.

Pat Rainsford said a recent study states Humboldt County has the second lowest survival rate in California once a cancer diagnosis has been made. He asked if sampling had been done in the PG&E waste canal and King Salmon and if so, has anyone seen the report?

Commissioner Wilson said the sampling is for everything but radioactivity; that is done by another agency. These samplings are being done for final remedial action for the decommissioning; results are public information. This Board is certifying there is no environmental hazard being created by the action of sampling.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS

Commissioner Dale recused himself and left the meeting.

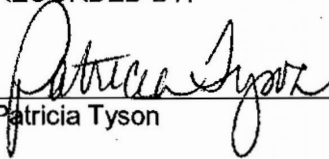
- a. Granted Coast Seafoods six month extension of Permit Nos. E-06-003-A2 and E-02-005-A4 until May 1, 2017.
- b. Granted Sierra Pacific Industries, a one-year extension of their dredging permit, until September 25, 2017.

The Regular Meeting of the Board of Commissioners adjourned at 8:52 p.m.

APPROVED BY:

Greg Dale
Secretary

RECORDED BY:



Patricia Tyson