

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

**June 9, 2016**

**PRESENT:**

Commissioner Doss  
Commissioner Higgins  
Commissioner Marks

**ABSENT:**

Commissioner Dale  
Commissioner Wilson

President Higgins called the Executive Closed Session to order at 6:03 p.m.

President Higgins adjourned Executive Closed Session at 6:47 p.m.

President Higgins called the regular meeting of the Board of Commissioners to order at 7:00 p.m.

President Higgins asked Commissioner Doss to lead the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Public Employee Performance Evaluation: Chief Executive Officer Annual Evaluation – no action taken; Conference with Real Property Negotiators: PG&E Property Transfer – no action taken.

**PUBLIC COMMENT:** None

President Higgins said there has been a lack of decorum during Public Comment. He said this will not be tolerated; and if necessary, the meeting will be recessed until the meeting can be brought under control.

**CONSENT CALENDAR**

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

**COMMUNICATIONS AND REPORTS**

**EXECUTIVE DIRECTOR REPORT**

- ❖ Eight responses to the Requests for Qualifications were received: 3 for Sediment Dredging; 2 for Shellfish Culture Activities and 3 for District Permits. Next step is to set up meetings with the District's committee, City staff and respondents.
- ❖ Pre-permitting intertidal properties - 5 of 6 private owners have agreed to lease.
- ❖ Met with Coastal Commission staff on the CDP for the picnic tables and barbeques at the west end of Woodley Island.
- ❖ 12 applications were received for the Deputy Director position; 18 applications received for the Clerk position. The Administration Restructuring Committee are reviewing options.
- ❖ Sediment samples were taken at Fields Landing. The rock layer was deeper than expected at 4-5'; target depth was 3'.
- ❖ EDA representatives will visit to help determine the next funding request, possibly water pumping equipment to replace the old systems.
- ❖ Shelter Cove update: \$17,500 revenue and 300+ boat launches.
- ❖ Redwood Terminal 2 color scheme consensus: Siding Desert Beige, Doors Chestnut Brown and Windows Winter White.
- ❖ King Salmon District Formation – Canal Captains: James Roberts and Jan McFarlan – Sole Street; Gerry McGee – Salmon Street; Gwen Garrison and Lonnie Hollenbeck – Herring Street; Alling Foreman – Perch Street and Joan Brady – Cod Street. Still looking for someone to represent Crab Street.

**STAFF REPORTS:**

Director of Harbor Operations (by Executive Director):

- ❖ Dredge BAYPORT arrived May 21 and will leave June 13. So far 550,000 cy have been removed. Dredge ESSAYONS will arrive June 15. Draft restrictions will be removed today. A log ship is due June 15 and a chip ship is expected in July.
- ❖ Congressman Huffman and staff toured Humboldt Bay by Fire Boat and watched the dredge working. Commissioner Doss and Wilson also attended.

Director of Facility Maintenance (by Executive Director):

- ❖ Improvements continue at Redwood Terminal 2. The cost of security was unexpected, but necessary with the walls of the buildings wide open. Roofing material has arrived. Additional costs for District staff to stay ahead of contractors fixing some rotted areas.

**DISTRICT COUNSEL, DISTRICT PLANNER AND DISTRICT TREASURER REPORT**

District Planner:

- ❖ Shelter Cove – County requires a CDP permit for building and tree removal. A cultural resources specialist has been hired for culturally significant debris that has been found.
- ❖ One of his staff participated on a boat tour by Coast Seafoods for federal, state and local agencies. The Eelgrass Monitoring Plan was discussed. Coast Seafoods will recirculate their Draft EIR prepared by District Planner.
- ❖ Helped put together the King Salmon brochure regarding their assessment district.
- ❖ Responded to the Regional Water Quality Control Board regarding pressure retarded osmosis at Redwood Terminal 2.
- ❖ Met with Humboldt Bay Municipal Water District staff regarding the reorganization of the Samoa Fire District to the Samoa Community Services District, including Fairhaven water service.

District Treasurer:

- ❖ Met with Director of Administrative Services (DAS) and District Bookkeeper on how to split up DAS reporting duties. District Treasurer will help with month end reporting to give to the Board on a timely basis.

**COMMISSIONER AND COMMITTEE REPORTS:**

Commissioner Doss:

- ❖ Attended the memorial service for former Commissioner and County Supervisor Jimmy Smith. Jimmy was such an advocate for Humboldt County and will be missed.
- ❖ Met with Congressman Huffman on the Fire Boat; he is a great advocate for Humboldt Bay and many bay issues were discussed. Riding on the Fire Boat was a good reminder of how the boat is a critical piece of safety apparatus for fire protection services.

Commissioner Higgins:

- ❖ Saddened by the passing of Jimmy Smith; a true leader with a gentle style. Jimmy helped the Board of Supervisors understand fish management issues.
- ❖ Caught large salmon on the Reel Steel charter boat.
- ❖ Southern Humboldt Summer Arts Festival – Eel River Recovery Project had a booth.
- ❖ Took school kids to see trout in Covelho and places on the Van Duzen and Eel River; trying to get kids interested in natural resources careers.

Commissioner Marks:

- ❖ Finishing up baseball season; starting softball season.
- ❖ Attended a NCRA meeting in Healdsburg yesterday. NCRA is turning the tide on finances; will see rail expansion in the next few years.
- ❖ Attended the memorial for Jimmy Smith. Commissioner. Commissioner Marks said Jimmy was good to talk to – “you always had a smile when you walked away from him”.

**OTHER**

**Report from Chris Weden - USEPA**

EPA is finished with their work at Redwood Terminal 2. The emergency removal began in 2013 when highly corrosive pulp liquors were trucked to Kapstone in Washington. No spills in Humboldt Bay, which was the primary concern. The first order of business was to pump the liquors that should not have been in the tanks in the first place; they then moved on to the steel tanks. Pulp slurry residue is still in the bottom of the tanks and can be removed by a "super sucker" and spread around – it is low PH. EPA was happy they were able to make a problem go away. Mr. Weden said EPA hopes the District's plans for the property come to fruition.

President Higgins said the District is grateful to EPA for their assistance as the District would not have been able to do the work.

Executive Director stated it was a pleasure to work with EPA – a great group of workers and contractors.

**NON AGENDA:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF ADOPTING AN ADDENDUM TO THE 2007 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR COAST SEAFOODS COMPANY FOR MODIFICATION OF MARICULTURE ACTIVITIES.**

District Planner reported the Addendum determines that the 2007 Initial Study/Mitigated Negative Declaration analyses and conclusions remain current and valid. The proposed permit modification would not cause new significant effects not identified in the MND nor increase the level of environmental effect to substantial or significant; no new mitigation measures would be necessary to reduce significant effects. No change has occurred with respect to circumstances surrounding the proposed project that would cause new or substantially more severe significant environmental effects than were identified in the 2007 IS/MND. In addition, no new information has become available that shows that the project would cause new or substantially more severe significant environmental effects which have not already been analyzed in the MND. Therefore, no further environmental review is required beyond this Addendum.

COMMISSIONER DOSS MOVED FOR THE ADOPTION OF AN ADDENDUM TO THE 2007 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR COAST SEAFOODS COMPANY FOR MODIFICATION OF MARICULTURE ACTIVITIES. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF ADOPTION OF RESOLUTION 2016-10, A RESOLUTION ESTABLISHING FINDINGS RELATIVE TO THE REQUEST BY COAST SEAFOODS FOR MODIFICATION OF MARICULTURE ACTIVITIES.**

COMMISSIONER DOSS MOVED FOR THE ADOPTION OF RESOLUTION 2016-10, A RESOLUTION ESTABLISHING FINDINGS RELATIVE TO THE REQUEST BY COAST SEAFOODS FOR MODIFICATION OF MARICULTURE ACTIVITIES. COMMISSIONER MARKS SECONDED ROLL CALL VOTE WAS TAKEN:

COMMISSIONER DOSS – AY  
COMMISSIONER DALE – ABSENT  
COMMISSIONER HIGGINS – AYE  
COMMISSIONER WILSON – ABSENT  
COMMISSIONER MARKS – AYE

MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF GRANTING 2016 MODIFICATION OF PERMIT 04-03 TO COAST SEAFOODS COMPANY FOR MODIFICATION OF MARICULTURE ACTIVITIES.**

District Planner stated this modification to the existing permit will allow Coast Seafoods to widen the spacing between the oyster longlines within approximately 7.88 acres of its existing intertidal footprint known as aquaculture bed MR 10 and declares Coast Seafoods has the right to conduct this activity as part of the original permit.

COMMISSIONER MARKS MOVED TO GRANT THE 2016 MODIFICATION OF PERMIT 04-03 TO COAST SEAFOODS COMPANY FOR MODIFICATION OF MARICULTURE ACTIVITIES. COMMISSIONER DOSS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF NOMINATIONS TO HUMBOLDT BAY DEVELOPMENT ASSOCIATION BOARD.**

Executive Director reported Rhea Williamson, a public member, has resigned her position on the Humboldt Bay Development Board. Since the position is one for a public member, the Harbor District Board recommends the replacement.

COMMISSIONER MARKS NOMINATED LEROY ZERLANG TO THE HUMBOLDT BAY DEVELOPMENT ASSOCIATION BOARD. COMMISSIONER DOSS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**E. CONSIDERATION TO ACCEPT PG&E DONATION OF USED FOOT BRIDGE.**

Executive Director reported the foot bridge in King Salmon is being removed and PG&E would like to donate it. Although there is no need by the District at this time, it could be used in the future, i.e. for the kayak trail in Arcata Bay. There is no cost for the 2 50' spans.

Commissioner Doss said Ferndale has a need and a plan for the foot bridge as a safety benefit for school children. He suggested the Board defer this decision and let Ferndale take the foot bridge; or if Ferndale does not want it, the District would take it.

COMMISSIONER MARKS MOVED TO ACCEPT THE DONATION OF THE FOOT BRIDGE AND CONSIDER THE DONATION TO FERNDALE IF NEEDED. COMMISSIONER DOSS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**F. CONSIDERATION OF EXTENDING LEASE LISTING AGREEMENT WITH SCOTT PESCH FOR ONE YEAR.**

Executive Director stated Mr. Pesch has shown the property to many interested parties, but the CDI restrictions have made it difficult to find permanent tenants. The extension is to December 31, 2017.

COMMISSIONER DOSS MOVED FOR THE APPROVAL OF EXTENDING LEASE LISTING AGREEMENT WITH SCOTT PESCH FOR ONE YEAR. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**G. CONSIDERATION OF EXTENDING AGREEMENT WITH HUNTER, HUNTER AND HUNT FOR SERVICES TO PROVIDE THE ANNUAL AUDIT FOR FY 2015/16.**

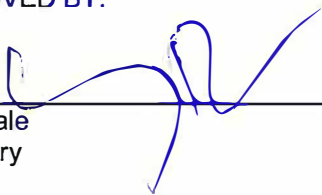
Executive Director reported Hunter, Hunter and Hunt were contracted through a RFP process for the fiscal year of 2012/13 for a three year contract. Their fees have been as follows: FY 2012/13 - \$16,000; FY 2013/14 - \$16,500; FY 2014/15 - \$21,500 and their proposed fee for FY 2015/16 is \$18,500. The knowledge of their staff of the Harbor District, history of Redwood Terminal 2 and the New Market Tax Credits project allows for an easy transition into the audit.

COMMISSIONER DOSS MOVED FOR THE APPROVAL OF EXTENDING AGREEMENT WITH HUNTER, HUNTER AND HUNT FOR SERVICES TO PROVIDE THE ANNUAL AUDIT FOR FY 2015/16. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**ADMINISTRATIVE AND EMERGENCY PERMITS:** None

The Regular Meeting of the Board of Commissioners adjourned at 8:05 p.m.

APPROVED BY:

  
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Greg Dale  
Secretary

RECORDED BY:

  
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Patricia Tyson  
Director of Administrative Services