

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

**September 12, 2013**

**PRESENT**

Commissioner Newman  
Commissioner Wilson  
Commissioner Marks

**ABSENT**

Commissioner Dale  
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:00 P.M.

President Wilson adjourned the Executive Closed Session at 6:50 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:01 P.M.

President Wilson led those present in the Pledge of Allegiance.

President Wilson, in the absence of District Counsel, reported out of the Executive Closed Session as follows: Potential sale of District's boiler located on recently acquired Samoa Pulp Mill site; Chief Executive Officer Annual Evaluation – no action to report.

**PUBLIC COMMENT**

Kent Sawatzky said he attended the California Coastal Commission meeting today where many local issues were discussed.

Commissioner Wilson thanked Mr. Sawatzky for the recommendation of a sign on the conference room doors during Executive Closed Session notifying the public that it was still in session.

**CONSENT CALENDAR**

Commissioner Newman requested Item B removed from the Consent Calendar to be discussed.

Commissioner Wilson requested Item A removed from the Consent Calendar to be discussed.

COMMISSIONER MARKS MOVED FOR APPROVAL OF THE CONSENT CALENDAR WITH ITEMS A AND B REMOVED. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

Item A: Commissioner Wilson stated he would like to change the February 14, 2013 Minutes on Page Three his comment "an alternative study cannot be done without going through the CEQA process" to "the project cannot be done without going through the CEQA process."

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COMMISSIONER MARKS MOVED FOR APPROVAL OF CONSENT CALENDAR ITEM A WITH CORRECTIONS MADE. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

Monte Provolt reported Governor Jerry Brown is having the same discussion, that the railroad does not need CEQA.

Item B: Commissioner Newman said under his Commissioner's Report, the second bullet point should read "trollers", not "trawlers."

COMMISSIONER MARKS MOVED FOR APPROVAL OF CONSENT CALENDAR ITEM B WITH CORRECTIONS MADE. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

## **COMMUNICATIONS AND REPORTS**

### **CHIEF EXECUTIVE OFFICER REPORT**

- ❖ Stated he has primarily been working on pulp mill property activities, such as tours and inspections with LACO Associates, NOAA, the State Water Board, EPA and the Regional Water Quality Control Board.
- ❖ Reported there was good participation and discussion about the railroad at the Economic Development Committee meeting.

### **STAFF REPORTS**

#### Director of Facility Maintenance

- ❖ Said the contents of the tanks at the pulp mill property were confirmed; now CEO can determine what is required to haul the contents off the site; sampled all tanks and is concerned about some of them due to their flat tops and some caving in and retaining water with the rainy season upcoming. Has been putting pumps on some of the roofs to remove water. Stated there was a large debris pile at the site with a lot of loose building materials thrown on top that has been mostly cleaned up, cleaned storm water drains and brush from around a PG&E high-power pole to provide power for the Taylor Mariculture site.
- ❖ Reported PG&E donated three oil water separators to the District, which will be used at the Fields Landing Boat Yard to use for stormwater runoff; will use them for boat runoff as well.

#### Director of Conservation

- ❖ Traveled to Sacramento to the California Shellfish Initiative with Commissioners Dale and Wilson to make a well-received presentation; said there were federal NOAA representatives there, who came to Humboldt Bay for a tour.
- ❖ Stated there is a Coastal Cleanup day on September 21.
- ❖ Reported the Wiyot Tribe Marine Debris Grant they received will clean up some of the old floating dock sections in Humboldt Bay and the Tuluwat Village site.

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Bar Pilot Tim Petrusha

- ❖ Said since Humboldt Bay was recently dredged, there is again a 38-foot draft and restrictions were lifted; stated there is a log ship that should be in Humboldt Bay next week.

Director of Administrative Services

- ❖ Welcomed recently hired District Clerk, Athina Tamagni, and stated Kim Farrell, previous Clerk, will continue to help with Board Minutes for a time.

**COMMISSIONER AND COMMITTEE REPORTS**

Commissioner Newman

- ❖ Reported this has been a great Salmon season.

Commissioner Wilson

- ❖ Said the RFQ for District Planner should be out next week.
- ❖ Attended the California Shellfish Initiative in Sacramento; stated there were representatives from many places including Washington, D.C. and Washington State and it was largely attended.
- ❖ Participated in the NOAA tour on Humboldt Bay.
- ❖ Stated HSU students are studying the pulp mill property as the site for osmotic power and will present a report at the end of the semester.
- ❖ Was on KINS radio *Talk Shop* and spoke about dredging.

Commissioner Marks

- ❖ Chaired the Economic Development Committee meeting where there was a lively discussion about railroad and short-sea shipping's future; reported the next one is on Monday, October 14.
- ❖ Attended an NCRA meeting yesterday.

**NON AGENDA:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF PERSONAL SERVICES CONTRACT WITH JIM LUND FOR CONSULTING SERVICES RELATED TO THE PULP MILL PROPERTY.**

CEO said Jim Lund has over 40 years of experience with the Pulp Mill and this Item is for \$60 per hour on an as-needed basis.

Commissioner Marks stated Mr. Lund was the General Manager of the Pulp Mill and has extensive expertise; reported he was always very fair.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF PERSONAL SERVICES CONTRACT WITH JIM LUND FOR CONSULTING SERVICES RELATED TO THE PULP MILL

PROPERTY. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A BED AND BREAKFAST BUSINESS WITH R. CHARLES (DOBY) AND KIM CLASS, DBA *FIRST CLASS*.**

COMMISSIONER MARKS MOVED FOR APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A BED AND BREAKFAST BUSINESS WITH R. CHARLES (DOBY) AND KIM CLASS, DBA *FIRST CLASS*. COMMISSIONER NEWMAN SECONDED.

Director of Administrative Services stated since the liveaboard fee that the Classes used to pay at the Marina was eliminated, they will pay the \$250 per year the charter boats pay.

Director of Facility Maintenance stated there have been people staying at the bed and breakfast.

MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF APPLICATION FOR THE 2013 SALTONSTALL KENNEDY GRANT FOR AQUACULTURE PRE-PERMITTING.**

Adam Wagschal of H.T. Harvey and Associates made a presentation to the Board. Mr. Wagschal reported the grant application is due by September 29; and said while there is no match requirement, offering a match tends to make the application more competitive. Mr. Wagschal said the cost to develop the proposal could be up to \$10,000; said there has not been significant expansion of aquaculture in California in decades and this could demonstrate Humboldt Bay's expansion potential, where there is a lot of interest in this project federally and state-wide.

Commissioner Wilson asked where the \$10,000 would come from in the Budget.

CEO stated it could come out of the pulp mill development since aquaculture pre-permitting is a major component in the master pre-permitting.

Commissioner Wilson reported he would prefer the cost to come from the Consultants category.

Commissioner Newman said he has believes this would be a good project for this grant.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF APPLICATION FOR THE 2013 SALTONSTALL KENNEDRY GRANT FOR AQUACULTURE PRE-PERMITTING.  
COMMISSIONER MARKS SECONDED.

Kent Sawatzky asked if the \$10,000 would be reimbursed if the grant was awarded. Commissioner Wilson stated it would not, but the data could be useful for the rest of California as well.

Sebastian Elrite of Aqua-Rodeo Farms reported this would be a good grant to apply for to see if funds are available for this type of study.

MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF APPROVAL OF LEASE FOR REAL PROPERTY WITH THE US GOVERNMENT ARMY CORPS OF ENGINEERS FOR OFFICE SPACE ON WOODLEY ISLAND.**

Bar Pilot Tim Petrusha said this Item is for a five-year renewal with a 2.5% raise per year.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF LEASE FOR REAL PROPERTY WITH THE US GOVERNMENT ARMY CORPS OF ENGINEERS FOR OFFICE SPACE ON WOODLEY ISLAND. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**E. DISCUSSION AND DECISIONS ON THE PULP MILL PROPERTY CLEAN-UP ACTIVITIES AND SHORT-TERM COST APPROVAL.**

CEO stated more funds are needed for debris removal and other issues such as stormwater, safety equipment, chemical testing and shipping, electrical and boiler gas; reported he is pretty confident EPA funds will come in.

Commissioner Newman said he has been impressed on the good start at the pulp mill.

Commissioner Marks stated a quick sale on the boiler would be nice; reported while the Pulp Mill does look better after the cleanup that has been done, it does still need more.

COMMISSIONER NEWMAN MOVED FOR APPROVAL OF CLEAN-UP ACTIVITIES AND SHORT-TERM COST APPROVAL OF THE PULP MILL PROPERTY. COMMISSIONER MARKS SECONDED.

Susan Penn asked if the current cash report includes dredge money. CEO said it does.

Director of Administrative Services reported between the dredging and float replacement accounts, the total is about \$190,000.

CEO said the Motion is to approval \$31,000 for debris removal.

MOTION CARRIED WITHOUT DISSENT.

**ADMINISTRATIVE AND EMERGENCY PERMITS**

Director of Conservation stated there was one Administrative Permit issued to Sequoia X for Hog Island Oyster Company to sub-lease the dock Sequoia X leases from the District; reported this


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project will remove deteriorating deck and replace it. Mr. Berman said this project is exempt from CEQA since there is an existing dock.

Commissioner Newman reported it is good to see the dock getting fixed.

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:22 P.M.

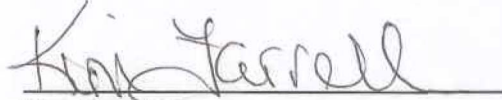
APPROVED BY:



10/29/13

Patrick Higgins  
Secretary

RECORDED BY:



Kim Farrell  
Clerk