

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

**September 26, 2013**

**PRESENT**

Commissioner Newman  
Commissioner Dale  
Commissioner Wilson  
Commissioner Marks  
Commissioner Higgins

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

President Wilson adjourned the Executive Closed Session at 7:05 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:11 P.M.

President Wilson asked Ryan Wells to lead those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Discussion of Freshwater Tissue Company's Reciprocal Easement Agreement and terms of Purchase and Sale Agreement and Louisiana-Pacific Company's Tolling Agreement; Chief Executive Officer Annual Evaluation – no action to report.

**PUBLIC COMMENT:** None

**CONSENT CALENDAR**

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

**COMMUNICATIONS AND REPORTS**

**CHIEF EXECUTIVE OFFICER REPORT**

- ❖ Said the Pulp Mill site's name is now Redwood Terminal 2; EPA is on site and have been taking samples of chemicals for testing. Stated calls have been made to other pulp mills to see if they had use for the liquors. Reported some tanks are at or near capacity and there are some leaks, so temporary storage tanks are being brought in; Phase One is to remove all liquors, which has been declared an emergency; Phase Two is to remove solid hazardous waste and demolish tanks. Security at the site has been increased.
- ❖ Has been working with the City of Eureka on the purchase of a dredge; City Staff will ask the City Council on October 3 for a letter of intent. Stated the dredge will be available to private dock owners as well.
- ❖ Has been talking to Leroy Zerlang about a possible lease at the Fields Landing Boat Yard.

**STAFF REPORTS**

Director of Facility Maintenance

- ❖ Has been doing sampling at Redwood Terminal 2 with EPA; commended CEO for the way the project is progressing.

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- ❖ Has been working at the Fields Landing Boat Yard on a stormwater recovery system.
- ❖ Reported internet service at Redwood Terminal 2 may come from a surveillance grant.

#### Bar Pilot John Powell

- ❖ Has been working with Director of Facility Maintenance on documenting inventory at Redwood Terminal 2.
- ❖ Said a log ship left Humboldt Bay this week; stated it is the first ship since the new tariff went into effect.
- ❖ Assisted in a water rescue of a lady who fell out of her kayak with no life vest and could not get back into her boat.
- ❖ Reported the PORTS units are experiencing trouble.

#### Director of Conservation

- ❖ Said a Coastal Cleanup Day took place this past Saturday.
- ❖ Stated the grant application for aquaculture pre-permitting Adam Wagschal with H.T. Harvey has been working on will be turned in tomorrow.

#### Director of Administrative Services

- ❖ Reported the first round of dock electrical billing went out; billed \$3,000 for two weeks.
- ❖ Said there are currently 39 open slips in the Marina and currently in a transition period with the summer tenants leaving.
- ❖ Stated the RFP for District Planner is now on the District's website.

#### DISTRICT COUNSEL REPORT: None

#### COMMISSIONER AND COMMITTEE REPORTS

##### Commissioner Newman

- ❖ Attended a Harbor Safety meeting.
- ❖ Attended a meeting in Idaho as the California advisor for federal fisheries and funding.
- ❖ Asked if there would be any Commissioner involvement at the PCC Conference that will take place in Eureka, October 8-10.

##### Commissioner Dale

- ❖ Apologized for missing the last Meeting due to being in Washington, D.C.; is grateful this area has a Harbor District.
- ❖ Met with EPA regarding Redwood Terminal 2.

##### Commissioner Marks

- ❖ Reported softball season is ending.
- ❖ Attended a Harbor Working Group meeting where Leroy Zerlang was the guest speaker talking about tugboat history, the *Madaket*, and stories from the Bay.
- ❖ Met EPA at Redwood Terminal Two; said it will be great when it is cleaned up.

##### Commissioner Higgins

- ❖ Stated it is good to be back from traveling.
- ❖ Reported the last Economic Development Committee meeting was productive with discussion about the railroad's feasibility; said the next meeting will be about aquaculture.

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- ❖ Said Pacific Halibut fishing will be closed in 2014; HASA members are encouraging those concerned to comment.
- ❖ Will be diving in the lower Eel River to observe Salmon.

**NON AGENDA:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF CONTRACT WITH SHN CONSULTING ENGINEERS AND GEOLOGISTS, INC. FOR A FEASIBILITY STUDY FOR THE BENEFICIAL REUSE OF DREDGED MATERIALS FOR TIDAL MARSH RESTORATION AND SEA LEVEL RISE ADAPTATION IN HUMBOLDT BAY.**

COMMISSIONER DALE MOVED FOR APPROVAL OF CONTRACT WITH SHN CONSULTING ENGINEERS AND GEOLOGISTS, INC. FOR A FEASIBILITY STUDY FOR THE BENEFICIAL REUSE OF DREDGED MATERIALS FOR TIDAL MARSH RESTORATION AND SEA LEVEL RISE ADAPTATION IN HUMBOLDT BAY. COMMISSIONER MARKS SECONDED.

Director of Conservation stated this Item will be funded with a grant from the California Coastal Conservancy. Mr. Berman reported the District received three proposals, which he scored with Commissioner Wilson and Joel Gerwein of the Coastal Conservancy; planning to convene a Sediment Working Group with agencies such as the Humboldt Baykeeper and the City of Eureka.

Commissioner Higgins said CalTrans may be interested in participating and he would like to be on the Committee when it forms. Director of Conservation said he would invite them.

MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF TIDELAND LEASE AGREEMENT WITH HOG ISLAND OYSTER COMPANY.**

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF TIDELAND LEASE AGREEMENT WITH HOG ISLAND OYSTER COMPANY. COMMISSIONER DALE SECONDED.

Director of Conservation said this lease is based on the \$5,000 per acre discussed at a previous Meeting.

District Counsel stated in the current version, there is no personal guarantee clause included, which had been in previous drafts.

Director of Conservation reported he does not know how that guarantee got removed from this version and although he does not think it will be a problem, he would rather check with Hog Island Oyster Company before changing it.

COMMISSIONER HIGGINS AMENDED HIS MOTION TO APPROVE THE TIDELAND LEASE AGREEMENT WITH HOG ISLAND OYSTER COMPANY WITH CONDITION OF PERSONAL GUARANTEE. COMMISSIONER DALE SECONDED.

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District Counsel said if Hog Island Oyster Company does not want the agreement changed, it can come back before the Board.

MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF SITE LEASE WITH OPTION AND T-MOBILE WEST LLC TO INSTALL A CELL TOWER AT FIELDS LANDING BOAT YARD.**

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF SITE LEASE WITH OPTION AND T-MOBILE WEST LLC TO INSTALL A CELL TOWER AT FIELDS LANDING BOAT YARD. COMMISSIONER MARKS SECONDED.

Commissioner Wilson stated this Item has been discussed at previous Meetings.

Commissioner Higgins reported it is a good source of revenue for the District.

MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF APPROVAL OF TRAVEL EXPENSES FOR DISTRICT BOOKKEEPER TO ATTEND THE CALPERS EDUCATIONAL FORUM 2013 IN SAN JOSE, CA, OCTOBER 21-23, 2013.**

COMMISSIONER DALE MOVED FOR APPROVAL OF TRAVEL EXPENSES FOR DISTRICT BOOKKEEPER TO ATTEND THE CALPERS EDUCATIONAL FORUM 2013 IN SAN JOSE, CA, OCTOBER 21-23. COMMISSIONER NEWMAN SECONDED.

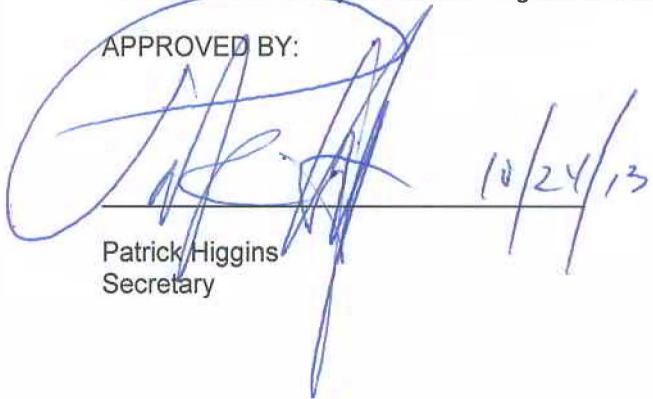
Director of Administrative Services said it is important to ensure the Bookkeeper is up to date on current laws and benefits and there have been many CalPERS payroll changes.

MOTION CARRIED WITHOUT DISSENT.

**ADMINISTRATIVE AND EMERGENCY PERMITS: None**

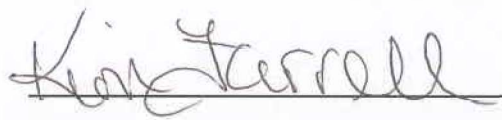
President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:09 P.M.

APPROVED BY:



Patrick Higgins  
Secretary

RECORDED BY:



Kim Farrell  
Clerk