

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

September 8, 2016

PRESENT:

Commissioner Doss
Commissioner Higgins
Commissioner Wilson
Commissioner Marks

ABSENT:

Commissioner Dale

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

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

District Counsel reported on Executive Closed Session as follows: Conference with Real Property Negotiators – Humboldt Bay Forest Products Lease – Fields Landing: No action taken; and Conference with Real Property Negotiators – Mario Marina Lease – Shelter Cove: No action taken.

PUBLIC COMMENT: None

CONSENT CALENDAR

Commissioner Wilson asked for Item (c) to be pulled for further discussion.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF THE REMAINDER OF THE CONSENT CALENDAR. COMMISSIONER MARKS SECONDED.

Commissioner Wilson made a correction to Public Comment during Monte Provolt's Public Comment: "Commissioner Wilson asked Mr. Provolt to provide that information to the District Board of Commissioners as they had not yet seen this information."

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF ITEM C OF THE CONSENT CALENDAR AMENDED TO INCLUDE HIS CORRECTION. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

COMMUNICATIONS AND REPORTS

EXECUTIVE DIRECTOR REPORT

- ❖ Humboldt Bay Eelgrass Management Plan – starting the process of outreach to interested parties – first public workshop mid-October.
- ❖ Humboldt Bay Symposium October 21-22, Commissioner Higgins will speak on development around the bay.
- ❖ Coastal Commission meeting October 5-7 in Ukiah, Commissioner Higgins will speak.
- ❖ Redwood Marine Terminal 2 Grand Opening – October 14.
- ❖ Tour/meeting with Charles Reed and Roy O'Conner, Regional Water Quality Control Board - full support of grant funding to connect Samoa Peninsula and Eureka to Ocean Outfall – Board consideration September 22.
- ❖ Executive Director will be on vacation in China September 24 – October 10.

STAFF REPORTS:

Director of Facility Maintenance:

- ❖ Redwood Marine Terminal 2 Update – walk-around for the siding tomorrow; doors completely finished – walk-around tomorrow.
- ❖ Substation is in decommission at this point – parts will be arriving within the next couple of weeks. Circuit breakers were in disrepair and are being repaired properly.

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- ❖ Shelter Cove – boat launching slowing down – hours will be changing, launch closing a couple of days per week. Waiting for permit to be approved for the demolition of the marina building.
- ❖ Preparations ready/Staff trained for the dredging pilot program in King Salmon.

Director of Harbor Operations:

- ❖ Working with District Planner on pipeline placement for dredging. Filed encroachment permit applications with County of Humboldt and NCRA. Have a signed contract with Woody Murphy to place pipeline across Humboldt Bay Forest Products property.
- ❖ Working with Coldwell Banker on potential tenants for Redwood Terminal 2 – once the CDI is approved, there are four tenants waiting to move in.
- ❖ Dredge ESSAYONS will return on September 17 to work for a week.
- ❖ Log ship to Schneider Dock on September 25.
- ❖ Preparing Fire Boat for maintenance dive with M&M Diving on the ocean outfall.

DISTRICT COUNSEL, DISTRICT PLANNER AND DISTRICT TREASURER REPORT

District Counsel:

- ❖ Jerry Scott, the District's first District Counsel, celebrated his 80th birthday and 55th wedding anniversary.

District Planner:

- ❖ Working with agencies to get the Fisherman's Channel Beneficial Reuse Project permitted.
- ❖ Coast Seafoods recirculated Draft EIR comment period ends tomorrow. Have received several comments, will compile and respond.
- ❖ Received formal notice that the County zoning administrator will be holding a CDP application hearing for Shelter Cove.
- ❖ Will tour the SPI dock tomorrow as part of their permit application.

District Engineer:

- ❖ Assisting Executive Director on several activities
- ❖ Working with Alan on industrial storm water permits. Per RWQCB, a temporary suspension of the Redwood Terminal 2 storm water permit can be applied for.
- ❖ Assisting Staff on Vibracore equipment testing.
- ❖ Reinitiating the mariculture pre-permitting on the sub-tidal areas.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Doss:

- ❖ Attended Humboldt County Fair – congratulations to the Fair Commission. Junior Livestock Auction a huge success. Commissioner Dale actively supported the future farmers.
- ❖ Timber Heritage Association had a success fundraiser.

Commissioner Higgins:

- ❖ Celebrated his 32nd wedding anniversary.
- ❖ Sad to announce the passing of Dennis Cahill, former Biology teacher at Eureka High School.
- ❖ Humboldt Bay Symposium October 21-22. First day oriented towards science and the second day focusing on economics.
- ❖ Salmon stock collapsing in Sacramento/SanJoaquin – rain is needed.

Commissioner Wilson:

- ❖ Spoke with Executive Director regarding the lack of information on options, costs, and challenges for dredging. Suggested Staff put together an informational matrix.

Commissioner Marks:

- ❖ Meeting today regarding Eelgrass – it seems almost invasive, there is so much in Humboldt Bay

- ❖ Sad to announce the passing of Alice Grotke, a teacher at Peninsula Elementary School, and Glenn Vickers, musician with the RoadMasters.

OTHER: None

NON AGENDA: None

UNFINISHED BUSINESS

A. CONSIDERATION OF DISTRICT ENGINEER'S CONTRACT WITH MIKE FOGET AND SHN ENGINEERS.

Executive Director reported this is a Standard Engineer's Service Agreement; Mr. Foget will be considered on-call. There is no retainer required. The hourly rate ranges from \$50/hr for clerical work to \$135/hr for the Principal Engineer. Annual expenses are estimated at \$60,000. Mr. Foget has verbally agreed not to exceed \$5,000 per month without approval from the Executive Director.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF DISTRICT ENGINEER'S CONTRACT WITH MIKE FOGET AND SHN ENGINEERS. COMMISSIONER DOSS SECONDED. MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF PROPOSAL AND SELECTION OF SOLAR CONSULTANT, POWER PURCHASE AND LEASE.

Executive Director reported three solar firms were pre-qualified through a RFQ process. Atwater Infrastructure, Energy Systems Development and Borrego Solar were all interviewed twice by the Solar Committee. The Solar Committee recommends the full submittal by Atwater Infrastructure; recommends negotiating a final Power Purchase Agreement with Atwater Infrastructure and bring back to the Board at their September 22 meeting.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF SELECTION OF ATWATER INFRASTRUCTURE FOR SOLAR CONSULTANT AND DIRECT STAFF TO NEGOTIATE A FINAL POWER PURCHASE AGREEMENT WITH ATWATER INFRASTRUCTURE TO BRING BACK TO THE BOARD FOR CONSIDERATION AT THEIR SEPTEMBER 22 MEETING. COMMISSIONER WILSON SECONDED.

Commissioner Wilson, who participated on the Solar Committee, said he would not vote for the current proposal; further negotiations are needed.

Commissioner Doss said he is not 100% sold on generating power at this time, but not opposed to gathering information. Governor Brown signed into law today the reduction of carbon by 40% by 10 years from now. This might be ahead of the game and once the new law settles in, there might be funding available. He said he understands the commercial power needs locally are low.

Commissioner Higgins said he agrees power needs are in a state of flux. Solar panels and technology costs will lower as there are technological breakthroughs. Natural gas is being given away at this time, maybe not so in the future.

Commissioner Wilson said the timing could be better now than later. This is all based on getting tax credits; there is funding available.

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF GRANT AGREEMENT WITH OCEAN PROTECTION COUNCIL FOR \$228,071.62 FOR IMPROVEMENTS TO SHELTER COVE FISH CLEANING STATION.

Executive Director reported grant funds will be used to purchase a freezer, cooler, solid waste separator, forklift, packaging supplies, removal of existing discharge pipe, signage and utility connections. Grant funds will also pay for some permitting, planning, reporting, grant administration and project monitoring. The District's match is \$114,619.16, including seasonal labor, operating costs and permitting. The cultural resource study has been done and counts against the match. The completion of this project and final report are due December 31, 2019.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF GRANT AGREEMENT WITH OCEAN PROTECTION COUNCIL FOR \$228,071.62 FOR IMPROVEMENTS TO SHELTER COVE FISH CLEANING STATION. COMMISSIONER WILSON SECONDED.

Commissioner Higgins said this a very important piece of infrastructure for Shelter Cove. Prior to the fish cleaning station, fish carcasses were dumped on the road.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF ACCEPTING FOR FILING APPLICATION FOR PERMIT 2016-07 FROM JERRY YEUNG FOR SHELLFISH CULTURE ON APPROXIMATELY 64 ACRES IN EAST BAY NEAR BRAINARD.

COMMISSIONER WILSON MOVED FOR ACCEPTING FOR FILING APPLICATION FOR PERMIT 2016-07 FROM JERRY YEUNG FOR SHELLFISH CULTURE ON APPROXIMATELY 64 ACRES IN EAST BAY NEAR BRAINARD. COMMISSIONER MARKS SECONDED.

Executive Director reported Mr. Yeung's application is for a pre-permitted site in East Bay near Brainard. The tideland was purchased during District negotiations with the previous owner. Mr. Yeung wants to farm the property and was not interested in the District's pre-permitted lease and lease back agreements. He has been working with IFC International and Adam Wagschal. The application is complete, the fees have been paid and Staff recommends approval of the application.

Todd VanHerpe, Humboldt Bay Oyster Company, said he assumes the "pre-permitted" means the site is part of the District's pre-permitting project, not that it has been pre-permitted.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS


Executive Director reported an Emergency Permit has been issued to City of Eureka for bank stabilization and rip rap from Truesdale Street to Hilfiker Lane.

The Regular Meeting of the Board of Commissioners adjourned at 7:51 p.m.

APPROVED BY:


Patrick Higgins, President for
Greg Dale, Secretary

RECORDED BY:


Patricia Tyson