

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

DATE: July 8, 2021

TIME: Closed Session – 5:00 P.M.
Regular Session – 6:00 P.M.

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/3432860852>

Meeting ID: 343 286 0852
One tap mobile
(669) 900-9128, 343 286 0852# US

Consistent with Executive Orders N-25-20 and N-29-20, the Board of Commissioners meeting location will not be physically open to the public. Members of the public may observe and participate in the meeting via Zoom or teleconference using the information set forth above.

1. Call to Order Closed Session at 5:00 P.M.

2. Public Comment

Note: This portion of the Agenda allows the public to speak to the Board on the closed session items. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Closed Session Agenda. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners.

3. Move to Closed Session

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of lease of real property in Samoa Peninsula, Humboldt County, with Assessor’s Parcel Numbers, 401-031-055-000, 401-031-070-000, 401-031-054-000, 401-031-061-000, 401-112-013-000, 401-031-071-000, and 401-112-029-000, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Town of Samoa, Green Diamond, Sniper Properties. Under negotiation: price and payment terms.

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- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of lease of real property in Samoa Peninsula, Humboldt County, with Assessor’s Parcel Numbers, 401-112-030-000 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Evergreen Business. Under negotiation: price and payment terms.
 - d) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One case. Facts and circumstances involve the threat of litigation arising from the Humboldt Bay Intertidal Mariculture Pre-Permitting Project.
- 4. **Call to Order Regular Session at 6:00 P.M. and Roll Call**
 - 5. **Pledge of Allegiance**
 - 6. **Report on Closed Session**
 - 7. **Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on the **various issues NOT itemized on this Agenda**. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public NOT appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. Callers can “raise their hand” by pressing *9 and unmute themselves by pressing *6.*
 - 8. **Consent Calendar**
 - a) Receive District Financial Reports for May 2021
 - b) New Charter Agreement Proposal for Mario Arguilles dba Mario’s Guide Service to operate a Charter Service at Woodley Island Marina
 - 9. **Communications, Reports and Correspondence Received**
 - a) Executive Director’s Report
 - b) Staff Reports
 - c) District Counsel and District Treasurer Reports
 - d) Commissioner and Committee Reports
 - e) Correspondence Received

10. Unfinished Business

a) Consider Adopting Resolution No. 2021-08 Adopting the FY 2021-22 District Budget

Recommendation: It is recommended that the Board: By roll call vote, adopt Resolution No. 2021-08 Adopting the FY 2021-22 Budget; Goals, and Budget Process and Policy.

Summary: The Budget is prepared annually under direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors not later than August 1st.

b) Preliminary Cost Estimates for Development of a New Multipurpose Terminal to Support the Emerging West Coast Offshore Wind Industry

Recommendation: Staff recommends that the Board: Receive a presentation from Staff, and provide direction regarding size of terminal; District commitment of funds, and Staffing needs.

Summary: Governor Newsom announced \$11 million to the Port of Humboldt Bay to be utilized as matching funds for a \$56 million Port Infrastructure Development Grant, which is due on July 30th. An additional \$800,000 was budgeted by the Governor to specifically look at alternatives, such as battery storage and hydrogen conversion, to reduce the requirement to expanded transmission lines out of Humboldt County. Several million dollars of funding was also provided to the Coastal Commission, Fish and Wildlife and other State Agencies to begin the CEQA process and analyze potential impacts to tribal, wildlife, commercial fishing, navigation, and other impact for the portion of the offshore wind project that will take place within the States submerged and tidal trust lands which include Humboldt Bay.

11. New Business

a) Consider Approving Resolution 2021-09 Establishing Findings Relative to Permit 2021-03 and Approving Permit 2021-03 for the Arcata/Samoa Beach Fiber Project

Recommendation: Staff recommends that the Board:

- Approve Resolution No, 2021-09 Establishing Findings Relative to Permit 2021-03 and the CEQA Exemption for the Arcata/Samoa Beach Fiber Project.
- Approve Permit 2021-03 for the Arcata/Samoa Beach Fiber Project.

Summary: Vero Fiber Networks applied for a Harbor District permit for the Arcata/Samoa Beach Fiber Project. The Harbor District Board is to consider issuing a permit.

b) Consider Approving Resolution 2021-10 Adopting an Initial Study / Mitigated Negative Declaration, a Mitigation Monitoring and Reporting Program, and Establishing Findings and Approve Permit 2020-02 for the Hog Island Oyster Company Shellfish Farm

Recommendation: It is recommended that the Board:

- Approve Resolution No. 2021-10 adopting an Initial Study / Mitigated Negative Declaration, adopting a Mitigation Monitoring and Reporting Program, and establishing findings relative to the permit application for the Hog Island Oyster Company Shellfish Farm project.
- Approve Permit 2012-02 for the Hog Island Oyster Company Shellfish Farm project.

Summary: Hog Island Oyster Company submitted a permit application to the Humboldt Bay Harbor District for a proposed 30-acre oyster farm in Arcata Bay, California. For California Environmental Quality Act (CEQA) documentation, an Initial Study/Mitigated Negative Declaration has been prepared. The Harbor District Board of Commissioners will consider adopting the CEQA document and approving the Harbor District permit for the proposed project. Following is a description of the proposed project and key considerations.

c) Review the Fields Landing Boat Yard Stormwater and Industrial Water Systems and Provide Direction as Required

Recommendation: It is recommended that the Board: Receive a Report from Staff and provide direction as appropriate.

Summary: At Fields Landing Boat Yard (FLBY), the runoff from rain and “industrial” boat repair activities, such as boat washing, are managed separately. The runoff is managed according to the Stormwater Pollution Prevention Plan (SWPPP) for FLBY, and the industrial discharge system has been engineered and is inspected by Humboldt Community Services District (HCSD). Rainwater flows through an approved filtration system prior to being discharged into a drainage swale and the industrial water is processed through the oil/water separator, settling system, then to the HCSD sanitary sewer system. All industrial water is sampled and analyzed by an accredited lab with results submitted to HCSD prior to discharge.

d) Review Humboldt County Intention to Establish the Samoa Peninsula Enhanced Infrastructure Financing District, Establishing a Public Financing Authority, and Authorizing Other Actions and Provide Direction as Appropriate

Recommendation: It is recommended that the Board: Receive a Report from Staff and provide direction as appropriate.

Summary: On June 29th, the Board of Supervisors adopted a Resolution of Intent to establish the Samoa Peninsula Enhanced Infrastructure Financing District (EIFD). The EIFD does not impose a new tax. Added improvements gained through EIFD funding supports future development and results in increased property values. This

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generates increased property tax revenues from the “base year” which can then be leveraged for additional improvements.

12. Future Agenda Items

- a) Bar Pilot Recruitment
- b) Green Diamond Shared Services Agreement
- c) Coast Guard Utilities at Woodley Island
- d) Long Fin Smelt

13. Adjournment