

AGENDA (Revised December 6, 2017)
SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

DATE: December 7, 2017

TIME: Executive Closed Session – 6:00 PM
Regular Session – 7:00 PM

PLACE: Woodley Island Marina Meeting Room

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 at least 24 hours in advance of the meeting.

1. Call to Order at 6:00 PM

a. Move to Executive Closed Session:

- 1) Consideration of public employee appointment/public employment for position of Executive Director pursuant to Government Code section 54957(b)(1).

2. Adjourn Executive Closed Session

3. Call to Order Regular Session at 7:00 P.M. and Roll Call

4. Pledge of Allegiance

5. Report on Executive Closed Session

6. 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. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.

7. Consent Calendar

- a) Approval of Meeting Minutes for November 15, 2017
- b) Approval of Meeting Minutes for November 28, 2017

8. Communications and Reports

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel, District Planner, District Engineer and District Treasurer Reports
- d) Commissioner's Reports

9. Non Agenda

10. Unfinished Business

- a) Consideration of contract for Executive Director.

11. New Business

- a) Consideration of accepting Phase 1 Report for ship wreck property and next step.
- b) Consideration of purchase of third tractor (\$7,500).
- c) Consideration of approval for RMT II monitoring well construction, NTE \$15,000 for aquaculture development.
- d) Consideration of Perciformes Group MOU approval to reimburse permit costs through lease credits, NTE \$50,000.

12. Administrative and Emergency Permits - None

13. Adjournment

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

November 15, 2017

The Humboldt Bay Harbor, Recreation, and Conservation District met in regular session on the above date, 12:00 P.M. Closed Session, 1:30 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

1) CLOSED SESSION – 12:00 P.M.

The Commission met in closed session to discuss the following items. Commissioner Dale did not participate in the discussion of closed session item II.

- I. Consideration of public employee appointment/public employment for position of Executive Director pursuant to Government Code section 54957(b)(1).
- II. Conference with legal counsel re existing litigation pursuant to Government Code section 54956.9, National Audubon Society and CA Waterfowl Assn. v. Humboldt Bay Harbor, Recreation and Conservation District (Coast Seafoods, real party in interest), Humboldt County Superior Court No. CV170248.
- III. Conference with legal counsel re existing litigation pursuant to Government Code section 54956.9, Sears v. Humboldt Bay Harbor, Recreation and Conservation District, Humboldt County Superior Court No. CV150690.

2) ADJOURN EXECUTIVE CLOSED SESSION

3) OPEN SESSION – 1:30 P.M.

ROLL CALL:

PRESENT: MARKS
 HIGGINS
 DOSS
 DALE
 KULLMANN

ABSENT: NONE.

QUORUM: Yes

4) PLEDGE OF ALLEGIANCE

5) REPORT ON EXECUTIVE CLOSED SESSION

- 1) No action to report out on. However, the Commission has decided to make an offer to an individual.
- 2) No action to report out on.
- 3) No action to report out on.

6) PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: Kent Sawatzky, Ted Romo.

7) CONSENT CALENDAR. NONE.

8) COMMUNICATIONS AND REPORTS. NONE.

9) UNFINISHED BUSINESS:

A. CONSIDERATION OF APPROVAL OF AGREEMENT WITH ICF FOR PREPARATION OF PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT FOR IMPLEMENTATION OF REGIONAL SEDIMENT MANAGEMENT PLAN, NOT TO EXCEED \$200,000.

- I. COMMISSIONER DALE MOVED TO APPROVE AGREEMENT WITH ICF FOR PREPARATION OF PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT FOR IMPLEMENTATION OF REGIONAL SEDIMENT MANAGEMENT PLAN, NOT TO EXCEED \$200,000. COMMISSIONER KULLMANN SECONDED THE MOTION.
- II. District Planner George Williamson presented the item.
- III. The Commission discussed and commented on the item.
- IV. Chair Marks then opened up public comment on the item. Kent Sawatzky commented on this item.
- V. Chair Marks then moved the discussion back to the Commission.

- VI. VOICE VOTE WAS CALLED FOR MOTION ON THE FLOOR, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, DOSS, HIGGINS, DALE, KULLMANN
Noes: NONE
Absent: NONE.
Abstain: NONE

B. CONSIDERATION OF RESOLUTION 2017-13 ADOPTING A CEQA ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH#2015082051) FOR COAST SEAFOODS HUMBOLDT BAY SHELLFISH AQUACULTURE PERMIT RENEWAL AND EXPANSION PROJECT.

- I. Commissioner Dale recused himself.
- II. District Planner George Williamson presented the item.
- III. COMMISSIONER HIGGINS MOVED TO ADOPT CEQA ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH#2015082051) FOR COAST SEAFOODS HUMBOLDT BAY SHELLFISH AQUACULTURE PERMIT RENEWAL AND EXPANSION PROJECT. COMMISSIONER KULLMANN SECONDED THE MOTION.
- IV. District Planner George Williamson presented the item.
- V. The Commission discussed and commented on the item.
- VI. Chair Marks then opened up public comment on the item. Kent Sawatzky, Miranda Reese, and Karen Brooks commented on this item.
- VII. Chair Marks then moved the discussion back to the Commission.
- VIII. ROLL-CALL VOTE WAS CALLED FOR MOTION ON THE FLOOR, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, DOSS, HIGGINS, KULLMANN
Noes: NONE
Absent: NONE.
Abstain: DALE

C. CONSIDERATION OF FINDINGS RELATIVE TO PERMIT 14-03 MODIFICATION REQUEST

- I. Commissioner Dale recused himself.
- II. District Planner George Williamson presented the item.
- III. COMMISSIONER HIGGINS MOVED TO APPROVE FINDINGS RELATIVE TO PERMIT 14-03 MODIFICATION REQUEST. COMMISSIONER KULLMANN SECONDED THE MOTION.
- IV. District Planner George Williamson presented the item.
 - I. The Commission discussed and commented on the item.
 - II. Chair Marks then opened up public comment on the item. Kent Sawatzky commented on this item.
 - III. Chair Marks then moved the discussion back to the Commission.
- IV. VOICE VOTE WAS CALLED FOR MOTION ON THE FLOOR, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, DOSS, HIGGINS, KULLMANN
Noes: NONE
Absent: NONE.
Abstain: DALE

D. CONSIDERATION OF APPROVING PERMIT 14-03 MODIFICATION TO COAST SEAFOODS FOR HUMBOLDT BAY SHELLFISH AQUACULTURE PERMIT RENEWAL AND EXPANSION PROJECT.

- I. Commissioner Dale recused himself from this item and left the room.
- II. District Planner George Williamson presented the item.
- III. COMMISSIONER HIGGINS MOVED TO APPROVE PERMIT 14-03 MODIFICATION TO COAST SEAFOODS FOR HUMBOLDT BAY SHELLFISH AQUACULTURE PERMIT RENEWAL AND EXPANSION PROJECT. COMMISSIONER KULLMANN SECONDED THE MOTION.
- IV. District Planner George Williamson presented the item.
- V. The Commission discussed and commented on the item.
- VI. Chair Marks then opened up public comment on the item. Karen Brooks, Kent Sawatzky, commented on this item.
- VII. Chair Marks then moved the discussion back to the Commission.
- VIII. VOICE-CALL VOTE WAS CALLED FOR MOTION ON THE FLOOR, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, DOSS, HIGGINS, KULLMANN
Noes: NONE

**Draft Minutes
Special Meeting of the Board of Commissioners
Humboldt Bay Harbor, Recreation, and Conservation District
November 15, 2017**

Absent: NONE.

Abstain: DALE

Commissioner Dale returned to the room.

10) NEW BUSINESS

A. CONSIDERATION OF OFFER OF EXECUTIVE DIRECTOR POSITION TO _____.

- I. Legal Counsel Paul Brisso introduced the item.
- II. The Commission discussed and commented on the item.
- III. Chair Marks then opened up public comment on the item. Karen Brooks, Kent Sawatzky, commented on this item.
- IV. There is no action on this item at this meeting.

11) ADMINISTRATIVE AND EMERGENCY PERMITS: NONE.

12) ADJOURNMENT

APPROVED BY

Patrick Higgins
Secretary

RECORDED BY:

George Williamson
District Planner

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

November 28, 2017

The Humboldt Bay Harbor, Recreation, and Conservation District met in regular session on the above date, 12:00 P.M. Closed Session, 1:30 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

1) CLOSED SESSION – 12:00 P.M.

The Commission met in closed session to discuss the following items:

- I. Consideration of public employee appointment/public employment for position of Executive Director pursuant to Government Code section 54957(b)(1).

2) ADJOURN EXECUTIVE CLOSED SESSION

3) OPEN SESSION – 1:30 P.M.

ROLL CALL:

PRESENT: MARKS
HIGGINS
DOSS
DALE
KULLMANN

ABSENT: NONE.

QUORUM: Yes

4) PLEDGE OF ALLEGIANCE

5) REPORT ON EXECUTIVE CLOSED SESSION

- 1) No action to report out on. However, the Commission has directed Chair Marks to continue to negotiate with prospective Executive Director applicants.

6) PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: Kent Sawatzky, and Scott Frazier.

7) CONSENT CALENDAR. NONE.

8) COMMUNICATIONS AND REPORTS. NONE.

9) NON-AGENDA

10) UNFINISHED BUSINESS:

A. CONSIDERATION OF OFFER OF EXECUTIVE DIRECTOR POSITION.

- I. The Commission discussed the item.
- II. Legal Counsel Paul Brisso noted that this item is tabled, per the report out on Closed Session.
- III. The Commission discussed and commented on the item.
- IV. Chair Marks then opened up public comment on the item. unnamed commenter, Kent Sawatzky, and Aaron Newman commented on this item.
- V. Chair Marks then moved the discussion back to the Commission.
- VI. No action taken on this item.

11) NEW BUSINESS- NONE.

12) ADMINISTRATIVE AND EMERGENCY PERMITS: NONE.

13) ADJOURNMENT

APPROVED BY

RECORDED BY:

Patrick Higgins
Secretary

George Williamson
District Planner