

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

DATE: November 10, 2022

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

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/6917934402>

Meeting ID: 691 793 4402
One tap mobile
(669) 900-9128, 6917934402#

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) CONFERENCE WITH REAL PROPERTY NEGOTIATORS.** Terms of potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021 and 401-112-024 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS.** Property: All or Portions of Humboldt County Assessor Parcel Nos.: 401-112-024-000, 401-031-040-000, 401-031-078-000, and 401-031-083-000, and portions of the tidelands along the Samoa Peninsula adjacent to Redwood Marine Terminal I. Agency negotiator: Larry Oetker,

Agenda for November 10, 2022 Regular Board Meeting

Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Crowley Wind Services, Inc. Under negotiation: price and terms of payment.

- c) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker

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 (STAR) *9 and unmute themselves by pressing (STAR) *6.*

8. Consent Calendar

- a) Adopt Minutes for October 13, 2022 Regular Board Meeting
- b) Adopt Minutes for October 27, 2022 Special Board Meeting
- c) Receive District Financial Reports for August 2022
- d) Affirm the Findings Made in Resolution 2021-16 Regarding the Continued State of Emergency and Authorize the Continued use of Teleconference Meetings

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 - None

11. New Business

a) Consider Adopting Resolution 2022-14: Certifying an Environmental Impact Report (EIR) Previously Adopted by the County of Humboldt and Establishing Findings Relative to and Approving Harbor District Permit 2022-02 with Conditions for the Humboldt Bay Master Water Intakes

Recommendation: Staff recommends that the Board Adopt Harbor District Resolution No. 2022-14 which includes:

- Certifying an Environmental Impact Report (EIR) Previously Adopted by the County of Humboldt
- Establishing Findings Relative to the Permit Application for the Humboldt Bay Master Water Intakes
- Approving Permit 2022-02 with conditions for the Humboldt Bay Master Water Intakes

Alternative Recommendation: Receive staff report, receive public comment, and continue hearing to a date certain (i.e., 12/8/22 or 1/12/23)

Summary: The Humboldt Bay Harbor, Recreation, and Conservation District proposes to modernize and operate two formerly used water intake systems in Humboldt Bay and install new pumps, piping, and meters to deliver bay water to existing and future District tenants. Improvement of the water intakes is part of a long-term District program to develop facilities for use by aquaculture and other sea-water-dependent tenants. The water intakes are located approximately one-half mile apart along the Samoa Channel at the Redwood Marine Terminal II Dock and Red Tank Dock. The proposed project includes bay water withdrawal and pumping to manifolds at specific upland points that will be connected to future permitted water users. The project also includes off-site habitat restoration to offset any reduction in the bay's biological productivity that will result from water withdrawal and entrainment of aquatic larvae. Habitat restoration work will include pile removal at the District's Kramer Dock property located in Fields Landing and will be phased in conjunction with the phasing of water withdrawal quantities. Impact mitigation includes habitat restoration associated with modeled impacts to longfin smelt.

b) Authorize the Executive Director to negotiate and enter into an Agreement for Bond Counsel Services to support the Dredging of Woodley Island Marina

Recommendation: Staff recommends the Board Authorize the Executive Director to negotiate and execute an Agreement for Bond Counsel Services for the purposes of dredging.

Summary: On September 8, 2022, Staff provided a dredging update for Woodley Island Marina, sharing the preliminary survey data collected as to the deteriorating conditions of certain fairways and slips at Woodley Island Marina. Estimations for required dredging suggest volumes of as much as 75,000 to 100,000 cubic yards. As

Agenda for November 10, 2022 Regular Board Meeting

available dredge surcharge funds will not support such a volume, staff have begun to research borrowing options to support the needed action.

c) Discuss Re-Opening Future Board Meetings to the Public

Recommendation: Staff recommends the Board receive a report and discuss opening Board Meetings to the Public.

d) Consider Adopting Resolution 2022-15, A Resolution Commending Richard Marks for His Service as Commissioner of the Humboldt Bay Harbor, Recreation and Conservation District

Recommendation: Staff Recommends that the Board Adopt Resolution 2022-15.

Summary: Richard Marks has served as a Commissioner of the Humboldt Bay Harbor, Recreation and Conservation District since 2009, choosing not to run for re-election in 2022.

12. Future Agenda Items

13. Adjournment