

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

DATE: November 15, 2018

TIME: Executive Closed Session – 12:00 PM
Special Session – 12:15 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 Special Session at 12:00 P.M. and Roll Call

a) Move to Executive Closed Session

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential sublease of District's lease interest by District under lease between the District and Mario's Marina LLC dated April 1, 2016 for the real property commonly known as Mario's Marina in Shelter Cove, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso, District Counsel. Negotiating party: Shelter Cove Fisherman's Preservation Association, Shelter Cove, CA. Under negotiation: price and payment terms.

2. Pledge of Allegiance

3. 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.

4. Consent Calendar

- a) Approval of Permit and Agreement Renewal to Kevin Pinto to Operate Jenna Lee's Seafood Company
- b) Approval of Permit and Agreement Renewal to the Humboldt Yacht Club to Operate a Dinghy Dock
- c) Receive District Financial Reports for September 2018
- d) Approval of Meeting Minutes for March 22, 2018 Regular Board Meeting
- e) Approval of Meeting Minutes for July 26, 2018 Regular Board Meeting
- f) Approval of Meeting Minutes for August 15, 2018 Special Board Meeting in Shelter Cove
- g) Approval of Meeting Minutes for August 23, 2018 Regular Board Meeting
- h) Approval of Meeting Minutes for September 27, 2018 Regular Board Meeting
- i) Approval of Meeting Minutes of October 25, 2018 Regular Board Meeting
- j) Authorize the Executive Director to Execute the Compensation Agreement Between the Successor Agency to the City of Eureka Redevelopment Agency and the Harbor District

5. Communications and Reports

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Others

6. Non Agenda

7. Unfinished Business

a) Review of the Proposed Annual Dredging Program Implementation Measures

Recommendation: Staff recommends the Board: Receive a Report from Staff and provide direction regarding the implementation of the Annual Dredging Program.

Summary: In Humboldt Bay, the primary mechanism for sediment management is dredging, and the Coastal Regional Sediment Management Plan for the Eureka Littoral Cell describes multiple objectives for beneficial reuse of dredged sediments from the Bay. The Board previously appointed Commissioners Doss and Higgins to the Humboldt Bay Regional Sediment Management Strategy Advisory Committee, which was formed with the intention of soliciting input from interested stakeholders in the development of solutions for long-term management of sediment from Humboldt Bay's locally managed dredge sites. The Board has also directed Staff to create a sediment handling facility and apply for all necessary permit amendments and new permits to allow for reuse of dredged sediments. Staff propose to work closely with the Advisory Committee in the process of implementing sustainable District dredging alternatives for the future.

8. New Business

a) Consideration of Mitigation Monitoring/Reporting Program for Pre-permitted Mariculture Leases

Recommendation: Staff recommends the Board: Adopt the Mitigation Monitoring/Reporting Program for the Humboldt Bay Mariculture Pre-Permitting Project.

Summary: The District is now in possession of all necessary permits to be able to offer subtidal leases under the Mariculture Pre-permitting Program (Program). As the primary permit holder for the Program, the District is responsible for permit compliance monitoring of all Program Lessees. In addition, the District is the California Environmental Quality Act (CEQA) lead agency and has the primary responsibility for adopting and enforcing a mitigation monitoring or reporting program (MMRP) to ensure that the mitigation measures and project revisions identified in the Environmental Impact Report (EIR) for the Program are implemented. This MMRP establishes the framework the District and others will use to implement the approved mitigation measures and the monitoring and/or reporting of such implementation.

b) Schedule a Special Meeting to Conduct a Public Employee Evaluation of the Executive Director and Consideration of an Employment Contract Renewal.

9. Administrative and Emergency Permits

a) Administrative Permit A-2018-05 King Salmon Tide Gate Replacement

Summary: There is a breakwater/levee along the south side of Fisherman's Channel; an existing culvert connects Fisherman's Channel to Buhne Slough. Buhne Slough runs along the inside of the levee, under King Salmon Avenue, through salt marsh and eventually under Highway 101 east of PG&E property. The previous tide gate was attached to a block of concrete that has lost its footings and is no longer attached to the culvert. The District proposes to insert a new tide gate into the existing culvert and reinforce the surrounding bank with placement of additional rock riprap.

The proposed project is to install a 4-foot diameter tide gate into the existing (approximately) 5.5-foot diameter, 40-foot-long steel corrugated culvert. The new tide gate would be inserted into the existing culvert by crane from the pull-out along King Salmon Avenue at low tide. The crane will be on the opposite side of the levee during installation. The space in-between the existing culvert and the new tide gate will be sealed with an epoxy injection and the area surrounding the tide gate would be reinforced with placement of rock riprap (approximately 8"-24" rocks). There would be no in-water work or significant impacts to the levee banks as the new riprap would be placed in an area where there is existing rock slope protection. The proposed project is strictly repair and maintenance and would not increase size or capacity of the existing infrastructure.

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District staff determined that the project is exempt from CEQA pursuant to a Class 1 categorical exemption (Section 15301(d) for restoration or rehabilitation of deteriorated or damaged structures) and a Class 2 categorical exemption (Section 15302 for replacement or reconstruction of existing structures and facilities) which exempt projects where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. A Notice of Exemption will be filed with the County.

10. Adjournment

REGULAR MEETING OF NOVEMBER 22, 2018 HAS BEEN CANCELLED