

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

**December 12, 2013**

**PRESENT**

Commissioner Dale  
Commissioner Wilson  
Commissioner Marks  
Commissioner Higgins

**ABSENT**

Commissioner Newman

President Wilson called the Executive Closed Session to order at 6:00 P.M.

President Wilson adjourned the Executive Closed Session at 6:48 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:07 P.M.

President Wilson led those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Conference with Labor Negotiator and Conference with Real Property Negotiator – No action taken.

**PUBLIC COMMENT**

Monte Provolt told the Board of Commissioners he was discouraged there was no report on the PG&E property acquisition – the public would like to know about that issue. He said there was good information on the King Salmon Canal at the Economic Development Committee meeting. He asked what the Harbor District will gain by the acquisition of the King Salmon Fisherman's Channel; there are too many unknown liabilities and PG&E should retain ownership.

Kent Sawatzky stated Access Humboldt is not showing videos of the District's Board meetings. He said he does not see an upside to the PG&E property acquisition. Mr. Sawatzky said he was glad to see toxins are not being hauled at this time from the pulp mill property site; it is not a good time of year. He also stated the pulp mill property should be a cash cow, not a money pit; suggested improving and leasing out the dock.

**CONSENT CALENDAR**

Commissioner Higgins requested paragraph #8 of Public Comment on the October 10, 2013 Board Meeting minutes be removed. His statements regarding Public Records Act requests were made based on incorrect assumptions.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF MINUTES FROM THE OCTOBER 10, 2013 BOARD MEETING AS AMENDED. COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

## Minutes

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### COMMUNICATIONS AND REPORTS

#### CHIEF EXECUTIVE OFFICER REPORT

- ❖ Reported on the Pulp Mill property as follows: USEPA is onsite. Tanks are plumbed and ready for the liquors to be moved. It will take another week to make the final connection to the dock. Domestic water has been hooked up to the warehouse building. The District's Maintenance staff is repairing the dock.
- ❖ Spoke by phone to regulatory and KapStone representatives regarding the shipping of the liquors.
- ❖ Held a mandatory walk-through for the boiler sale RFP; there were 6 interested parties.
- ❖ Reported the Access Agreement with Louisiana-Pacific obligates L-P for 2012, 2013, and 2014 work, fines and fees.
- ❖ Berth 2 dock is ready for Taylor Shellfish's conduit to provide power to their facility. The lease area was revised to include a portion of the warehouse building. Taylor Shellfish's current annual lease is \$45,000; but will be increased to \$77,500 for tidelands, dock, building and upland property.

#### STAFF REPORTS

##### Director of Conservation

- ❖ Reported on the marine debris float removal grant.
- ❖ Reported there will be a public meeting with King Salmon residents to discuss dredging the Fisherman's Channel.
- ❖ Currently in the CEQA Public Comment period for the Humboldt Bay Pre-Permitting Project.
- ❖ Currently hiring for a Spartina Project Coordinator.
- ❖ Working with District Planner to wrap up the Water Trails Project.

##### Bar Pilot Tim Petrusha

- ❖ MV Maple Amethyst will arrive Monday, December 16 for one week.

##### District Planner

- ❖ HCAOG's Regional Transportation Plan is available for public comment.
- ❖ Planwest's IT staff is working with Bar Pilot Powell on software enhancements.

**DISTRICT COUNSEL REPORT:** None

#### COMMISSIONER AND COMMITTEE REPORTS

##### Commissioner Dale

- ❖ Wished all a Merry Christmas, Happy Hanukkah, Merry Kwanzaa, etc.

##### Commissioner Marks

- ❖ Reported negotiations are ongoing with the District and its employee union.
- ❖ Chaired the Economic Development Committee meeting and thanked Monte Provolt for providing some history of King Salmon.
- ❖ Attended a NCRA meeting in Novato.

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Commissioner Higgins

- ❖ Attended an Economic Development Committee meeting; Dr. Steve Hacket spoke on Fields Landing.
- ❖ Requested the Board of Commissioners meet with the Shelter Cove Resort Improvement District Board on January 23, 2014.
- ❖ Stated the website will be reorganized shortly.

**NON AGENDA**

❖ **Presentation by Humboldt State University Students on sustainable energy facility.**

HSU students presented ideas and information to use the Pulp Mill property for a Pressure Retarded Osmosis (PRO) facility. The project overview consisted of a site assessment, preliminary PRO system design and an overall technical and economical feasibility assessment. Needed to make the project feasible is a cleaner water source, project closer to a freshwater source and advances in membrane technology. The project is not recommended due to economic infeasibility.

Monte Provolt suggested a focus on smaller membrane research, although even this may not be feasible in Humboldt County.

❖ **Presentation by Ryan Wells, Scott Kelley and Mike Nelson, LACO Associates on the Samoa Industrial Waterfront Transportation Access Plan.**

Scott Kelley stated this project was federally funded by the Federal Transportation Equity Act for the Twenty-First Century (TEA-21). The goal is to improve access to the industrial waterfront properties on the Samoa Peninsula. The scope of work was to investigate transportation routes to and from the industrial waterfront properties, involve property owners, regulatory and funding agencies and other stakeholders and prepare a plan documenting the investigations and a preferred alternative route.

Permitting requirements and funding opportunities were discussed.

Recommendations were made to appoint members to a Technical Advisory Committee and a Policy Advisory Committee.

Commissioner Wilson said one of the major landowners on the Peninsula asked that utilities be discussed as a part of the study. He said while utilities are one of the pieces for consideration, the funding was to study transportation/public roads.

Commissioner Dale thanked LACO Associates, stating the project was much more complex than he had anticipated.

Monte Provolt said if railroad components were included in grant applications, many opportunities would become available.

Kent Sawatzky asked about access to Redwood Dock; the public is not ready to let go of this public dock. Mr. Kelley said there is access currently to Redwood Dock.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF AWARD OF CONTRACT FOR THE TEMPORARY ELECTRICAL POWER INSTALLATION AT REDWOOD TERMINAL 2.**

COMMISSIONER DALE MOVED FOR THE APPROVAL OF AWARD OF CONTRACT FOR THE TEMPORARY ELECTRICAL POWER INSTALLATION AT REDWOOD TERMINAL 2 TO AN ELECTRICIAN, INC. FOR \$24,800. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF APPROVAL OF COOPERATIVE AGREEMENT WITH THE WIYOT TRIBE FOR MARINE DEBRIS CLEANUP.**

COMMISSIONER MARKS MOVED THE APPROVAL OF COOPERATIVE AGREEMENT WITH THE WIYOT TRIBE FOR MARINE DEBRIS CLEANUP. COMMISSIONER DALE SECONDED.

Director of Conservation reported the Wiyot tribe received a grant for marine debris removal. The District will match some services as outlined in the grant application District staff helped write.

MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF APPROVAL OF TIMBER HERITAGE ASSOCIATION SAMOA SHOPS LEASE EXTENSION AGREEMENT AND SCOPE OF WORK FOR 2014 LEASE OFF-SET.**

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF TIMBER HERITAGE ASSOCIATION SAMOA SHOPS LEASE EXTENSION AGREEMENT AND SCOPE OF WORK FOR 2014 LEASE OFF-SET. COMMISSIONER DALE SECONDED.

CEO reported the Timber Heritage Association (THA) has made many improvements to the property in lieu of a lease payment: electrical work in the Round House and other buildings, additional lighting and outlets, roofing repairs and they are working on a scope of works to get the zoning correct to open the facility as a museum.

District Planner said the County General Plan does include a designation change of a portion of the Samoa Shops site to Coastal Recreation, which is more consistent with THA's efforts. He said it will take some diligence on the District's part to ensure the County gets the designation in place and puts in the policy language.

Commissioner Wilson asked THA about cost-sharing on the District Planner's efforts. Mike Kellogg said that was a possibility as long as THA knows what is being done.

Mike Kellogg asked the Board to allow THA to demonstrate steam equipment, such as a steam donkey. He provided proof of insurance coverage.

COMMISSIONER MARKS AMENDED HIS MOTION TO INCLUDE ALLOWING THA TO DEMONSTRATE STEAM EQUIPMENT, SUCH AS A STEAM DONKEY. COMMISSIONER DALE SECONDED THE AMENDMENT.

Monte Provolt suggested getting one or two County Supervisors and a Planner together with the District and THA to work out this zoning issue.

Kent Sawatzky said there was a new designation in the General Plan Update for railroad facilities.

Pete Johnston of THA said he was glad to see George Williamson as District Planner and looks forward to working with him in the future.

MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF APPROVAL OF NO-COST EXTENSION OF CONTRACT WITH LACO ASSOCIATES FOR SERVICES RELATED TO THE SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN.**

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF NO-COST EXTENSION OF CONTRACT WITH LACO ASSOCIATES FOR SERVICES RELATED TO THE SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN. COMMISSIONER DALE SECOND. MOTION CARRIED WITHOUT DISSENT.

**E. DISCUSSION OF RE-ESTABLISHING THE SHELLFISH TECHNICAL ADVISORY COMMITTEE (TAC).**

Commissioner Wilson said the original Shellfish TAC was based out of the Regional Water Quality Control Board to monitor shellfish culture on Humboldt Bay: pre-permitting, monitoring and sources of pollution.

Commissioner Dale said it was established through legislation in the early '90s, but the Water Board has no staff or funding to head the committee.

Commissioner Wilson said the TAC will be an ad hoc committee to last until the end of February 2014.

The purpose of the TAC will be to collect information, seek funding and will create an opportunity for fixing shellfish issues for Humboldt Bay. The District will be agency to work with the Water Board – it was agreed “agency to agency” participation is invaluable.

The TAC will be comprised of: Ted Kuiper, Scott Sterner, Jen Kalt, Sebastian Elrite, Todd VanHerpe, Commissioner Dale and Director of Conservation.

Monte Provolt asked if the TAC is to address water quality, shouldn't all life in the bay be considered. Commissioner Wilson stated shellfish is a fundamental beneficial use of good water quality.

Commissioner Dale said the TAC is tied with legislation and mandates at the State level.

Todd VanHerpe suggested City of Arcata have a seat on the TAC. Commissioner Wilson said any stakeholder agency could have a seat.

Jen Kalt, Humboldt Baykeeper, said they have been monitoring creeks around the Bay since 2005 and fecal coliform is through the roof. This would be a good area for the TAC to study to determine where it is coming from

**ADMINISTRATIVE AND EMERGENCY PERMITS: None**

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 9:25 P.M.

APPROVED BY:



Patrick Higgins  
Secretary

RECORDED BY:



Patricia Tyson  
Director of Administrative Services