

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

July 23, 2015

PRESENT:

Commissioner Dale
Commissioner Marks
Commissioner Higgins

ABSENT:

Commissioner Newman
Commissioner Wilson

President Marks called the Regular Meeting of the Board of Commissioners to order at 6:05 p.m.

President Marks led those present in the Pledge of Allegiance.

PUBLIC COMMENT

Susan Penn said there is a swallow nest on the marina building. One of the staff talked about removing the nest because of the mess, but there are babies here now. She thanked staff for not removing the nest.

Sebastian Elrite read a portion of the CA Public Trust Doctrine of the State Lands Commission, Section 5 on mixed use development. He said it was not his opinion, merely informational.

CONSENT CALENDAR: None

COMMUNICATIONS AND REPORTS

EXECUTIVE DIRECTOR'S REPORT:

- ❖ EPA Cleanup Phase 2 complete: "Steel Tanks and Sludges"; EPA Cleanup Phase 3 - Tile Tanks, smoke stack and lime silo. EPA wants better settlement clarification that fully releases District.
- ❖ County Health directed to remove remaining hazardous material within one year. Regional Water Quality Control Board will issue a NFA on the eastern half by 3/2016 and wants Louisiana-Pacific to remove the "mud pond" as the area of concern for dioxins.
- ❖ Staff is working on options to remove the 30,000 tons of construction debris from the site.

STAFF REPORTS

Deputy Director:

- ❖ Three comments on the revised Wait List procedure. The list is being narrowed down to those who are actually waiting for a list – all three were accommodated.
- ❖ Further assessing eelgrass mitigation options and comparing to mitigation demand. Finalizing grant agreement with EPA for Eelgrass Management Plan.
- ❖ Mariculture Pre-Permitting Project meetings: San Francisco – August 11; Humboldt – to be determined.

Director of Facility Maintenance:

- ❖ Introduced Amanda from Eureka Main Street. She thanked the District for their participation in the boat parade during Relay for Life. The Fire Boat led the parade. She presented a plaque for Third Place for Best Decoration.
- ❖ Redwood Marine Terminal Berth 1 – The hagfish project will be moved in the first week of August. All improvements have been made to Berth 1.
- ❖ Redwood Terminal 2 – The final cleanup and report has been delivered to the County Health Department. There are still gallon jugs of Sulphuric acid and other substances.
- ❖ Walk-through's will be conducted tomorrow for potential bidders on the five projects at Redwood Terminal 2. Contracts will be awarded contingent upon obtaining funding.

- ❖ A new product has been installed over the old decking at the entrance to the District's main building.

District Planner:

- ❖ Samoa Peninsula Fire District held a Board meeting earlier this week to discuss reorganizing to Community Services District. Troy Nicolini and Dale Unea were appointed as the Board's subcommittee to research this idea. Supervisor Bass spoke positively to the full house and this would be good for the Harbor District because it would be a new service provider.
- ❖ Went with Deputy Director to the City of Eureka agency meeting to discuss their design charrette for C-F Streets next week. Talked about the District's interest and to make sure what happens at the City connects with what is happening on Woodley Island.
- ❖ Attended the water trails agency meeting last week.
- ❖ Met with Timber Heritage Association regarding their progress on the Lot Line Adjustment.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Dale:

- ❖ Painted his house.

Commissioner Marks:

- ❖ Attended the Samoa Peninsula Fire District meeting – he served as Director for a couple of years and they have been discussing for years reorganizing to a Community Services District. He said he is not sure what is holding the community up from making this decision.
- ❖ Fortunate to have the support and backing of the Board and staff to place the porta-potty's behind the Bayshore Mall. An eviction notice came out from the City and the B&Bs were used for retaliation. The B&Bs have been removed.

Commissioner Higgins:

- ❖ Received commendation from the Board of Supervisors for the Eel River Cyanotoxin studies by the Eel River Recovery Project.
- ❖ Showed videos of fish in the Eel River.

OTHER: None

NON AGENDA: None

UNFINISHED BUSINESS

A. DISCUSSION OF PERMIT APPLICATION 15-01 BY PACIFIC GAS AND ELECTRIC COMPANY FOR THE HUMBOLDT BAY POWER PLANT DECOMMISSIONING PROGRAM FINAL SITE RESTORATION PLAN IMPLEMENTATION AND PUBLIC COMMENTS ON THE MITIGATED NEGATIVE DECLARATION.

Kris Vargas and Mark Smith from Pacific Gas and Electric Company spoke to the Board on the progress of the power plant decommissioning. The permit application has been submitted to the Harbor District. The Draft Mitigated Negative Declaration was distributed and two comments (California Coastal Commission and Humboldt Baykeeper) were received. On July 25 at midnight, it will be 1,000 days of working safely – a great compliment to the project and they are very proud of that milestone.

The Humboldt Bay Power Plant Decommissioning began in 2014 and will continue through 2018. Final site restoration activities will be completed in 2019. Mid-2020 the final status survey will be documented.

Final site restoration plan objectives are: determine restoration areas/subareas, refinements per Coastal Commission and plan design with resulting storm water management system. The plan requires a total of eight permits.

The next steps are for the District to develop the responses to the comments and have a hearing for the adoption of the Mitigated Negative Declaration and issue the Harbor District permit. On September 9-11, the California Coastal Commission will tour the Humboldt Bay Power Plan site. Then in the first quarter of 2016, permits will be obtained.

On August 19, PG&E will host an open house at the Wharfinger Building from 4:30-6:30 p.m.

Commissioner Higgins said the accommodations for environmental needs are admirable.

Commissioner Dale said PG&E should be proud of their accomplishments.

This is the 7th decommissioning in the United States and this one is at the top for dose minimization.

NEW BUSINESS

A. CONSIDERATION OF ELIMINATION OF STATE AND COUNTY VESSEL MOORAGE DISCOUNT.

Executive Director reported the original marina loan documents from California Department of Boating and Waterways required a moorage fee waiver for all State and Federal owned vessels. The District offered the discount to the County Sheriff's Department as well.

COMMISSIONER HIGGINS MOVED FOR THE ELIMINATION OF STATE AND COUNTY VESSEL MOORAGE DISCOUNT. COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF A LEASE WITH HAGFISH CORPORATION FOR OPERATION OF A HAGFISH HOLDING AND PACKING FACILITY AT REDWOOD MARINE TERMINAL BERTH 1.

Deputy Director reported the base rent during the original term is \$1,715 per month which includes: \$0.35 per square foot for 4,500 square feet of warehouse space (\$1,575 total); \$0.35 per square foot for 144 square feet of office space (\$50 total); and \$0.15 per square foot for 600 square feet of outside storage (\$90 total). Boat Moorage: tenant shall pay \$311 / month (\$4.15 / foot / month for a 75 foot boat). Landing Fees: tenant shall pay \$0.015 / lb. of hagfish that is landed at the dock using the District's hoist.

District Counsel stated built in to the lease is one one-year option to renew; CPI increase for year 2.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF A LEASE WITH HAGFISH CORPORATION FOR OPERATION OF A HAGFISH HOLDING AND PACKING FACILITY AT REDWOOD MARINE TERMINAL BERTH 1. COMMISSIONER HIGGINS SECONDED.

Commissioner Dale said the slime from the eels has the potential to replace egg whites as a source of protein.

Sebastian Elrite said currently he has a rental agreement at Redwood Marine Terminal for storage. If there is water in the pipe, could he tap into it? Deputy Director responded initially it is the tenant's water, but could produce more water for others. He said he has the water quality data from the hagfish tenant's previous location.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF ADDITIONAL ELECTRICAL COSTS TO THE REDWOOD MARINE TERMINAL BUILDING 3.

Executive Director asked for this item to be pulled from the agenda. The costs will be passed along to the tenant.

D. CONSIDERATION OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE WITH LUKE COCHRAN DBA SILVER STAR SPORTFISHING.

Deputy Director reported this is the District's standard agreement for \$250 per year.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE DBA SILVER STAR SPORTFISHING. COMMISSIONER HIGGINS SECONDED.

Sebastian Elrite said Mr. Cochran is doing a good job.

MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF US GOVERNMENT LEASE FOR REAL PROPERTY FOR THE US COAST GUARD.

Deputy Director reported this lease is for the US Coast Guard's exclusive use of their boat slip, office space and storage.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF US GOVERNMENT LEASE FOR REAL PROPERTY FOR THE US COAST GUARD. COMMISSIONER DALE SECONDED.
MOTION CARRIED WITHOUT DISSENT.

F. CONSIDERATION OF COMMERCIAL LEASE WITH HUMBOLDT STATE UNIVERSITY DEPARTMENT OF FISHERIES BIOLOGY FOR THE AQUAPONICS PILOT PROJECT, GREENHOUSE AND AQUAPONICS SYSTEM.

Executive Director said the HSU class will use the greenhouse to grow vegetables and fish for education / research purposes during the Fall and Spring Semesters. There will be no cost, but HSU pays all utilities. The pilot project was successful, but the equipment is not currently being used.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF COMMERCIAL LEASE WITH HUMBOLDT STATE UNIVERSITY DEPARTMENT OF FISHERIES BIOLOGY FOR THE AQUAPONICS PILOT PROJECT, GREENHOUSE AND AQUAPONICS SYSTEM.
COMMISSIONER DALE SECONDED.

Commissioner Dale asked if the property could be transferred to the school's physical location. Executive Director said it could be moved from the coastal depending property; but suggested Harbor District maintaining control. Commissioner Dale said it does not seem to be a commercially viable project; it is good to see the equipment used.

Commissioner Higgins said he is disappointed there is not more capitalists interested; the quality of the produce is unbelievable.

Sebastian Elrite asked it is was publicly noted after the pilot project went down.

Commissioner Higgins said every rock was turned over.

MOTION CARRIED WITHOUT DISSENT.

G. CONSIDERATION OF MM DIVING, INC. CONTRACT FOR DIVING SERVICES FOR OCEAN OUTFALL PIPE INSPECTIONS, MAINTENANCE AND REPAIR.

Executive Director reported the work would be done August- September depending on weather. District will provide Fire Boat and support "taxi" to shuttle divers. District will provide anchors and chamber location at CC station.

The Scope of Work: Expose 800 ft. of diffusers, establish flow between diffusers, high priority inshore set. Add zinc's as necessary during inspection. Four divers, one master diver and necessary equipment at \$12,500/day. Work is to cover seven days, not to exceed \$87,500.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF MM DIVING, INC CONTRACT FOR DIVING SERVICES FOR OCEAN OUTFALL PIPE INSPECTIONS, MAINTENANCE AND REPAIR. COMMISSIONER DALE SECONDED.

Susan Penn asked what the diffusers do. Executive Director responded the diffusers allow the flow to go out through the pipe. The original design is for 30,000 gallons a day to flow through the pipe.

Sebastian Elrite said the MM Diving crew are good guys.

MOTION CARRIED WITHOUT DISSENT.

H. DISCUSSION OF RELOCATION FOR FORMER NAVAL VESSEL 1091.

Executive Director stated the Harbor District is helping the City develop a docking facility for visiting research vessels, large trawl vessels and military. It might be possible to relocate the 1091 at Redwood Terminal 1 in association with the Maritime Museum and Timber Heritage. The vessel is owned by a small non-profit group trying to restore and preserve the vessel's long history. They have not paid moorage for years and the City is ready to evict, which has helped stimulate the group for a solution.

The vessel was inspected on 7/17 by the City Manager and Harbor District Staff. The hull leaks, filling 20% of center hatches. Vessel needs to be removed from the water. Best interest of the Bay is for the Harbor District to help remove the vessel. The vessel could be continued as a restoration project or scrap work. It would have to be removed on the boat ramp under the Samoa Bridge using logs and dozers.

Commissioner Dale said he is in favor of helping the City get the Former Naval Vessel 1091 restored.

President Marks said he would like to have it moved to Redwood Marine Terminal Berth 1 once it is seaworthy.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 7:45 p.m.

APPROVED BY:



Greg Dale
Secretary

RECORDED BY:



Patricia Tyson
Director of Administrative Services