

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

**September 22, 2016**

**PRESENT:**

Commissioner Doss  
Commissioner Dale  
Commissioner Higgins  
Commissioner Wilson  
Commissioner Marks

President Higgins called the regular meeting of the Board of Commissioners to order at 7:00 p.m.

President Higgins asked Commissioner Marks to lead the Pledge of Allegiance.

District Counsel reported on Executive Closed Session as follows: Conference with Real Property Negotiators – Status of negotiations with Timber Heritage Association regarding status and progress of conditions required to be met by Timber Heritage Association for District's transfer of property ownership: No action taken; and Conference with Legal Counsel – Anticipated Litigation – Litigation threatened by King Salmon property owners regarding status of dredging of Fisherman's Channel – Commissioners Dale and Doss were appointed as a subcommittee to work with PG&E on Eelgrass requirements pursuant to the agreement between both parties.

**PUBLIC COMMENT**

Kent Sawatzky attended the Eureka Greater Chamber of Commerce where there was a spirited debate of candidates, mainly on Measure S. Mr. Sawatzky said he wrote the opposition to Measure S, the Cannabis tax. Attended the Arcata City Council where Mark Lovelace, County Supervisor; Connie Beck, County DHHS; and Amy Nilson, County CAO, spoke in favor of Measure S. Arcata's City Council made a decision to vote against Measure S.

**CONSENT CALENDAR**

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR.  
COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

**COMMUNICATIONS AND REPORTS**

**EXECUTIVE DIRECTOR REPORT**

- ❖ Humboldt Bay Development Association Board approved the solar Power Purchase Agreement, recommending third party review.
- ❖ Board will need a special meeting to consider the Power Purchase Agreement.
- ❖ Redwood Marine Terminal 2 Grand Opening October 14, 12 p.m. – 2 p.m. Tours will be offered to the public. Several elected officials have been invited to speak.
- ❖ Humboldt Bay Eelgrass Management Plan kick off to be held on October 20.
- ❖ King Salmon Entrance Channel dredging is cancelled. Permits not issued before the end of the in-water period – Next year's dredging will include the entire channel.
- ❖ Shelter Cove marina building and tree demolition permit was approved. The 10-day appeal period begins, plus building department demolition permit is left to be obtained. Executive Director described the changes to be made at the site.

**STAFF REPORTS:**

Director of Operations and Maintenance:

- ❖ Redwood Marine Terminal 2 – Final cleanup for Grand Opening.
- ❖ Final inspections have been completed on siding, doors and repower. Roofing walk through to be done.
- ❖ CalFire has been helping with the Redwood Marine Terminals 1 & 2 cleanup - Getting ready for rain.

for the project is important as there is a lot to talk about on this subject. Currently working with EPA staff to develop a quality assurance plan.

**NON AGENDA:** None

**UNFINISHED BUSINESS**

**A. CONSIDERATION OF SECOND READING AND ADOPTION OF AMENDMENT NO. 3 TO ORDINANCE NO. 8 ESTABLISHING A CONFLICT OF INTEREST CODE.**

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF SECOND READING AND ADOPTION OF AMENDMENT NO. 3 TO ORDINANCE NO. 8 ESTABLISHING A CONFLICT OF INTEREST CODE. COMMISSIONER DALE SECONDED.

District Counsel stated a biannual review of the Conflict of Interest Code. Since the last amendment, there have been changes in the State statute and the changes have been incorporated in the current Form 700. The Ordinance Appendix was also out of date; there have been changes in titles of Staff and Directors. Wording was also included to state that if there was a conflict with State regulations, the State regulation would be controlling.

MOTION CARRIED WITHOUT DISSENT

President Higgins stated Unfinished Business Agenda Items B-D are pulled from this agenda and will be considered at a future Board Meeting.

- B. CONSIDERATION OF ADOPTING A CEQA EXEMPTION FOR THE PROPOSED PILING REPLACEMENT (PERMIT APPLICATION 16-06) AT EUREKA FOREST PRODUCTS DOCK, OPERATED BY SIERRA PACIFIC INDUSTRIES NEAR AND IN HUMBOLDT BAY.**
- C. CONSIDERATION OF ADOPTING RESOLUTION 2016-17 WHICH ESTABLISHES FINDINGS RELATIVE TO THE DOCK SEISMIC REPLACEMENT CEQA EXEMPTION.**
- D. CONSIDERATION OF GRANTING TO SIERRA PACIFIC INDUSTRIES PERMIT 16-06 FOR THE EUREKA TERMINAL DOCK SEISMIC RETROFIT.**

**NEW BUSINESS**

**A. CONSIDERATION OF ADOPTION OF RESOLUTION 2016-18 HONORING THE MEMORY OF FORMER COMMISSIONER JIMMY SMITH.**

Executive Director said this item is postponed.

**B. CONSIDERATION OF APPLICATION FOR A \$500,000 WATER/WASTEWATER TECHNICAL ASSISTANCE GRANT FOR WASTEWATER CONNECTING AND OCEAN DISCHARGE FOR THE CITY OF EUREKA AND SAMOA PENINSULA.**

District Engineer reported at the last Board meeting is was reported a meeting was held with stakeholders and agencies regarding the overall need for solutions to wastewater needs on the Samoa Peninsula. Currently the State Water Resources Control Board has available funds and feels the District is eligible for the Technical Assistance Grant to study options.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF GIVING EXECUTIVE DIRECTOR AUTHORITY TO MOVE FORWARD WITH ANY REQUEST FOR GRANT FUNDS RELATIVE TO THE CITY OF EUREKA AND WASTEWATER ON THE SAMOA PENINSULA AND THE DISTRICT'S OUTFALL PIPE. COMMISSIONER DALE SECONDED.

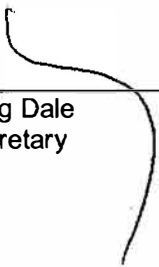
Commissioner Dale said he participated the meeting and it is an interesting dynamic with the Samoa Peninsula and their wastewater needs to be addressed.

MOTION CARRIED WITHOUT DISSENT.


**ADMINISTRATIVE AND EMERGENCY PERMITS: None**

The Regular Meeting of the Board of Commissioners adjourned at 8:49 p.m.

APPROVED BY:

  
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Greg Dale  
Secretary

RECORDED BY:

  
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Patricia Tyson