

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

4 December 2003

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Fritzsche
Commissioner Hunter
Commissioner Ollivier

The Closed Session was called to order at 6:00 p.m. District Counsel reported the items of discussion: the Simpson Samoa lease, the Harbor District audit of the US Army Corps of Engineers Harbor Deepening Project records, and the August 2003 claim for damages by Ray and Barbara Vasconcellos.

Closed session adjourned at 6:42 p.m.

The regular meeting of the Board of Commissioners was called to order by President Hunter at 7:00 p.m. Roll call was taken. President Hunter led those present in the Pledge of Allegiance.

District Counsel reported the following items were discussed during Closed Session: the Simpson Samoa lease, the Harbor District audit of the US Army Corps of Engineers Harbor Deepening Project records, and the August 2003 claim for damages by Ray and Barbara Vasconcellos. No action was taken.

PUBLIC COMMENT

David Elsebusch asked that Item 6a be pulled from the Consent Calendar for discussion.

CONSENT CALENDAR

Commissioner Pellegrini asked that Item 6a be pulled for discussion.

David Elsebusch commented on several items recorded in the draft minutes of the November 13, 2003 Harbor District meeting. President Hunter reminded him that if he wanted to suggest an amendment to the minutes, this was the time to do so.

Pete Oringer asked that the minutes reflect his comments with regard to the Board's use of the community resources to present information about a possible reciprocal relationship with the Port of Oakland to the public.

COMMISSIONER PELLEGRINI MOVED TO APPROVE THE CONSENT CALENDAR WITH THE REQUESTED CHANGES. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- 11/16-18: CEO and Don Leonard, Conventions and Visitors Bureau, traveled to Seattle to attend the Cruise The West conference. Cruise the West is a coalition of 10 west coast ports. The conference was a planning meeting wherein marketing of cruise ship itineraries was discussed. CEO reported that on August 7, 2004 the Silver Shadow cruise ship will visit Humboldt Bay and in September 2004 a Norwegian Cruise Lines ship may visit.
- 11/18: CEO met in Oakland with Jerry Bridges, Port of Oakland, and Randy Rogers, intermodal specialist for MARAD. MARAD currently is promoting the Short Sea Shipping Initiative which looks to water transportation to relieve land and road traffic congestion.

MARAD has a role in port security and would consider ideas of the Ports of Humboldt Bay and Oakland.

- CEO reported that there was an article in the North Coast Journal that the Harbor District was recommended to receive a \$45,000 grant from the Headwaters Fund to help fund the current study on the effects of oyster mariculture on salmonids in Humboldt Bay. CEO reported that the Board of Supervisors will award Headwaters grants on December 16, 2003.
- The Coastal Conservancy approved a \$100,000 grant for the Shelter Cove Breakwater Rehabilitation Project.
- 11/26: Madaket was released by the US Marshal's office and moved back over to the foot of C Street.
- 12/4: MMC meeting was held. Discussion centered on Coast Seafoods' request for the extension of their Harbor District permit. Board consideration will be on December 18th.
- 12/4: Jeff Robinson, Conservation Specialist, will speak at a forum at HSU on the Harbor District's role in siting and permitting marine industrial projects, such as an LNG facility on Humboldt Bay.

Commissioner Fritzsche thanked the CEO for his efforts in obtaining the Headwaters Fund grant money. Commissioner Fritzsche also remarked that so far, it has never been reported that a trout or a salmon has ever been seen in eelgrass in Humboldt Bay.

DISTRICT COUNSEL'S REPORT

STAFF REPORT

Administrative Assistant reported she attended the CSDA Legal Forum in Sacramento on November 13th. Updates to employment law and requirements of the Public Records Act were presented. She also had the opportunity to discuss with other special district representatives their insurance carriers, premiums and plans.

COMMISSIONER REPORTS

Commissioner Pellegrini reported she attended a meeting in Seattle, November 16-20, on the albacore troll fisheries.

Commissioner Pellegrini reported she attended a meeting at the Wharfinger building regarding CalPine presented by the Greater Eureka Chamber of Commerce. She said the Harbor District was invited to a similar forum on January 8, 2004 where economic impacts of an LNG facility to Humboldt Bay will be discussed.

Commissioner Curless reported he attended the Regional Water Quality Control Board meeting in Fortuna on December 3rd.

Commissioner Fritzsche reported on the MMC meeting where the Cease and Desist order by the Corps of Engineers, Coast's permit renewal and the study of Caspian Terns on Sand Island in Humboldt Bay were discussed.

Commissioner Hunter stated he read in the SF Chronicle that the Port of Sacramento is losing millions of dollars per year. He thanked Harbor District staff for their positive management of the Harbor District revenues and expenses.

Commissioner Ollivier reported that the Port of Sacramento had a very successful CEO until the import of rice from the Orient declined and then he did not renew his contract. Since then the Port of Sacramento has lost considerable business to the Port of Stockton because the Port of Sacramento doesn't have the necessary depths to attract and maintain shippers.. Commissioner Pellegrini stated that she read in the Sacramento Bee

that the Port of Sacramento does need to be deepened, but there is 46 miles of deepening to be done.

ADVISORY COMMITTEE REPORTS: None

OTHER: None

UNFINISHED BUSINESS

A. CONSIDERATION OF ADOPTING RESOLUTION 2003-11 ESTABLISHING FINDINGS RELATIVE TO SIMPSON TIMBER COMPANY CHIP EXPORT FACILITY PROJECT.

COMMISSIONER OLLIVIER MOVED TO ADOPT RESOLUTION 2003-11 ESTABLISHING FINDINGS RELATIVE TO SIMPSON TIMBER COMPANY CHIP EXPORT FACILITY PROJECT. COMMISSIONER CURLESS SECONDED. ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER FRITZSCHE – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER OLLIVIER – AYE

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF PERMIT 2003-01 TO SIMPSON TIMBER COMPANY FOR A CHIP EXPORT FACILITY.

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF PERMIT 2003-01 TO SIMPSON TIMBER COMPANY FOR A CHIP EXPORT FACILITY. COMMISSIONER OLLIVIER SECONDED.

District Counsel stated that the tideland lease for the existing property is \$24,260 per year effective until May 26, 2005. He recommended that the permit contain the condition that prior to the commencement of work on the chip export facility, the existing tideland lease be amended to include the 5.8 additional acres and the prorated lease amount.

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF RESOLUTION 2003-10 AUTHORIZING THE EXECUTION OF CONTRACT NO. 03-097 WITH THE CA COASTAL CONSERVANCY FOR THE SHELTER COVE BREAKWATER REHABILITATION PROJECT.

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF RESOLUTION 2003-10 AUTHORIZING THE EXECUTION OF CONTRACT NO. 03-097 WITH THE CA COASTAL CONSERVANCY FOR THE SHELTER COVE BREAKWATER REHABILITATION PROJECT. ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER FRITZSCHE – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER OLLIVIER – AYE

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF RESOLUTION 2003-12 ESTABLISHING FEDERAL AND STATE LEGISLATIVE PRIORITIES FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT DURING THE 2004 LEGISLATIVE SESSION.

COMMISSIONER OLLIVIER MOVED FOR THE APPROVAL OF RESOLUTION 2003-12 ESTABLISHING FEDERAL AND STATE LEGISLATIVE PRIORITIES FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT DURING THE 2004 LEGISLATIVE SESSION. COMMISSIONER PELLEGRINI SECONDED.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER FRITZSCHE – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER OLLIVIER – AYE

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF COUNTY OF HUMBOLDT'S REDEVELOPMENT AGENCY.

CEO reported that he had sent a letter to the County requesting the extension of the public comment period, but has not heard back from them. The Redevelopment Agency effects the tax base countywide, and, therefore, may have an effect on the Harbor District's revenues. He suggested an Advisory Committee be formed that would track and analyze the proposals for the Board.

Commissioner Hunter and Commissioner Curless stated they would serve on the Advisory Committee.

David Elsebusch stated that he spoke with Paula Mushrush, County of Humboldt, and she told him that there will be no forward movement with the proposal until after the first of the year.

D. CONSIDERATION OF ACCEPTING FOR FILING PERMIT NO. 03-06 TO CHEVRON USA PRODUCTS COMPANY FOR MAINTENANCE DREDGING OF CHEVRON MARINE TERMINAL DOCK BERTHING AREA.

COMMISSIONER OLLIVIER MOVED FOR THE APPROVAL OF ACCEPTING FOR FILING PERMIT NO. 03-06 TO CHEVRON USA PRODUCTS COMPANY FOR MAINTENANCE DREDGING OF CHEVRON MARINE TERMINAL DOCK BERTHING AREA. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 7:50 p.m.

APPROVED BY:

RECORDED BY:

____Signature on File____
Ronnie Pellegrini, Secretary

____Signature on File____
Patricia L. Tyson, Admin. Assistant