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

28 October 2004

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Fritzsche
Commissioner Hunter
Commissioner Ollivier

The Closed Session was called to order at 6:00 p.m. Closed Session adjourned at 6:15p.m.

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

CEO reported that during Closed Session the Louisiana-Pacific tideland leases was discussed, but no action was taken.

PUBLIC COMMENT

Maggie Herbelin reported that in the next several months the Humboldt Bay Stewards will present a number of community forums about the economics of Humboldt Bay, focusing on economic capital, shipping, seafood and research.

Kaye Strickland stated she attended an economic forum in the Board of Supervisor's chambers and said she would like to see the County's Prosperity! Strategy give more credence to the railroad as an integral part to the port's success.

Pete Oringer stated he also attended the economic forum. He said economic development doesn't depend on one large project, but on many small efforts. He said both the Humboldt Bay Stewards' forum and the Harbor District's Harbor Revitalization Plan meetings show the lack of knowledge of the Prosperity! Strategy and that community education and outreach is necessary to understand the goals of the community.

CONSENT CALENDAR

Commissioner Curless asked that the minutes from the October 14, 2004 Board of Commissioners meeting be revised to show that he did not make a motion for the approval of the September 23. 2004 minutes because he did not attend that meeting. Commissioner Hunter asked that the same minutes reflect that he, not Commissioner Ollivier, volunteered to be on the Redwood Dock advisory committee.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR WITH THE NOTED CHANGES TO THE MINUTES. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- 10/26-27: CEO attended the Pacific Coast Congress of Harbormasters and Port Captains 30th Semi-Annual Conference La Conner, WA. He said this group is not legislation-oriented, the meeting centered on marina management and upgrades.
- The National Weather Service has developed a bar forecast model that will predict the wave heights at the Humboldt Bay bar using information from Buoy 22. The kiosk in the lobby of the Harbor District will be able to access this information and the information will be updated hourly.
- CEO reported that the City Council of the City of Eureka will be considering adopting the Mills Act which will offer a property tax discount to owners rehabilitating qualified historic

property. CEO wrote a letter to Eureka City Manager requesting the City extend their comment period in order to examine and analyze the financial impact to the Harbor District.

District Treasurer explained that the pilot program consists of five properties that could add up to approximately $1,200 in annual property tax loss to the Harbor District. The potential for a larger loss could happen when the program is fully underway.

DISTRICT COUNSEL'S REPORT: None

STAFF REPORT: None

COMMISSIONER REPORTS

Commissioner Fritzsche reported he would not attend the November 11th Board of Commissioners meeting because he will be vacationing with his wife and son and daughter in law. His son and his wife are relocating to South Carolina as part of the movement of the Arcata company Watermark. Commissioner Fritzsche stated that Watermark couldn't attract people to come to this area so they are moving most of their management staff to Portland and South Carolina. Commissioners Hunter and Curless both stated that it is unfortunate local employers look outside the area for talented employees when there are so many qualified residents of Humboldt County.

Commissioner Fritzsche reported he participated on a panel to discuss Genetically Modified Organisms (GMO) on October 27th. He stated that other panelists included HSU faculty, a member of the anti-GMO citizens group and the CEO of the North Coast Coop. Commissioner Fritzsche stated that it is clear that the market force will play a big role; i.e. the export of soy beans to Japan is down 50% because Japan will not accept GMO crops.

Commissioner Hunter stated that RREDC has been asked to take the lead in commercial and industrial property inventory. He also said the Harbor District and HSU have both been complimented on their GIS mapping efforts.

CEO displayed and described the Harbor District's latest computer mapping effort. He reported that the Harbor District's Conservation Specialist and Dockmaster combined the NOAA navigation chart and Corps of Engineers' sounding data to create a preliminary chart for use by the bar pilots. This chart is intended to improve navigation safety and protect lives, property and the environment.

ADVISORY COMMITTEE REPORTS

Commissioner Fritzsche reported he and Commissioner Hunter met to discuss options for the Simpson property and to determine the extent of citizen advisory assistance necessary.

Commissioner Ollivier reported that the idea of barging lumber to Southern California and using the Redwood Dock for loading is being revisited.

President Pellegrini reported that she and Commissioner Ollivier met to discuss the Fields Landing Boat Yard property; specifically, the building wall, roof and door, abandoned boats and the future uses of the property.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

President Pellegrini suggested items A-D be considered together since they all concern the Reclamation District 768's permit.

Commissioner Fritzsche recused himself because he is employed by Humboldt State University and HSU is a property owner and member of Reclamation District 768.

A. CONSIDERATION OF APPROVAL OF THE ENVIRONMENTAL CHECKLIST FOR THE APPLICATION BY RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT.

B. CONSIDERATION OF FINDING ADEQUATE THE MITIGATED NEGATIVE DECLARATION FOR THE APPLICATION BY RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT.

C. CONSIDERATION OF RESOLUTION 2004-14 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT.

D. CONSIDERATION OF GRANTING PERMIT NO. 03-04 TO RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT.

CEO reported that Reclamation District 768, represented at this meeting by Earl Moranda and Domingo Santos, had applied for a permit because of dike failure within the district's area of responsibility – Jackson Ranch Road to State Highway 255 to McDaniel Slough/Janes Creek area. Reclamation District 768 had previously been given an emergency permit to repair the failed tide gates.

CEO reported that the comment period was September 21 – October 20, 2004 and no comments were received. CEO also stated that specs on levee restoration around Humboldt Bay are being compiled for future use in the Humboldt Bay Management Plan.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF THE ENVIRONMENTAL CHECKLIST FOR THE APPLICATION BY RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF FINDING ADEQUATE THE MITIGATED NEGATIVE DECLARATION FOR THE APPLICATION BY RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF RESOLUTION 2004-14 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT. COMMISSIONER HUNTER SECONDED. ROLL CALL VOTE WAS TAKEN:

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

COMMISSIONER CURLESS MOVED FOR GRANTING PERMIT NO. 03-04 TO RECLAMATION DISTRICT 768 FOR THE HUMBOLDT LEVEE REPAIR AND RESTORATION PROJECT. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

Commissioner Fritzsche rejoined the Board of Commissioners.

E. CONSIDERATION OF RESTRICTING FUNDS FOR USE IN THE REPAIR, RENOVATION AND RESTORATION OF THE HARBOR DISTRICT'S REDWOOD DOCK PROPERTY.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF THE RECOMMENDATION OF THE STAFF WHICH IS 1) CREATION OF A FUND RESERVATION CATEGORY ENTITLED "REDWOOD DOCK" FOR THE PURPOSE OF PLACING FUNDS FOR TRHE REPAIR, RENOVATION AND RESTORATION OF THE REDWOOD DOCK PROPERTY AND 2) TRANSFER THE $550,00 FROM THE SIMPSON SAMOA, INC. TIDELAND LEASE NEGOTIATIONS TO THE REDWOOD DOCK FUND RESERVATION CATEGORY.

Commissioner Fritzsche stated that during the next fiscal year's budget discussions, he would like to see some additional funds applied to this account.

Kaye Strickland asked if the $500,000 would be enough to rebuild, repair or restore Redwood Dock. Commissioner Hunter said it would be a good start.

CEO reported the Board of Commissioners will be working on a Master Plan for the property. President Pellegrini stated the method of use would dictate the type of renovation.

Pete Oringer remarked that the $500,000 will hopefully leverage other monies to be used and that he feels the District obtained a "complete asset."

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS

CEO stated that Emergency Permit E-2004-2 has been issued to Pacific Gas & Electric Company for tide gate repair at King Salmon and Administrative Permit A-2004-3 has been issued to Roger and Johanna Rodoni for the Rocky Gulch tide gate replacement.

The Regular Meeting of the Board of Commissioners adjourned at 7:59 p.m.

APPROVED BY:

____Signature on File_____
Ronald A. Fritzsche, Secretary

RECORDED BY:

____Signature on File_____
Patricia L. Tyson, Admin. Assistant