

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

10 January 2008

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Hunter
Commissioner Higgins

President Curless announced there was no Closed Session.

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

President Curless led those present in the Pledge of Allegiance.

Commissioner Pellegrini asked for a Moment of Silence in memory of Scott Dowler, a City of Eureka employee who recently passed away.

President Curless stated New Business Item (A) would be moved to this point in the meeting.

NEW BUSINESS

A. CONSIDERATION OF ADOPTION OF RESOLUTION 2008-01 IN MEMORY OF FORMER COMMISSIONER ROBERT E. (BOB) DAVENPORT.

CEO read the resolution aloud. CEO presented a resolution to Bob's son Gene Davenport and daughter Jan Erickson.

COMMISSIONER HUNTER MOVED FOR THE ADOPTION OF RESOLUTION 2008-01 IN MEMORY OF FORMER COMMISSIONER ROBERT E. (BOB) DAVENPORT. COMMISSIONER PELLEGRINI SECONDED. ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

PUBLIC COMMENT

Kaye Strickland commended CEO for his recent e-mail responses to questions posed by Dave Spreen. She said his responses were very informative; he did an excellent job.

Public comment of the Redwood Marine Terminal Feasibility Study

Written and stated comments relative to the plan were provided by 30 people. The consultants will analyze and address those comments of the Board of Commissioners and public in the next version of the plan.

CONSENT CALENDAR

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR. COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- 1/3: Office of Emergency Services distributed a storm warning. CEO reported no damage was done to Harbor District properties and he attributes this to a well-prepared staff.
- 1/10: CEO spoke at the Fortuna Rotary Club on the Redwood Marine Terminal Feasibility Study.
- 1/11: The Director of Facility Maintenance position recruitment ends this date.
- CEO is preparing for the Director of Conservation position recruitment to begin next week. Commissioner Higgins asked CEO if there was an opportunity for Board members to participate in the selection of staff. CEO responded depending on the position, Board members have assisted in the selection process but on this case the Director of Conservation position selection will be done by CEO with assistance from District Planner Chad Roberts.

DISTRICT COUNSEL REPORT: None

STAFF REPORT: None

COMMISSIONER REPORTS

Commissioner Pellegrini asked CEO if there was still time to submit written comments on the Redwood Marine Terminal Feasibility Study. CEO stated written comments would be accepted until January 15th at 4 p.m.

Commissioner Wilson reported today is the start of a yearlong celebration of Arcata's 150th birthday.

Commissioner Higgins stated the Redwood Marine Terminal Feasibility Study is in conflict with the Harbor District's Harbor Revitalization Plan. He said he was not used to being on a Board where he does not get the opportunity to share his thoughts with the public.

Commissioner Hunter stated the Board of Commissioners, as well as the public, will have the chance to comment at the Board's meeting on February 28th. He suggested Board members should call the consultants and discuss with them any questions they might have.

CEO stated the Board of Commissioners has the same opportunity to submit their comments in writing by January 15th.

ADVISORY COMMITTEE REPORTS: None

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

B. CONSIDERATION OF RESOLUTION 2008-02 ENDORSING AN APPLICATION TO THE CALIFORNIA TRANSPORTATION COMMISSION FOR THE NORTHERN FREIGHT CORRIDOR RESTORATION PROJECT.

COMMISSIONER HUNTER MOVED FOR THE ADOPTION OF RESOLUTION 2008-02 ENDORSING AN APPLICATION TO THE CALIFORNIA TRANSPORTATION COMMISSION FOR THE NORTHERN FREIGHT CORRIDOR RESTORATION PROJECT. COMMISSIONER PELLEGRINI SECONDED.

Commissioner Wilson said he was concerned with the eligibility of the co-application with NCRA and with any impact of being seen as a co-conspirator with NCRA on the Harbor District's reputation as a public agency. He also wondered if there was public support for the co-application. Commissioner Wilson said the project is about rail revitalization and shoaling issues, but Prop 1B is for congestion relief. How does that fit? CEO responded the project is tied to the grant process by having components

of the project already included in CTC funding guidance documents. In addition, a funding category called "Other Corridor" was created recently by the CTC and that is where this project competes.

Commissioner Hunter said it took 12 long years to complete the Harbor Deepening Project and the State only contributed about \$500,000. This is an opportunity to get additional funds from the State to work on the shoaling.

Commissioner Pellegrini asked bar pilot Capt. John Powell to comment on the shoaling. Capt. Powell stated recent soundings show 32' depth at mid-channel in the entrance. He said people risk their lives due to the severe shoaling.

Commissioner Wilson said the shoaling study is necessary, but he wondered about the ratio between the cost of the study at \$3.2 million and the implementation at \$4 million. He said it was unusual for the cost of the study and the project to be approximately the same. Also the grant only allows for the construction and not the study. CEO stated it is up to the Harbor District to develop an agreement with the Corps of Engineers for matching funds. Also since the shoaling is on state property, the Harbor District has been working to get the State to match funds.

Commissioner Higgins said parts of the proposal are flawed; he would like to see a tourist train run from San Francisco to Samoa, but that is not feasible. He said he supports harbor deepening, but has reservations about container ships in the bay.

There were 19 public comments regarding this application.

Commissioner Wilson said he is pro-railroad, but doesn't think the current NCRA plan is viable. He said if the Harbor District subsidizes capital improvements that don't sustain themselves, we are ruining our chances for the future.

COMMISSIONER WILSON MADE A FRIENDLY AMENDMENT AND MOVED TO SEPARATE OUT THE SHOALING FROM THE APPLICATION AND MAKE A SEPARATE APPLICATION TO THE CALIFORNIA TRANSPORTATION COMMISSION.

Commissioner Hunter respectfully denied the amendment because he feels the grant is more powerful due to the partnership with NCRA.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI –AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – NAY
COMMISSIONER HUNTER – AYE
COMMISSIONER HIGGINS – NAY

MOTION CARRIED, COMMISSIONERS WILSON AND HIGGINS DISSENTING.

C. CONSIDERATION OF ADOPTION OF RESOLUTION 2008-03 ESTABLISHING LEGISLATIVE PRIORITIES FOR THE 2008 LEGISLATIVE SESSION.

COMMISSIONER PELLEGRINI MOVED FOR THE ADOPTION OF RESOLUTION 2008-03 ESTABLISHING LEGISLATIVE PRIORITIES FOR THE 2008 LEGISLATIVE SESSION.
COMMISSIONER HUNTER SECONDED.

Commissioner Wilson suggested several changes.

COMMISSIONER PELLEGRINI ACCEPTED COMMISSIONER WILSON'S CHANGES TO FEDERAL PRIORITY #8, STATE PRIORITY #13 AND LOCAL PRIORITY #5.

Sungnome Madrone added some comments regarding building trails through private property.

Commissioner Higgins said an additional priority should be a position to protect fishing access.

Commissioner Pellegrini said there had been in the past a priority regarding the Marine Life Protection Act.

COMMISSIONER HUNTER SUGGESTED THE FOLLOWING TO BE ADDED TO THE STATE PRIORITIES: FULLY FUND THE MLPA TO COLLECT DATA TO MAKE SURE FISH CLOSURES INCREASE FISH STOCK WITH THE GOAL OF INCREASING FISHING OPPORTUNITIES. COMMISSIONER PELLEGRINI ACCEPTED COMMISSIONER HUNTER'S SUGGESTION.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI –AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF EXTENSION TO PERMIT 03-05 TO NAIM AND LOUISE OBEJI FOR THE RENOVATION OF BOAT LAUNCHING AND MARINA FACILITIES AT EZ LANDING.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF THE EXTENSION TO PERMIT 03-05 TO NAIM AND LOUISE OBEJI FOR THE RENOVATION OF BOAT LAUNCHING AND MARINA FACILITIES AT EZ LANDING. COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 10:32 p.m.

APPROVED BY:

RECORDED BY:

____Signature on File_____
Ronnie Pellegrini
Secretary

____Signature on File_____
Patricia L. Tyson
Director of Administrative Services