

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

DATE: May 12, 2022

TIME: Closed Session – 5:00 P.M.
Regular Session – 6:00 P.M.

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/6917934402>

Meeting ID: 691 793 4402
One tap mobile
(669) 900-9128, 6917934402#

Consistent with Executive Orders N-25-20 and N-29-20, the Board of Commissioners meeting location will not be physically open to the public. Members of the public may observe and participate in the meeting via Zoom or teleconference using the information set forth above.

- 1. Call to Order Closed Session at 5:00 P.M.**
- 2. Public Comment**

Note: This portion of the Agenda allows the public to speak to the Board on the closed session items. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Closed Session Agenda. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners.

3. Move to Closed Session

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS.** Property: Humboldt County APN: 401-031-083-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Samoa Pacific Group, LLC. Under negotiation: price and terms of payment.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS.** Property: Humboldt County APNs: 401-031-071-000 and 401-112-029-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Sniper Enterprises, LLC. Under negotiation: price and terms of payment.

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- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-054-000, 401-031-061-000, 401-112-013-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: California Redwood Company. Under negotiation: price and terms of payment.
- d) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker

4. Call to Order Regular Session at 6:00 P.M. and Roll Call

5. Pledge of Allegiance

6. Report on Closed Session

7. Public Comment

*Note: This portion of the Agenda allows the public to speak to the Board on the **various issues NOT itemized on this Agenda.** A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public NOT appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. Callers can “raise their hand” by pressing (STAR) *9 and unmute themselves by pressing (STAR) *6.*

8. Consent Calendar

- a) Adopt Minutes for April 14, 2022 Regular Board Meeting
- b) Adopt Minutes for April 27, 2022 Special Board Meeting
- c) Receive District Financial Reports for March 2022
- d) Affirm the Findings Made in Resolution 2021-16 Regarding the Continued State of Emergency and Authorize the Continued use of Teleconference Meetings

9. Communications, Reports and Correspondence Received

- a) Executive Director’s Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Correspondence Received

10. Unfinished Business

- a) Consideration of Resolution 2022-04, A Resolution to Authorize the Execution of a Grant Agreement and Accept Funds from the Maritime Administration of the US Department of Transportation for a 2022 Port Infrastructure Development Program Grant for the Humboldt Offshore Wind Terminal Project**

Recommendation: Staff recommends the Board: Adopt Resolution 2022-04.

Summary: In mid-2021, the District applied for a \$56M grant from the Port Infrastructure Development Program (PIDP), which is administered by the Maritime Administration of the US Department of Transportation. Because the District's 2021 application was not awarded, staff has reformulated a new strategy and has prepared an application for a \$12M grant for the 2022 round of the PIDP. Attachment A to this staff report is a Resolution authorizing submittal of that grant application.

- b) Receive Report Regarding Status and Projected Schedule of Intertidal Mariculture Pre-permitting Project**

Recommendation: Staff recommends the Board: Receive a report.

Summary: The Board has requested a status report and projected schedule for the Intertidal Mariculture Pre-permitting project. Staff projects that the EIR for this project can come before the Board between October and December of this year. If the Board approves the EIR at that time, then the remaining permits can then be completed in the months that follow. New projects could utilize the suite of permits by the Summer of 2023.

11. New Business

- a) Official Vote To Elect One Candidate To Serve As a Regular Special District Member and One Candidate To Serve As Alternate Special District Member on LAFCo**

Summary: In lieu of a meeting, an Official Ballot has been received to fill one vacancy for a regular special district member of the Humboldt Local Agency Formation Commission and one vacancy for an alternate special district member. The elected candidates will serve a four-year term from July 1, 2022 to June 30, 2026.

- b) Review of Preliminary Budget and Goals for Tidelands, Redwood Marine Terminal I and Redwood Marine Terminal II**

Recommendation: Staff recommends the Board: Review and provide direction regarding the Preliminary budget and goals for Tidelands, Redwood Marine Terminal I and Redwood Marine Terminal II.

Summary: The budget is prepared annually under direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by

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the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors no later than August 1st.

c) Consider Adopting Resolution 2022-03, A Resolution to Authorize the Execution of a Grant Agreement and Accept Funds from the California Department of Fish and Wildlife for Secretariat Services for the Harbor Safety Committee of the Humboldt Bay Area for Fiscal Year 2022-2023

Recommendation: Staff recommends the Board: Adopt Resolution 2022-03.

Summary: The California Department of Fish and Wildlife (CDFW) Office of Spill Prevention and Response (OSPR) in compliance with the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990 established five regional Harbor Safety Committees (HSC) throughout California as described in California Government Code 8670.23. Each HSC is responsible for planning for the safe navigation and operation of tankers, barges and other vessels within each of California's major harbors and must produce an annual Harbor Safety Plan (HSP) encompassing all vessel traffic within the harbor. These functions are essential to the consistent achievement of maritime safety and the prevention of major marine oil pollution incidents.

11. Future Agenda Items

- a) Green Diamond Shared Services Agreement
- b) Dredge Update/Options on smaller dredges
- c) Hours Actualized by Bar Fly
- d) Commercial Salmon Season Update
- e) Mutual Aid Agreement

13. Adjournment