

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

DATE: March 30, 2023

TIME: Special Closed Session – 5:00 P.M.

PLACE: Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501

Public Advisory: The Woodley Island Meeting Room is now open to the public.

How to Observe and Participate in the Meeting:

Observe: Members of the public can attend the meeting in person or observe the meeting on Zoom at the following link: <https://us02web.zoom.us/j/6917934402>

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

Public members observing on Zoom will not be able to participate or provide comment. Members of the public who may wish to provide public comment during the meeting must attend in person.

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at (707) 443-0801 at least 24 hours in advance of the meeting.

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.** Terms of potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021 and 401-112-024 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive

Agenda for March 30, 2023 Special Board Meeting

Director and Ryan Plotz, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.

- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: All or Portions of Humboldt County Assessor Parcel Nos.: 401-112-024-000, 401-031-040-000, 401-031-078-000, and 401-031-083-000, and portions of the tidelands along the Samoa Peninsula adjacent to Redwood Marine Terminal I. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Crowley Wind Services, Inc. Under negotiation: price and terms of payment.
- c) 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.

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

5. Pledge of Allegiance

6. Public Comment

7. *Note: This portion of the Agenda allows the public to speak to the Board on the **various issues NOT itemized on this Agenda**. 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.*

8. Business

a) Consider Approval of a Contract and Expenditure of Funds Associated with Woodley Island Marina Sediment Analyses in Preparation for Dredging

Recommendation: Staff recommends that the Board:

- 1) Approve a contract for marine toxicity testing with Pacific EcoRisk and a purchase order for \$54,690;
- 2) Approve a purchase order for \$5,868 with McCampbell Analytical, Inc for chemical analysis of Woodley Island Marina (WIM) Sediments; and
- 3) Approve a 10 % contingency for unforeseen activities.

Summary: In preparation for the proposed July to October 2023 dredge cycle and to gain authorization to dispose of dredge materials at HOODS, sediment sampling at Woodley Island Marina has been scheduled for the week of April 4, 2023. McCampbell Analytical,

Agenda for March 30, 2023 Special Board Meeting

Inc. has an existing contract with the District and is the preferred vendor to perform the chemical analysis. Marine toxicity testing is a highly specialized set of tests and would be contracted to Pacific EcoRisk.

- b) Consider Adopting Resolution 2023-06, A Resolution Designating the Executive Director and Deputy Executive Director as Authorized Agents for the Purpose of Applying for and Receiving Funds from the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (CALOES).**

Recommendation: Staff recommends the Board Adopt Resolution 2023-06 and designate staff as Authorized Agents of the District for a period of 3 years for matters related to federal and state disaster assistance.

Summary: Recent winter storms of December 2022 through January 2023 significantly impacted District facilities including the Shelter Cover Breakwater and the Redwood Marine Terminal I dock. District Staff has engaged with FEMA -CALOES through DR-4683-CA, for disaster assistance to repair these facilities.

9. Adjournment



COMMISSIONERS
 1st Division
 Aaron Newman
 2nd Division
 Greg Dale
 3rd Division
 Stephen Kullmann
 4th Division
 Craig Benson
 5th Division
 Patrick Higgins

Humboldt Bay
Harbor, Recreation and Conservation District
 (707) 443-0801
 P.O. Box 1030
 Eureka, California 95502-1030

STAFF REPORT
HARBOR DISTRICT MEETING
March 30, 2023

TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

Prepared by: Doug Saucedo, Natural Resources Coordinator

DATE: March 16, 2023

TITLE: Consider Approval of a Contract and Expenditure of Funds Associated with Woodley Island Marina Sediment Analyses in Preparation for Dredging

STAFF RECOMMENDATION: Staff recommends that the Board:

- (1) Approve a contract for marine toxicity testing with Pacific EcoRisk and a purchase order for \$54,690;
- (2) Approve a purchase order for \$5,868 with McCampbell Analytical, Inc for chemical analysis of Woodley Island Marina (WIM) Sediments; and
- (3) Approve a 10 % contingency for unforeseen activities.

SUMMARY: In preparation for the proposed July to October 2023 dredge cycle and to gain authorization to dispose of dredge materials at HOODS, sediment sampling at Woodley Island Marina has been scheduled for the week of April 4, 2023. McCampbell Analytical, Inc. has an existing contract with the District and is the preferred vendor to perform the chemical analysis. Marine toxicity testing is a highly specialized set of tests and would be contracted to Pacific EcoRisk.

BACKGROUND: The District is planning to dredge WIM during the 2023 dredging work window (typically July 1st to October 15th). Authorization to dispose of dredge materials at the Humboldt Open Ocean Disposal Site (HOODS) requires EPA approval and implementation of a Sampling and Analysis Plan (SAP). The SAP is used as a guideline on how to gather and analyze sediment samples to determine suitable disposal means for the dredge materials. The SAP details (1) the sampling locations, (2) the required physical, chemical, and marine toxicity testing, and (3) the background or reference analyte concentrations at HOODS.

The SAP for WIM was developed by SHN Consulting Engineers and approved by the San Francisco Dredge Material Management Office (DMMO). The DMMO is a multiagency organization tasked with the regulatory management of dredge materials and includes the US EPA, the Regional Water Quality Control Board, and the US Army Corps of Engineers. The DMMO approved the SAP for implementation on March 15. SHN will be responsible for the physical sediment characterization.

The source of the funds for these expenditures would come from the dredge fund collected from Woodley Island Marina tenants.

ATTACHMENTS:

- A. Pacific EcoRisk Contract
- B. Pacific EcoRisk Purchase Order
- C. McCampbell Analytical, Inc Quotation
- D. McCampbell Analytical, Inc Purchase Order

Pacific EcoRisk
2250 Cordelia Road
Fairfield, CA 94534
PH (707) 207-7760
PH (707) 207-7916

Quote

Quote #:	N/A
Date:	3/15/23
Good For:	

Prepared For:

Humboldt Bay Harbor District
PO Box 1030
Eureka, CA 95502-1030

Contact: Doug Saucedo
Phone: (707) 443-0801
email: dsaucedo@humboldt-bay.org

Project: Woodley Island Marina. Ocean Testing - 3 composite samples.

Service	Quantity	Unit	Service Fee	Net Fee
Sediment Compositing	3	ea	\$1,000	\$3,000
Toxicity Testing Services:				
LSP (elutriate) Water Column Test with <i>Mytilus sp.</i> (blue mussel)	3	ea	\$2,160	\$6,480
LSP (elutriate) Water Column Test with <i>Americamysis bahia</i> (mysid)	3	ea	\$1,150	\$3,450
LSP (elutriate) Water Column Test with <i>Menidia beryllina</i> (inland silverside)	3	ea	\$1,150	\$3,450
10-day Whole Sediment Amphipod Test	3	ea	\$1,160	\$3,480
10-day Whole Sediment Polychaete Test using <i>Neanthes arenaceodentata</i>	3	ea	\$1,160	\$3,480
28-day Sediment Bioaccumulation Test with the polychaete <i>Aereis virens</i>	3	ea	\$3,700	\$11,100
28-day Sediment Bioaccumulation Test with the bivalve <i>Macoma nasuta</i>	3	ea	\$3,600	\$10,800
Preparation of SET Elutriate	3	ea	\$425	\$1,275
Ammonia Purging and Additional Porewater Ammonia Analysis				
Additional water changes (if needed)	40	ea	\$45	\$1,800
Additional ammonia analysis (if needed)	12	ea	\$45	\$540
Reference Toxicant Toxicity Testing Services				
Reference Toxicant Test with <i>Mytilus sp.</i> (blue mussel)	1	ea	\$1,785	\$1,785
Reference Toxicant Test with <i>Americamysis bahia</i>	1	ea	\$1,100	\$1,100
Reference Toxicant Test with <i>Menidia beryllina</i>	1	ea	\$1,100	\$1,100
Reference Toxicant Test using Amphipods	1	ea	\$925	\$925
Reference Toxicant Test using Polychaetes	1	ea	\$925	\$925
Shipping sample coolers to site (direct cost)	1	ea	TBD	TBD
			Total	\$54,690

Notes and Assumptions:

Sediment volume requirements for testing (more is always better since there may need to be additional replicates set-up for porewater ammonia removal procedures):

Site water/composite sample = 20-L

Elutriate test = 4-L sediment

Amphipod test = 4-L sediment

Polychaete test = 4-L sediment

Bioaccumulation (2 species) = 40-L (4-L per replicate x 5 replicates x 2 tests)

Total Volume Sediment = 52L per composite sample (Please provide up to 60-L if possible)

Turnaround Time:

Standard TAT for final report is 14 calendar days from termination of last set of tests.

TAT 10 calendar days - 25% surcharge.

TAT 7 calendar days - 50% surcharge.

Rush TAT 24 hours - 100% surcharge.

Acceptance Signature: _____ Date: _____

Print Name: _____



Humboldt Bay Harbor, Recreation &
Conservation District

PO Box 1030
Eureka, CA 95502

Purchase Order

Date	P.O. No.
03/16/2023	1923

Vendor
Pacific EcoRisk 2250 Cordelia Road Fairfield, CA 94534

Ship To
Humboldt Bay Harbor, Recreation and Conservation District PO Box 1030 Eureka, CA 95502

Description	Qty	Rate	Class	Amount
Quote # 03/15/2023				
Ocean Testing - 3 Composite Samples				
Sediment Compositing				
Toxicity Testing Services				
Ammonia Purging and Additional				
Porewater Ammonia Analysis				54,690.00
Reference Toxicant Toxicity Testing Services				
10% Contingency				5,469.00
Approved By:				Total NTE \$60,159.00



McC Campbell Analytical, Inc.
"When Quality Counts"

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Toll Free Telephone: (877) 252-9262 / Fax: (925) 252-9269
http://www.mcccampbell.com / E-mail: main@mcccampbell.com

QUOTATION for ANALYTICAL SERVICES

Requested By: Erik Nielsen
SHN Consulting Engineers & Geologists, Inc. (SHNE)
812 W. Wabash Ave.
Eureka, CA 95501
(707) 441-8855
enielsen@shn-engr.com

Quote ID: 232912

Prepared DATE: *March 15, 2023*

Expiration DATE: *June 13, 2023*

Assigned PM: Susan Thompson

Prepared By: Nicole Hisamoto

Project:

Test Name	Test Method	TAT	Matrix	Qty	Unit Price	Total
Tests:						
SW8015B (TPH-d,mo w/ S.G. Clean-Up)	SW8015B	5 days	S	3	\$50.00	\$150.00
SW6020 (CAM 17)	SW6020	5 days	S	3	\$150.00	\$450.00
SW7471B (Mercury)	SW7471B	5 days	S	3	\$60.00	\$180.00
SW8290 (PCDDs & PCDFs)	SW8290	15 days	S	3	\$550.00	\$1,650.00
SW8082 (PCBs Only)	SW8082	5 days	S	3	\$60.00	\$180.00
SW8081A (OC Pesticides)	SW8081A	5 days	S	3	\$90.00	\$270.00
E1613B (PCDDs & PCDFs)	E1613B	15 days	S	3	\$550.00	\$1,650.00
SW 8000 (Percent Moisture)	SW8000	5 days	S	3	\$23.00	\$69.00
Organotin - Krone et al. 1989 (SUB)			S	3	\$280.00	\$840.00
SW8270C (PAHs/PNAs)	SW8270C	5 days	S	3	\$135.00	\$405.00

Fix-Rate Items:

Sample Disposal Fee				3	\$2.00	\$6.00
TPH DRO Prep with Silica Gel			S	3	\$6.00	\$18.00

Tests SubTotal: \$5,844.00

Fix-Rate Items SubTotal: \$24.00

TOTAL: \$5,868.00

If paid within 30 days of Invoice date, PromptPay Total: \$5,283.60

Comments:

The Quote ID number MUST be indicated on the incoming Chain of Custody (COC) at the time of sample submission to ensure that the quoted analytical methodologies & prices are applied.

MAI offers Same-Day, 1-Day, 2-Day, 3-Day, 4-Day TAT at 150%, 100%, 50%, 25%, 10% markups from standard TAT, respectively on most analyses. All rush TATs must be arranged in advance of sample submission. Our Sample Reception department is open Monday through Friday; 8:00AM- 9:00PM. Samples received after 5PM are considered received the following day.

If you have any questions or concerns about this quote, please contact our Sales & Marketing team at Sales@mcccampbell.com . Thank you for the opportunity to provide analytical support to your upcoming project.

Samples must be returned to Lab on ice.



Confidentiality and Acceptance of Terms and Conditions

- Reports and results produced by MAI will be held confidentially through legally enforceable commitment and will not be released to any third parties without approval from the client, unless required by law. If MAI is required to release confidential information by law or contractual agreement, the client will be notified.
- Submittal of sample(s) for analysis under a Chain of Custody (COC) will indicate acceptance of requirements set forth in these Terms and Conditions.

Credit and Terms of Payment

- MAI accepts payment by check, cash, VISA, MASTERCARD, AMEX, and DISCOVER.
- To establish an account with McC Campbell Analytical, Inc. (MAI), first time clients must submit a completed credit application. Credit applications may take up to two weeks to process. Pre-payment of analytical results is required for release of results if credit has not been established. If a client does not wish to submit a credit application, a payment authorization form will need to be submitted at the time of sample submission.
- Third party billing is only permitted with written authorization from the sample submitting client stating that they will be responsible for payment should the third party be delinquent. MAI reserves the right to refuse any third party billing request.
- Upon credit approval, MAI will not accept "pay when paid" terms without a written contract or payment plan in place.
- Orders from customers with invoices that are ninety (90) days or more overdue (i.e., not paid within 90 days of invoice date) will only be accepted on a C.O.D. basis until credit can be re-established to MAI's satisfaction.
- MAI reserves the right to withhold reporting of results if a client fails to pay on any invoice beyond 90 days. In accordance with FTC guidelines, a finance charge of 1.50% per month will be assessed on balances not paid within the due date of the invoice. Unpaid invoices of more than one year overdue may be subject to collections and collection fees at the sole discretion of MAI. Overdue accounts are responsible for all legal and collection fees.

Expedited Turnaround Times

- Standard turnaround time (TAT) for laboratory service is 5 business days for most analyses. Expedited turnaround times are typically available for most analyses. Please contact an MAI Project Manager in advance of sample delivery to discuss rush TAT availability.
- Completion of any rush or standard TAT service is subject to MAI's availability and schedule and could change even after samples are received. MAI shall make every reasonable effort to meet expected completion date(s) quoted or acknowledged, however, in the case of unforeseen events, rush turnaround times may not be achievable. In the event rush data cannot be met for all requested analysis in the Work Order, a partial report will be emailed on the due date followed by the final report upon completion, rush fees will apply to partial reports. MAI's expedited turnaround time surcharges for most tests are as follows, sub-contracted laboratory surcharges may vary:

SAME DAY - 150% 1 DAY TAT - 100% 2 DAY TAT - 50% 3 DAY TAT - 25% 4 DAY TAT - 10%

Samples received at the lab after 5 PM are considered received on the next business day for TAT purposes.

Cancellation and Changes

- In the event that a sample submission is cancelled, rush samples must be cancelled within 3 hours and standard TAT samples must be cancelled within 12 hours after laboratory receipt without incurring charges. All samples cancelled after the above mentioned time frames will be subject to an extraction and/or analytical fee depending how far along samples have been processed within the lab.
- Samples placed on hold after the above time frame will be subject to either an extraction or analytical fee depending how far along samples have been processed.
- Cancellation fees: 40% for prepared samples.
- Additions to the scope of work may prolong the turnaround time. The turnaround times for all analytical additions start on the date that the change is made. All changes/amendments to a Work Order must be provided to MAI in writing, preferably via email to main@mcccampbell.com.

Sample Receiving

- MAI is open to receive samples Monday through Friday; 8 AM– 8 PM. Samples received after 5 PM, including samples transported by MAI courier, will be considered to be received on the following business day for TAT purposes. Turnaround time starts when the samples are relinquished to MAI via the Chain of Custody (COC) and after any/all questions regarding the sample submission have been resolved.
- MAI encourages clients to drop off rush samples directly to our lab in order to assure the timely processing of samples; alternatively, MAI can usually arrange to hire a private courier at client's expense in an effort to expedite the timely processing of samples. MAI cannot guarantee that our couriers will be able to return to the lab by 5 PM.
- In the event that samples are received and placed on hold, MAI will charge \$5 per sample or per core for soils. Water samples will be held for 30 days and soil/solid samples will be held for 60 days (30 days refrigerated/ 30 days not refrigerated) without prior agreements made in writing. If samples are later analyzed and taken off hold the fee will be credited and analytical fees will then be charged.
- Samples that are taken off of hold with less than half of their holding time remaining will be charged rush fees.
- Samples with >72 hour hold times, received with less than half the remaining hold time will be charged rush fees.

Sample Container Preparation and Delivery

- MAI provides high quality sampling containers and ice chest cooler(s) upon request to our clients. Delivery costs are included within the quoted analytical pricing. Containers will be shipped via GSO or UPS ground or delivered by MAI couriers upon arrangement. A minimum of 1 week advance notice is required in order to facilitate shipment of items by ground shipping. Shipments requiring priority delivery due to short notice will be billed to the client or charged to client's shipping account. Client is responsible for the cost of return shipment of samples to the laboratory unless otherwise arranged with MAI.





Courier Service and Sample Pick-Up

- MAI offers complimentary courier services throughout the greater SF Bay Area to our clients, please note some exclusions may apply based on availability and proximity. MAI requires that all sample pickup and sample bottle requests be emailed to our Sample Reception department at main@mcccampbell.com at least 24 hours in advance of the date they are needed. For larger bottle orders please allow at least one week advance notice for prep and delivery. MAI makes every effort possible to accommodate our clients' desired pickup and delivery timeframes; however, MAI is not responsible for expired sample hold times while en route to the lab. A 3 hour time window is required for all pickups and deliveries.

Sample Storage and Disposal

- MAI charges a \$2 per sample Environmental Waste Management Disposal fee.
- Known hazardous samples will be returned to the client or disposed of at the client's expense.
- Water samples are disposed 30 days after receipt and soil samples are disposed of 60 days after receipt (30 days refrigerated/ 30 days not refrigerated) unless other arrangements are made in advance.
- Organic extracts are held for 40 days before being disposed of; Inorganic extracts are held for 30 days.
- Samples can be held for longer than 30 days (waters) and 60 days (soils) upon written request to a Project Manager preferably via email @ main@mcccampbell.com. Client will be billed at \$1 per sample/ per month (per core for soils) for extended sample storage. Contact a Project Manager to arrange for extended storage.

Reporting and Data Archiving

- MAI delivers completed reports by electronic email (PDF). When requested, MAI can deliver analytical data via EDD, CLIP EDT, WaterTrax, EQUIS, GIS-Key, EDF, Online Portal, fax, or hard copy via USPS. Additional charges may apply.
- MAI may assess additional fees for modifying or developing EDD formats that are not already available.
- Reporting to MDLs (J-flags) is not standard and will only be reported upon request.
- If additional formats or retroactive deliverables are requested, additional fees may be assessed based on labor and materials needed to generate data retrieval. Data and reports are archived for a minimum of five (5) years from the reporting date. Please contact your Sales Representative or Project Manager to inquire about availability and price of additional deliverables.

MDL/RL Disclaimer

- MAI's Reporting Limits, Detection Limits, and Control Limits are subject to change as they are updated periodically to reflect our analytical sensitivity and capability.
- Reporting Limits cited do not take into account sample dilution or matrix interference. MAI reserves the right to dilute samples as necessary to avoid damaging instrumentation. If you request that samples are to be analyzed undiluted, additional charges may be assessed.

Multiple Dilutions Analyzed

- On multi-target analyte lists, MAI will report the analytical run containing the highest concentration component/analyte in the sample within the calibrated (quantifiable) range. Analytical screening runs are not reported. The laboratory will generally not be able to attempt greater than 10-fold more concentrated analysis than the standard dilution. These additional dilutions will only be attempted if deemed not to pose a risk to analytical instrumentation. Please contact your Project Manager to inquire about the availability of this service for your project.

Quote

- Project-specific quotes are recommended and available upon request. All quotes are confidential and unique to the client and their specific project.
- Quoted pricing is valid through dates specified on quote or specific to the length of the project or contracts. Analyses not listed under these contracts will be charged at our standard rates.
- Surcharges may apply for higher-level than Level II data deliverables, expedited turnaround times, and custom electronic formats.
- MAI routinely accepts projects requiring extensive Research and Development. Special studies will be quoted on a case by case basis. Analytical set-up fees are non-refundable regardless of outcome.
- Quotes are subject to client approval prior to project start date.

Limitation of Liability / Waiver

- MAI will perform requested analyses based on the standard methods but may have to deviate from these methods when necessary, based on reasonable judgment. Should any dispute arise between MAI and client, MAI is limited in liability to damages no greater than the cost of the analytical testing.
- The failure by MAI to enforce, at any time, any terms or conditions herein or to exercise any right or privilege will not in any way be construed as a waiver of such provisions.





Humboldt Bay Harbor, Recreation &
Conservation District
PO Box 1030
Eureka, CA 95502

Purchase Order

Date	P.O. No.
03/16/2023	1923

Vendor
Pacific EcoRisk 2250 Cordelia Road Fairfield, CA 94534

Ship To
Humboldt Bay Harbor, Recreation and Conservation District PO Box 1030 Eureka, CA 95502

Description	Qty	Rate	Class	Amount
Quote # 03/15/2023				
Ocean Testing - 3 Composite Samples				
Sediment Compositing				
Toxicity Testing Services				
Ammonia Purging and Additional				
Porewater Ammonia Analysis				54,690.00
Reference Toxicant Toxicity Testing Services				
10% Contingency				5,469.00
Approved By:				Total NTE \$60,159.00



COMMISSIONERS
1st Division
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Humboldt Bay
Harbor, Recreation and Conservation District
(707)443-0801
P.O. Box 1030
Eureka, California 95502-1030

STAFF REPORT
HARBOR DISTRICT MEETING
March 30, 2023

TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

DATE: March 23, 2022

TITLE: Consider Adopting Resolution 2023-06, A Resolution Designating the Executive Director and Deputy Executive Director as Authorized Agents for the Purpose of Applying for and Receiving Funds from the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (CALOES).

STAFF RECOMMENDATION: Staff recommends the Board Adopt Resolution 2023-06 and designate staff as Authorized Agents of the District for a period of 3 years for matters related to federal and state disaster assistance.

SUMMARY: Recent winter storms of December 2022 through January 2023 significantly impacted District facilities including the Shelter Cover Breakwater and the Redwood Marine Terminal I dock. District Staff has engaged with FEMA -CALOES through DR-4683-CA, for disaster assistance to repair these facilities.

DISCUSSION: As the District is seeking disaster assistance from FEMA – CALOES, CALOES requires, through resolution, the District to assign authorized agents to represent the District for matters related to completing applications, engaging in the application process, and executing related task orders and agreements. The required designation may be for a special disaster or for a period of 3 years to include future incidents. As the District has had the recurring occasion to apply for disaster assistance, and as time is of the essence when applying for such assistance, staff is recommending the 3-year designation.

ATTACHMENTS:

- A. Resolution 2023-06**
- B. CALOES Form 130**
- C. CALOES Form 012**

***HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT***

RESOLUTION NO. 2023-06

A RESOLUTION DESIGNATING THE EXECUTIVE DIRECTOR AND DEPUTY EXECUTIVE DIRECTOR OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT TO BE THE AUTHORIZED AGENTS TO ENGAGE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE GOVERNOR’S OFFICE OF EMERGENCY SERVICES REGARDING GRANTS AND REIMBURSEMENTS

WHEREAS, the Humboldt Bay Harbor, Recreation and Conservation District seeks to apply for Federal Emergency Management (FEMA) and California reimbursement for costs incurred during the winter storm event of 2022; and

WHEREAS, the Governor’s Office of Emergency Services (Cal OES) administers the State and Federal reimbursement process and grant programs for emergency and disaster relief; and,

WHEREAS, Cal OES Form 130 requires the Humboldt Bay Harbor, Recreation and Conservation District designate agents to engage with FEMA and Cal OES regarding assistance and grants applied for by the District; and,

WHEREAS, the Humboldt Bay Harbor, Recreation and Conservation District desires to ensure that Form 130 makes the District eligible to apply for disaster relief for the incident designated “DR 4683 CA” as well as future disaster incidents for Three years.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District as follows:

Executive Director and Deputy Executive Director of the Humboldt Bay Harbor, Recreation and Conservation District are hereby designated as the agents for Form “Cal OES 130: Designation of Applicant’s Agent Resolution for Non-State Agencies.”

PASSED AND ADOPTED by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District at a duly called meeting held on the 30th day of March 2023, by the following polled vote:

AYES:

NOES:

ABSENT:

ATTEST:

GREG DALE, President
Board of Commissioners

Aaron Newman, Secretary
Board of Commissioners

CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. 2023-06 entitled,

A RESOLUTION DESIGNATING THE EXECUTIVE DIRECTOR AND DEPUTY DIRECTOR OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT TO BE THE AUTHORIZED AGENTS TO ENGAGE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES REGARDING GRANTS AND REIMBURSEMENTS

as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the 30th day of March 2023; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of March 2023.

**Aaron Newman, Secretary
Board of Commissioners**



DESIGNATION OF APPLICANT'S AGENT RESOLUTION

NON-STATE AGENCIES

Cal OES ID No: _____

OES-FPD-130 (Rev. 10-2022)

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the _____
(Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM),** under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA),** under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the _____, a public entity established under the
(Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.



Please check the appropriate box below

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): _____

Passed and approved this ___ day of _____, 20___

 (Name and Title of Governing Body Representative)

 (Name and Title of Governing Body Representative)

 (Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
 (Name) (Title)

_____, do hereby certify that the above is a true and
 (Name of Applicant)

correct copy of a resolution passed and approved by the _____
 (Governing Body)

of the _____ on the _____ day of _____, 20___.
 (Name of Applicant)

 (Signature)

 (Title)



Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.



Checking Universal or Disaster-Specific Box: A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

Certification Section:

Name and Title: This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."



LIST OF AUTHORIZED AGENTS

OES-FPD-012 (Rev. 09-2022)

List of Authorized Agents

Entity Name:

Cal OES ID:

- Enter each Authorized Agent (AA) as listed on the Designation of Applicant's Agent Resolution (Cal OES 130) for Non-State Agencies **or** as it appears on the Signature Authority (Cal OES 130SA) for California State Agencies.
- Check box to receive electronic copies of Cal OES Notification of Obligation and/or Payment packages. (Minimum 1 AA.)
- Email addresses must use an email that shares the official entity URL.

Authorized Agent Name	Authorized Agent Title	Email Address	Email Pkg?
<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

- An Approved Contact may be designated by an AA to request or receive information on grant payment status. Add them by inputting their information below. (Ex. Accounting/Admin offices) Must use an official email URL.

Approved Contact Name	Approved Contact Title	Email Address	Email Pkg?
<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	<input type="text"/>	