

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

**28 April 2005**

**PRESENT:**

Commissioner Pellegrini  
Commissioner Curless  
Commissioner Fritzsche  
Commissioner Hunter

**ABSENT:**

Commissioner Ollivier

The Closed Session was called to order at 6:02p.m. Closed Session adjourned at 6:22 p.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. President Pellegrini led those present in the Pledge of Allegiance.

District Counsel reported that during Closed Session real property pertaining to the Dog Ranch property and the dredge pipeline easement and potential litigation regarding the Louisiana-Pacific tideland lease were discussed, but no action was taken.

**PUBLIC COMMENT**

Glenn Stockwell stated he has concerns about the alternatives in the Shelter Cove Breakwater Rehabilitation project. He said that broad public comment was not being solicited and he requested that the business regarding this project be conducted in a way that is more available to the public.

John Mason relayed his experiences as a surfer in Shelter Cove and spoke of how treacherous the conditions are. He said that if the purpose of rehabilitating the breakwater is for safety reasons, then it is important; but he requested more time for the public to ask questions and provide more input.

Melvin McKinney thanked the Board of Commissioners for extending the time for public comment on the Humboldt Bay Management Plan.

Richard Barnick asked the Board of Commissioners to extend the public comment period on the Shelter Cove Breakwater Rehabilitation project. He asked what prompted the Board of Commissioners to start the project and stated it would be helpful to have public meetings in the evening or on weekends so more people could attend. He also suggested the Board of Commissioners seek a second opinion on how to fix the breakwater.

CEO and Commissioner Curless and Pellegrini (the Shelter Cove Advisory Committee) offered to stay after the Board meeting to meet with the people who were interested in the breakwater project to answer questions. This was met with approval by the audience.

John Dowd stated that Alternative 1 of the project was better than Alternative 3 since Alternative 3 included the addition of floats and he said that the citizens of Shelter Cove do not want floats.

Commissioner Hunter suggested the public comment period on the Shelter Cove Breakwater Rehabilitation be extended to May 18<sup>th</sup>. The Board agreed extending the comment period could be done.

Penny Elsebusch said that she appreciated the extension of the public comment period on the Humboldt Bay Management Plan. She also stated that she had attended the Headwaters Fund committee meeting and noticed the Harbor District has not requested grant funds for any of their projects. She said she is not sure how much grant money will be available next year because the committee has already used a portion of the funds allocated for next year.

Pete Oringer thanked the Board of Commissioners for the extension of the public comment period on the Humboldt Bay Management Plan and the Shelter Cove Breakwater Rehab Project and stated this was a great example of public outreach.

Tom Dimmick said the current Shelter Cove Breakwater was constructed from rock taken from three different places and the surfing waves were destroyed at that time. He requested that the Board of Commissioners fix what is there and not change the current footprint of the jetty.

CEO stated the Harbor District could help with enhancing the surfing resources. Commissioner Curless stated that he agreed the breakwater should be repaired as in Alternative 1, but the idea was "shot down" in Shelter Cove at the last public meeting.

Maggie Herbelin reported that the Humboldt Bay Stewards would be presenting their next forum on fishing and aquaculture in Humboldt Bay on May 16<sup>th</sup>. She stated that towards the end of June the final forum would center on tourism and recreation.

### **CONSENT CALENDAR**

Commissioner Curless requested that Item A of the Consent Calendar be pulled for further discussion.

COMMISSIONER CURLESS MOVED FOR APPROVAL OF THE REMAINDER OF THE CONSENT CALENDAR. COMMISSIONER FRITZSCHE SECONDED. MOTION CARRIED WITHOUT DISSENT.

Commissioner Curless made two corrections to the minutes of April 14<sup>th</sup>.

COMMISSIONER CURLESS MOVED FOR APPROVAL OF ITEM A OF THE CONSENT CALENDAR WITH THE NOTED CORRECTIONS. COMMISSIONER FRITZSCHE SECONDED. MOTION CARRIED WITHOUT DISSENT.

### **CEO REPORT**

- ✓ CEO reported that comments on the Shelter Cove Breakwater Rehabilitation Project are now due on May 18<sup>th</sup>.
- ✓ The written comments on the Humboldt Bay Management Plan are due today.
- ✓ 4/14: The USACOE dredge Essayons departed in Humboldt Bay.
- ✓ 4/20: The USACOE dredge Yaquina arrived Humboldt Bay.
- ✓ 4/17-20: CEO attended the National Harbor Safety Committee meeting in Long Beach. CEO was one of the main presenters.
- ✓ 5/23: The USACOE post-dredge survey crew will arrive at Humboldt Bay. Their information tells the bar pilots the depths of the shipping channels.

**DISTRICT COUNSEL'S REPORT:** None

### **STAFF REPORT**

District Treasurer presented the Management and Treasurer's Reports for the period ending February 28, 2005. He reported the decrease in revenue is about equal to the State's tax shift. District Treasurer reported that on February 28, 2005 the Harbor District's revenue equaled \$5,227,599, which includes the cash in the County Treasury and includes the Redwood Dock transaction proceeds.

### **COMMISSIONER REPORTS**

Commissioner Fritzsche reported that he is the CSU system representative on the SeaGrant Advisory Panel, which met to discuss the decrease in funding to support SeaGrant projects. Commissioner Fritzsche stated that out of 114 funding proposals; only about 30 will be funded. He also said he attended the local SeaGrant Open House today and met the new SeaGrant Extension Advisory Agent for the Eureka office of SeaGrant.

Commissioner Fritzsche stated that 6-7 years ago there was an idea to create a National Watershed Center at the Prairie Creek Fish Hatchery. He reported that now a regional watershed center has been formalized as a non-profit organization and Betsy Watson is the interim Director of the Board. The center will provide educational and interpretive information and if their Board is able to get the funding, there may be a resurrection of the fish hatchery.

Commissioner Pellegrini reported that Commissioner Ollivier is absent because he is attending a NCRA Board meeting in Ukiah.

Commissioner Pellegrini stated that the next Board of Commissioners meeting would be moved to Wednesday, May 11, 2005.

Commissioner Pellegrini said she recently saw an old friend who was lecturing at HSU. She said this person came to America in 1981 after living in a refugee camp in Thailand and could not speak English. Now he has graduated from HSU, have his teaching credential, Masters degree and Ph.D. and is a Professor at Portland State University. She said many people could learn from her old friend about overcoming adversity.

## **ADVISORY COMMITTEE REPORTS**

### **Port of Oakland Advisory Committee Update**

Commissioners Pellegrini and Ollivier met this week to discuss public outreach with the Port of Oakland and NCRA. Commissioner Pellegrini stated that the Harbor District has completed a number of the recommendations put forth by the Port of Oakland and there is still approximately 30% of the consultant's funding remaining.

## **OTHER**

Pete Nichols gave a PowerPoint presentation on the Humboldt Baykeepers, a local organization that is a member of the national Waterkeepers. The Humboldt Baykeepers mission is to "safeguard our coastal resources for the health, enjoyment, and economic strength of the Humboldt Bay community through education, scientific research, and enforcement of laws to fight pollution". Mr. Nichols talked about their programs, which include water quality monitoring, Humboldt Bay Toxics Initiative and community involvement and citizen science. Some of the main issues the Humboldt Baykeepers is addressing are toxics, storm water pollution and sedimentation. He said their patrol area is from Trinidad bay to the mouth of the Eel River.

Commissioner Fritzsche said that he thought the coordinated efforts to monitor water quality are great; but he asked where the information will be kept. He suggested the information should be kept at the Harbor District, since it is the center of Humboldt Bay, and is known to the public. Mr. Nichols responded that they are not looking for ownership of the information and the location would be determined at a later time.

Commissioner Fritzsche asked what the Baykeepers response is to a landowner who has toxic waste on the property. Mr. Nichols responded that when they run across that type of problem, they look for strategies to clean up or fix the situation. If they are unable to find a way to fix the problem, then litigation is pursued; however, litigation is never their first option, it is simply a tool in the tool box.

Commissioner Fritzsche asked what the dollar contributions are used for. Mr. Nichols stated that the money received through contributions goes towards local programs, the newsletter and operating costs.

Commissioner Hunter asked how "urban intrusion" could be a problem since it is estimated that the population of Humboldt County will increase less than 1% over the next ten years. He also stated that Mr. Nichols indicated that the Baykeepers are in favor of balanced development. Mr. Nichols responded the group favors non-polluting development and long-term, sustainable, diverse development.

David Elsebusch asked if the Baykeepers are identifying areas owned by public agencies, isn't that a little sensitive? Mr. Nichols responded that those areas are in the public trust, the public owns the water, and the Baykeepers will approach public agencies and bring problems areas to their attention before pursuing the fix.

Commissioner Fritzsche asked about the staffing of the Baykeepers. Mr. Nichols responded that he, another staff member, Boards of Directors, volunteers and 45 members make up the Baykeepers at this time.

**NON-AGENDA:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF RESOLUTION 2005-06 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY CHEVRON PRODUCTS CO. FOR MONITORING WELL REPLACEMENT.**

CEO reported that this project is a relatively minor one to replace three groundwater monitoring wells using 2" PVC pipe.

COMMISSIONER FRITZSCHE MOVED FOR THE APPROVAL OF RESOLUTION 2005-06 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY CHEVRON PRODUCTS CO. FOR MONITORING WELL REPLACEMENT. COMMISSIONER CURLESS SECONDED. ROLL CALL VOTE WAS TAKEN:

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

MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF PERMIT 05-05 TO CHEVRON PRODUCTS CO. FOR MONITORING WELL REPLACEMENT.**

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF PERMIT 05-05 TO CHEVRON PRODUCTS CO. FOR MONITORING WELL REPLACEMENT. COMMISSIONER HUNTER SECONDED. MOTION CARRIED WITHOUT DISSENT.

**ADMINISTRATIVE AND EMERGENCY PERMITS:** None

Commissioner Hunter thanked staff for putting the Preliminary Budget for FY 2005-2006 and the budget schedule on the website.

The Regular Meeting of the Board of Commissioners adjourned at 8:27 p.m.

APPROVED BY:

RECORDED BY:

\_\_\_\_Signature on File\_\_\_\_\_  
Roy Curless, Secretary

\_\_\_\_Signature on File\_\_\_\_\_  
Patricia L. Tyson, Admin. Assistant