



Jim Hurst	Doug Albin	Michelle Norvell	Daniel Platt	Richard Shoemaker	Anna Neumann
Chairman	Vice Chairman	Commissioner	Commissioner	Commissioner	Harbormaster

NOYO HARBOR COMMISSION REGULAR MEETING AGENDA

Thursday, September 8th, 2022 at 6PM
Fort Bragg Town Hall

Join Zoom Meeting

<https://us02web.zoom.us/j/81789593010?pwd=a0daUEdjYyt3ZEIMc0NsbGNvQW94UT09>

Meeting ID: 817 8959 3010

Passcode: 975274

One tap mobile

+16694449171,,81789593010#,,,,*975274# US

+16699006833,,81789593010#,,,,*975274# US (San Jose)

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON NON-AGENDA ITEMS:

The Noyo Harbor Commission welcomes input from the public. Please limit your comments to five minutes so that everyone may be heard. The Brown Act does not allow action to be taken on non-agenda items.

CORRESPONDENCE:

CONSENT CALENDAR

1. Approval of Minutes – Regular Meeting August 9th, 2022
2. Treasurer's report – August 2022
3. Resolution 2022-1 Virtual Meetings

CONDUCT OF BUSINESS:

1. Discussion and possible action on approve of resolution 2022-10 SAVE 2022/2023 \$80,000
2. Discussion and possible action on letter of support for City of Fort Bragg LCP update

STAFF REPORTS AND RECOMMENDATIONS:

District Office:

State Land Commission Grant

Tsunami Hazard Mitigation Grant

California Port Captain and Harbormasters Conference October 18-20th

Tour of Morro Bay Oyster Company and FLUPSY

Tour of Humboldt Bay Harbor District and meetings with Ca. Coastal Commission representatives

Attorney Report:

Matters from the Commissioners:

ADJOURNEMENT: To the next regular meeting of Thursday October 13 at 6 pm, 2022.



Jim Hurst	Doug Albin	Michelle Norvell	Daniel Platt	Richard Shoemaker	Anna Neumann
Chairmen	Vice Chair	Commissioner	Commissioner	Commissioner	Harbormaster

NOYO HARBOR COMMISSION REGULAR MEETING AGENDA

**Thursday, August 11th, 2022 at 6PM
Fort Bragg Town Hall**

CALL TO ORDER at 6:10pm by Chair Hurst

ROLL CALL:

Present:

Jim Hurst, Richard Shoemaker, Daniel Platt, Doug Albin (joined via zoom at 6:20) District Counsel Jim Jackson, Harbormaster Anna Neumann

Absent:

Michelle Norvell

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Richard Shoemaker

PUBLIC COMMENT ON NON-AGENDA ITEMS:

None

CORRESPONDENCE:

None

CONSENT CALENDAR

1. Approval of Minutes – Regular Meeting July 18th, 2022
2. Treasurer's report – July 2022
3. Resolution 2002-1 Virtual Meetings

**Motion: Richard Shoemaker moved to approve the consent calendar. 2nd by Dan Platt.
Approved 4-0-1**

CONDUCT OF BUSINESS:

1. Discussion on Icehouse

Harbormaster Anna Neumann presented the information she had developed on the potential purchase and assumption of the lease from Allen Gibney and John Schunabelt respectively. There were several inconsistencies within the provided financial reports from Allen Gibney and the commission is concerned overall at the percentage that rent and power are of the overall business profits. While Neumann believes that the business could be streamlined to and customer expansion could occur without a path forward to decrease the power and rental expense the undertaking of Noyo Ice is daunting. The commission understands the necessity of the icehouse business and asked Harbor staff to develop all options to ensure that the fleet has continued access to ice. No motion was made

2. Discussion and possible action Letter of Support for John Lynch

A discussion was held that the Noyo Harbor District supports the development of Mr. Lynch haul out facilities. Small wording changes were requested by commissioners.

Motion: A motion to approve with wording changes was made by Richard Shoemaker, 2nd by Dan Platt. Approved 4-0-1

3. Discussion and possible action retaining Zach Pehling as auditor

Harbormaster presented the letter of engagement from Zach Pehling as auditor for the district. A discussion was had about past audits and their reports. The commissions requested that the past two years of audits reports be placed on the agenda for the next meeting. The commissioners suggested that the harbor staff create and send out an RFP for another auditor next January.

Motion: A motion to approve the engagement letter was made by Richard Shoemaker, 2nd by Dan Platt. Approved 4-0-1

4. Discussion on retirement benefits for full time staff

The last policy on record for retirement was set in May 2001 and was set that employees would receive 15% of gross pay. There was a general discussion about different types of retirement benefits and where the 5%, 10%, 15% policy came into play. Unanswered questions remained after the discussion and the commissioners requested that staff do researching into the correct policy. No motion was made

5. Discussion and possible action on releasing SAVE Grant fund to Sacramento Police Department

Harbormaster present the situation that Sacramento Police Department found themselves in and how the Noyo District could help with funds that we will not be able to use in time. It was suggested that the Sacramento Police Department be responsible for the 10% match rather than the District.

Motion: A motion to approve the disbursement of the remaining SAVE 20-21 funds to the Sacramento Police Department with the condition that Sacramento Police pay the 10% match was made by Dan Platt. 2nd by Richard Shoemaker. Approved 4-0-1

6. Discussion and possible action on prepayment and cancellation policy

The commissioners heard a presentation on the difficulties the harbor office was having with last minute cancellations. The harbormaster presented how considerable staff time was spent on making then cancelling the reservations and how cancellation policy directly related to staff time and credit card processing fees. The harbormaster suggested the following cancellation policy: *Noyo Harbor District is enacting a \$40 cancellation charge for anyone cancelling their slip reservation. Within 72 hours of the start of the reservation all cancellations are non-refundable and vessels that stay less than 2 nights are non-refundable regardless.*

Motion: A motion was made to approve the cancellation policy presented by harbormaster was made by Richard Shoemaker. 2nd by Dan Platt. Approved 4-0-1

7. Discussion Fish Cleaning Station

Harbormaster and SHN staff member Scott Perkins presented the commissioners with a mock-up of the structure of the fish cleaning station and the location. As the team is moving forward with the project they wanted to ensure that everyone was on the same page with the overall design and location. We are rapidly reaching a point where changes to the overall project layout will become harder and more costly. The commissioners raised no points of concern and the Ad Hoc team will move forward with designs like those presented. No motion was made.

STAFF REPORTS AND RECOMMENDATIONS:

DISTRICT OFFICE REPORTS

CAL OES/FEMA Grant- Tsunami Hazard Mitigation

Harbormaster reported on the work on the Tsunami Hazard Grant and Commissioner Platt echoed the statement about being happy with the quality of work

Community Block Development Grant

Harbormaster reported on the progress of the grant and the support that the community showed for the completion of the project.

Dock Signage

Harbormaster reported that the new dock signs have arrived and staff is starting to install them.

Employment Opportunities

Harbormaster was unable to add this update at the time of posting, but there has recently been a shift in staffing and has an opening for a new employee. Harbormaster would like to take on one more part time employee rather than a full time maintenance worker.

ATTORNEY REPORT

District council reported on the eviction of the Charles Smith boats and is moving forward on that topic.

District reported on the incident in the N. Harbor Bathrooms where a women was leaning backward on the sink when it detached from the wall. She was unable to maintain footing and fell causing wounds to her arms and legs. She has reached out to the District via an attorney seeking damages, however has yet to file a formal claim. District council, harbormaster and the insurance agent are working together to compile the necessary paperwork.

Matters from the Commissioners:

None

ADJOURNEMENT: To the next regular meeting of Thursday September 8th at 6 pm, 2022

Motion to adjourn was made at 8:04pm by Dan Platt. 2nd by Richard Shoemaker. Approved 4-0-1

RESOLUTION NO. 2022-1_____

**RESOLUTION OF THE NOYO HARBOR COMMISSION
MAKING THE LEGALLY REQUIRED FINDINGS TO CONTINUE TO
AUTHORIZE THE CONDUCT OF REMOTE “TELEPHONIC”
MEETINGS DURING THE STATE OF EMERGENCY**

WHEREAS, on March 4, 2020, pursuant to California Gov. Code Section 8625, the Governor declared a state of emergency; and

WHEREAS, on September 17, 2021, Governor Newsom signed AB 361, which bill went into immediate effect as urgency legislation; and

WHEREAS, AB 361 added subsection (e) to Gov. Code Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings; and

WHEREAS, as of November 1, 2021, the COVID-19 pandemic has killed numerous Californians; and

WHEREAS, social distancing measures decrease the chance of spread of COVID-19; and

WHEREAS, this legislative body previously adopted a resolution to authorize this legislative body to conduct remote “telephonic” meetings; and

WHEREAS, Government Code 54953(e)(3) authorizes this legislative body to continue to conduct remote “telephonic” meetings provided that it has timely made the findings specified therein;

NOW, THEREFORE, IT IS RESOLVED by the Commissioners of the Noyo Harbor District as follows:

1. This legislative body declares that it has reconsidered the circumstances of the state of emergency declared by the Governor and at least one of the following is true: (a) the state of emergency continues to directly impact the ability of the members of this legislative body to meet safely in person; and/or (2) state or local officials continue to impose or recommend measures to promote social distancing.

The above and foregoing Resolution was introduced by Commissioner _____, seconded by Commissioner _____, and passed and adopted at a regular meeting of the Noyo Harbor District held on the 8th day of September, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

Jim Hurst
Chair

ATTEST:

Anna Neumann
Harbormaster



Noyo Harbor District

Resolution No: 2022-10

A Resolution to accept grant funds from the California Division of Boating and Waterways Surrendered and Abandoned Vessel Exchange (SAVE) FY 2022-2023

Whereas, the grantee Noyo Harbor District, applied to the California Division of Boating and Waterways Surrendered and Abandon Vessel Exchange (SAVE) FY 2022-2023 for funding to remove surrendered and abandoned vessels from the jurisdiction of Noyo Harbor District; and

Whereas, the California Division of Boating and Waterways has approved \$80,000 in Surrendered and Abandoned Vessel Exchange funds and now requires a resolution accepting these grant funds.

Now, therefore, be it resolved by the Board of Commissioners of the Noyo Harbor District as follows: Chairman (Jim Hurst) is hereby authorized to accept a California Division of Boating and Waterways Surrendered and Abandoned Vessel Exchange grant in the amount of \$80,000 for surrendered and abandoned vessel exchange on behalf of Noyo Harbor District, a public entity established under the laws of the State of California. Harbormaster (Anna Neumann) is hereby designated the program administrator.

Passed and Adopted by the Board of Commissioners of Noyo Harbor District at a duly called regular meeting held on the 8th of September 2022, by the following polled vote:

Ayes:

Noes:

Absent:

(Chairman of the Commission)

(Harbormaster)

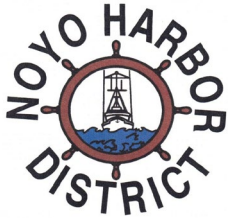
The Undersigned, duly qualified and acting secretary of Noyo Harbor District, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO:2022-2 entitled,

A Resolution to accept grant funds from the California Division of Boating and Waterways for Surrendered and Abandoned Vessel Exchange FY 2022/2023

As regularly adopted at a legally convened meeting of the Board of Commissioners of the Noyo Harbor District, duly held on the 8th day of September 2022 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 on this 8th day of September 2022.

Secretary



NOYO HARBOR DISTRICT AGENDA ITEM SUMMARY

AGENDA ITEM #: 2
MEETING DATE: 9/8/2022

TITLE

Letter of Support for LCP update with City of Fort Bragg

RECOMMENDED ACTION

Approval

ANALYSIS

The City co-manager Sarah McCormick and Harbormaster have been working on moving the blue economy initiative forward with the help of the Noyo Ocean Collective. The Noyo Ocean Collective is currently comprised of the Harbor District, City of Fort Bragg, County of Mendocino, West Business Development Center, Noyo Center for Marine Science, Sherwood Valley Band of Pomo and the Mendocino College. At the recent Blue Economy Symposium as well as the California Coastal Commission meeting hosted in Fort Bragg momentum and attention was garnered from leaders across California, and specifically the California Coastal Commissioners. Commissioners encouraged the City of Fort Bragg and the Harbor District to apply for the available Local Coastal Programs update funding.

The City and the Harbor have been working together to develop a grant that would provide the planning and technical assistance needed to:

- Evaluate the current structure of the Noyo Harbor District Charter, and an analysis of alternative Charter structures to foster informed decision making;
- Develop inventory and assessment of the current condition of existing pilings, docks and structures, as well as identification of current land use(s) in order to increase productivity of Noyo Harbor parcels;
- Develop inventory and assessment of current boat slips within mooring basin, including capacity and slip utilization to ensure maximum use and benefit; and
- Water Quality Profile to inform feasibility of aquaculture development both in Noyo Harbor and on the former Mill Site in order to diversify economic opportunities, as well as provide water for public aquariums and research.

- Sea Level Rise Risk and Vulnerability Assessment to understand the risks and our weaknesses to ensure that we build a community the resilient to the changing climate. (potential)

Each of these projects will allow the Harbor District to gain important information. A better understanding of the District's Charter will allow the District to operate smoothly and efficiently within their jurisdiction, within the City's Sphere of Influence while still being a part of the County of Mendocino. It will also allow the District to understand the nature of the relationship they share with the State Lands Commission and the granted submerged tidelands that we manage for them.

The development of an inventory and assessment of the current conditions of parcels will allow the District to understand which properties are best suited to help push forward the Community Sustainability Plan and the emerging Blue Economy.

The development of an inventory and assessment of the current boats slips will help the District to understand which of our slips are actively participating within the Blue Economy either on the commercial or recreational fishing side. With a limited number of slips in our marina it is critical that we attempt to keep active members of the fishing community and the marina does not become a storage yard for non-active vessels.

A technical study on the water quality of Noyo Harbor will allow us to answer questions surrounding the development of aquaculture as a viable alternative for traditional fishing. Without this basic information it would be extremely difficult to move forward with planning around these types of projects, whether they are research based (growing kelp) or economically driven (growing oysters).

The City and the Harbor are also working to determine if the County of Mendocino is going to complete a Sea Level Rise Risk and Vulnerability Assessment. If the County is not then an assessment will be added into the scope of work of this project. A Sea Level Rise Risk and Vulnerability Assessment is critical and will provide many answers for the District to best understand how to move forward with developing a marina that will withstand the test of time. As we are actively working on our CSP projects and new infrastructure comes into the Harbor District, it is critical that this infrastructure be secure to the changing climate.

As a part of this project the Harbormaster has been offered a seat at the table as a project manager. There would be compensation available via the grant to the District to offset her time spent on this project. The office is planning to ask for 8 hours per week for project management.

As these opportunities move forward the Harbormaster strongly suggests that the commission take advantage of being involved in these processes. We are a small community and the District does not want to be left out of the conversations being had a City and County level about development.

FISCAL IMPACT

ATTACHMENTS

Letter of Support



Page Left Blank



Jim Hurst
Chair

Doug Albin
Vice Chair

Michelle Norvell
Commissioner

Richard Shoemaker
Commissioner

Daniel Platt
Commissioner

Anna Neumann
Harbormaster

September 8, 2022

California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

The commissioners of the Noyo Harbor District are pleased to support of the City of Fort Bragg's application for LCP Grant Program funding. The requested funding would be used for technical, economic, and policy analysis to prepare our coastal region for sustainable and resilient development. Specifically, our region is considering how opportunities within the blue economy could transform our low-moderate income community in a sustainable way – providing a path toward economic diversification to improve local livelihoods and the quality of life for residents, while also nurturing healthy marine ecosystems in a rapidly changing global climate.

We are a committed partner in this regional planning effort that is thus far comprised of the City of Fort Bragg, Noyo Harbor District, Sherwood Valley Band of Pomo Indians, Mendocino College, Mendocino County, and Noyo Center for Marine Science. The California Sea Grant Program and the Port of San Diego's Aquaculture & Blue Technology Program are actively supporting our endeavors and providing technical expertise. And each of us are doing our part to move blue economy initiatives forward. For example, the City of Fort Bragg received grant funds to undertake concept designs and cost estimates for establishing municipal ocean water intake/discharge infrastructure to serve small scale, land based aquaculture facilities, support research and aquariums at the future Noyo Center for Marine Science Noyo Headlands facility; and Mendocino County recently requested grant funding on behalf of Noyo Harbor District to conduct a planning assessment for a fuel dock.

The Noyo Harbor District is a special public district and political subdivision of the State of California, organized under Section 6200 et seq. of the California Harbors and Navigation Code. Located within the City of Fort Bragg's Sphere of Influence, the City's LCP contains numerous policies and programs in support of Noyo Harbor, including limiting development in the harbor to coastal dependent uses or aquaculture, and prioritizing commercial fishing activities. Other programs in City's LCP encourage the preparation of a specific plan for the Noyo Harbor with the cooperation and involvement of Noyo Harbor District, Mendocino County, local property owners and State agencies, and to establish a secondary access route to improve emergency response.

If awarded, LCP Grant Program funding would provide the planning and technical assistance needed to:

- Evaluate the current structure of the Noyo Harbor District Charter, and an analysis of alternative Charter structures to foster informed decision making;
- Develop inventory and assessment of the current condition of existing pilings, docks and structures, as well as identification of current land use(s) in order to increase productivity of Noyo Harbor parcels;
- Develop inventory and assessment of current boat slips within mooring basin, including capacity and slip utilization to ensure maximum use and benefit; and
- Water Quality Profile to inform feasibility of aquaculture development both in Noyo Harbor and on the former Mill Site in order to diversify economic opportunities, as well as provide water for public aquariums and research.

As an under resourced community, it will take a collective effort to ensure our waterfront remains a working waterfront, and that the work we're engaged in addresses impacts of climate change and nurtures healthy marine ecosystems. We welcome the California Coastal Commission to join in this effort by selecting the City of Fort Bragg's application and contribute to the important and strategic planning work needed to develop a resilient, vibrant, and sustainable coast.

Sincerely,

Cc: Fort Bragg City Council

Staff Report

State Land Commission Grant

The check for this project was received and is in the Districts account. SHN and the Harbor Office have been working to pull together a contract and bid package for the vessel destruction aspect of this program and hoping to move forward with this bid process as soon as the Tsunami Hazard Mitigation Grant is in its final stages

CAL/OES FEMA Tsunami Hazard Mitigation Grant

Work on the Tsunami Hazard grant has finished up and the final letter of completion is being sent to Dixon Marine Service. Over the District office is very happy with the work that Dixon did we are underbudget for the contract that was signed with Dixon. The District office and SHN are going to work on the final reports for the project and hopefully complete all the work by the end of the year.

California Port Captain and Harbormasters Conference October 18th -20th

Harbormaster registered to attend the California Port Captain and Harbormasters conference. The conference is held in Santa Barabra and sessions include:

- Federal Boating Infrastructure Grants (BIG) Administered through the California Division of Boating and Waterways
- CARB Emissions Regulations for Commercial Fleet and the Impacts on Recreational Vessels
- Retention of Boaters - Especially the New Entries
- AB252 and the Legislative Process
- Historic Aspects of Ports and Harbors
- Sustainable Tourism Concerns: What They Are and the Marina's Role
- Marina Sustainability
- Optimization of Boatyards
- Environmental Spills and Response
- Moneyball for Marinas: Using Data to Find Hidden Revenue Opportunities

This is a good networking opportunity for the Harbormaster to meet the other Harbormasters in California and those that work in harbor districts.

Tour of Morro Bay Oyster Company and FLUPSY

Anna is headed to Morro Bay for a family event and was offered a tour of the Morro Bay Oyster Company and their FLUPSY while she was in town. A FLUPSY is a floating upwell system that grows oysters from grain of rice to the size of an quarter, much like a nurse. These oysters can then be sold to larger oyster companies to supply their market needs. FLUPSYs can also be used to potentially grow kelp, urchins, or abalone. The Noyo Ocean Collective has been toying with the development of a FLUPSY in Noyo Harbor and this is a good opportunity to see one in action without too much excess travel.

Tour of Humboldt Bay Harbor District and meetings with Ca. Coastal Commissioners

The City and the Harbor have been invited to tour Humboldt Bay and learn about projects that the Humboldt Harbor District is taking on. This is a good opportunity to network in the second largest bay in California and learn about how other harbors are meeting the need of their community. Ca. Coastal Commissioner's in the Humboldt area have also expressed interest in meeting if we take the Harbor District up on their offer for a tour.