

AGENDA
SPECIAL MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road
MOSS LANDING, CA 95039
February 10, 2016, 5:30 P.M.

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE

Roll Call

Russ Jeffries – President	Linda G. McIntyre – General Manager
Tony Leonardini – Vice President	Mike Rodriguez – District Counsel
Vince Ferrante – Secretary	Tom Razzeca – Assistant General Manager
Andrew Amaral - Commissioner	Marie Della Maggiore – Dir. Of Administrative Services, Assistant to the GM
Margaret “Peggy” Shirrel – Commissioner	

C. PRESIDENT’S REMARKS

The President will use this opportunity to inform the public of issues affecting the District and other items of a general nature not otherwise provided for on this agenda.

D. PUBLIC COMMENTS

Members of the general public may address the Board of Harbor Commissioners regarding any item that is not on the Agenda. The President may limit the total amount of time of testimony on particular issues and for each individual speaker.

E. NEW BUSINESS

1. ITEM – Receive status update from Architect Henry Ruhnke regarding North Harbor Building Project; Consider approval of NH building architectural drawings; give direction to staff.

- a. Staff report
- b. Public comment
- c. Board discussion
- d. Board action

2. ITEM - Consider issuing a Special Activity Use Permit to CHEER for cleanup and boater education event at North Harbor on March 19, 2016.

- a. Staff report
- b. Public comment
- c. Board discussion
- d. Board action

A. CLOSED SESSION

A closed session will be held immediately following the public open session. The Board will then return to Open Session to report on any action taken at the Closed Session.

1. Confer with real property negotiators pursuant to Government Code §54956.8 regarding Moss Landing Commercial Park (formerly National Refractories). Negotiating parties: General Manager and District Counsel.

L. RETURN TO OPEN SESSION

Any action taken in Closed Session will be reported out at this time. Commissioners may address items of concern at this time, and may request that items be placed on future agendas in accordance with the By-laws of the Board.

M. ADJOURN MEETING

The next Regular Meeting of the Board of Harbor Commissioners is scheduled for February 24, 2016 at the offices of the Moss Landing Harbor District, 7881 Sandholdt Road, Moss Landing, CA 95039. Individuals who require special accommodations are requested to contact the Executive Assistant to the General Manager by calling 831.633.5417 or by emailing dellamaggiore@mosslandingharbor.dst.ca.us no less than 72 hours prior to the meeting or in the case of a Special Meeting, as soon as possible after the Agenda is posted. Copies of the agenda will be available 72 hours prior to the meeting and may be obtained by logging onto www.mosslandingharbor.dst.ca.us or by contacting the District at 831.633.5417. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act.



7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

TELEPHONE – 831.633.2461
FACSIMILE – 831.633.1201

GENERAL MANAGER/HARBOR MASTER
Linda G. McIntyre, Esq.

ASSISTANT GM/ASSISTANT HM
Tom Razzeca

BOARD OF COMMISSIONERS
Russell Jeffries
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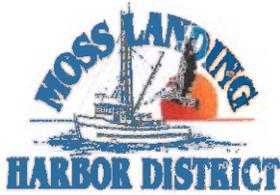
STAFF REPORT

ITEM NUMBER – 1 Presentation on North Harbor Building Project
BOARD MEETING OF February 10, 2016

Henry Ruhnke, the District's architect for the North Harbor Building project will update the Board on the status of the permits, permit fees to 3rd party agencies, timeline for completion of remaining tasks and will present revised building drawings.

Staff recommends that the Board approve the revised drawings and give appropriate direction to the General Manager.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



BOARD OF COMMISSIONERS
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STAFF REPORT

**ITEM NUMBER – 2 CONSIDER SPECIAL ACTIVITY USE PERMIT - CHEER
BOARD MEETING OF FEBRUARY 10, 2016**

Coastal Habitat Education & Environmental Restoration (CHEER) has submitted an Application for a Special Activity Use Permit to conduct an event at the District's North Harbor on Saturday, March 19, 2016. All of the documents describing the event are attached, along with the completed permit application.

To clarify, several vessels will launch at North Harbor with scuba divers on board. The vessels will travel outside of the District's jurisdictional boundaries north and south of the jetties; gather debris and other foreign articles from the ocean floor, then return to North Harbor with their bounty.

Included in the attached materials is a map of North Harbor showing their proposed staging area. The President of CHEER, Herman Garcia, has already spoken to the Sea Harvest Restaurant, Monterey Bay Kayaks and the Pot Stop. Mr. Garcia is expected to be present at this Board meeting to answer any further questions the Board may have.

Staff recommends approval of the Special Activity Use Permit subject to the conditions set forth therein and any other conditions the Board may suggest.



CHEER

Coastal Habitat Education & Environmental Restoration

Ocean Floor Clean-up

Diving Extravaganza & Competition Plan

Saturday, March 19, 2016

Proposal to:

Monterey Bay National Marine Sanctuary

&

Moss Landing Harbor Master

P.O. Box 1735, Gilroy, Ca. 95021—Ph 408.497.3037—www.cheercentral.org

Email: cheercentral@verizon.net

Purpose: To protect and restore our National Marine Sanctuary.

This one day event will create a forum of education and awareness on negative impacts to bays and oceans from coastal watersheds. A festive atmosphere with food, exhibits and demonstrations will generate interest from the public. The media will play an important role in the delivery of the messaging to the San Francisco and Monterey Bay communities. Area dive clubs will assist in the ocean floor clean up while competing for cash and prizes. Six to twelve clubs will be used with a focus in the area of the Salinas River and the Pajaro River mouths at approximately 35 to 80 feet of water. Dive teams will leave the Moss Landing North Harbor at 8:00 am to designated areas and return at 1:00 pm. Garbage collected from the ocean floor will be weighed and inspected in compliance with any State and Federal regulations.

Any species (crustaceous) attached to garbage will be handled under scientific and biological supervision according to regulatory guidelines. A dumpster will be provided for garbage. Regulatory and NGO partners are invited to participate at any level, from providing information at a resource table to assisting with inspections and data collection.

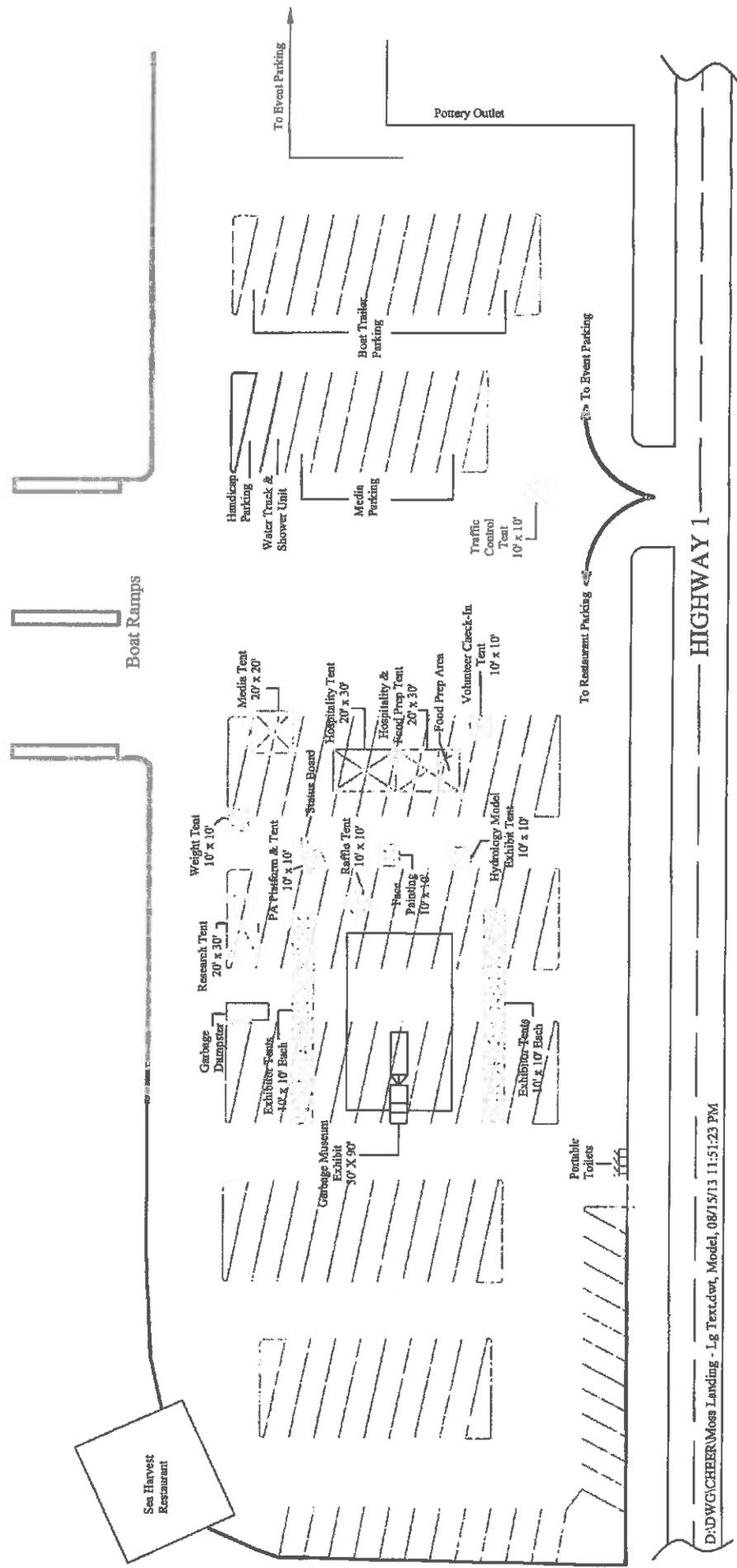
CHEER watershed partners and stakeholders will be invited, and volunteers will assist with logistics. Volunteers will be a combination of experienced adults and students from area colleges and universities.

The centerpiece exhibit of the event will be the CHEER coastal watersheds garbage museum, a 75' x 75' attraction. This "Shock & Awe" mobile education unit visits all levels of educational institutions (pre-school thru universities).

The event will provide an opportunity to “close the loop” on CHEER’s education and comprehensive strategies implemented in the upper and lower Pajaro River watershed, 1300 sq. mi. and 1800 miles of streams.

If successful we will build and incorporate a new ocean exhibit to the mobile education unit. Reaching thousands of students and millions of readers and viewers educating and exposing coastal watershed impacts to our bays and oceans.

And all the while, removing garbage from our protected National Marine Sanctuary.





Moss Landing Harbor District
 7881 Sandholdt Road
 Moss Landing, CA 95039-0010
 (831) 633-5417, Fax (831) 633-4537

SPECIAL ACTIVITIES USE PERMIT APPLICATION

No application will be processed until payment of the Application Fee
 If Permit qualifies for issuance, no Permit will be issued until payment of the Permit Fee

Section I - Applicant Information

Name	Coastal Habitat Education & Environmental Restoration (CHEER)
Mailing Address	P.O. Box 1735
City, State, Zip Code	Gilroy, Ca. 95021
Telephone Number	(408) 497-3037

Section II - Permittee Information

Name of Individual or Organization	Herman Garcia, CHEER (Res.)
Mailing Address	600 Johnson Way
City, State, Zip Code	Gilroy, Ca. 95020
Telephone Number	(408) 497-3037
Fax Number	
E-Mail Address	Herman@cheercentral.org

Section III - Activity Information

Date of Activity	Set up March 18, event & take down March 19, 2016
Specific Description of Activity	ocean floor cleanup and Dive competition. Festival atmosphere (no sales) Resource tables (Info) for participants, exhibits, media event. Divers will remove garbage by hand from ocean floor.
Specific Location of Activity	Parking area of North harbor between Sea Harvest & Kayak rental (see site plan)
Number of Persons, Vessels, Vehicles	Expected persons approx. 500, 6-12 vessels, vehicles approx. 150
Starting and Ending Time	Set up March 18, 8:00AM thru evening Event & Take down March 19 7:00 AM - 7:00 P.M.

Location of Assembly Areas (If Any)	Asea at North harbor boat launch.
Other Information	See site plan! will provide volunteers for event parking, traffic flow in parking area, take down, clean up, etc.
Section IV - Fee	
Special Activities Permit Application Fee (§ 20.100)	\$150.00 250.-
CEQA Review (§20.240)	Not required
Special Activity Permit Fee	\$150.00 250.-

I hereby certify that the information contained in this application is true and accurate to the best of my knowledge. I further certify that I will faithfully comply with all Conditions of Permit that are required by the District and that I will assure that the permitted Activity is carried out in full compliance with all statutes, regulations, rules and ordinances of the District, and any other entity that may have jurisdiction over the Activity or the site.

APPLICANT

Linda G. McIntyre

*You may qualify for a fee discount. Please refer to the District Ordinance Code and/or contact the Harbor at 831.633.2461.

Permit

Permit Number -
Date of Permit -

I, Linda G. McIntyre, General Manager of the Moss Landing Harbor District, certify that I have reviewed the information contained in the above application and have found such activity to be Categorically Exempt from the provisions of CEQA under Article 19, Class 23 of the CEQA Guidelines.

The activity as described above in Section III is permitted. The following conditions are imposed as a condition of permit:

- Permittee is required to remove all garbage, trash, litter and debris associated with its use of facility.
- Permittee shall remove from within the District boundaries any instruments, pipes, flags, and any other materials that may have been placed purposefully or accidentally pursuant to this Permit upon the earlier of the expiration of the permit, request by MLHD, or completion of the project for which this Permit was issued. The placement of any instrument, pipe, flag or other item by Permittee within the District's boundaries is conditioned, among other things, upon Permittee placing on the item using weather-proof, fade-proof and indelible writing material the contact information for Permittee, the date of placement of the item, and the expiration date of the permit under which the item was placed within the District's boundaries, all in legible lettering. Permittee is to monitor such item(s) to ensure that the identifying information is legible at all times. Any items not so identified will be subject to immediate removal by MLHD.
- Permittee shall provide District with emergency contact instructions associated with permitted use. Permittee shall provide a list of persons and organizations to contact in an emergency, along with the method of contact.
- **Permittee shall provide District with a Certificate of Insurance providing evidence of comprehensive liability and property damage coverage in the amount of one million dollars (\$1,000,000) for each accident/incident and one million dollars (\$1,000,000) in the aggregate. The Certificate shall name the Moss Landing Harbor District, its elected officials, officers, agents and employees as additional insured. The underlying policy shall remain in full force during the entire term of the use of District facilities. The District shall be notified at least 10 days prior to the policy being cancelled.**
- Permittee to embark/disembark all passengers from a location determined by Harbormaster. Permittee shall obey all instructions of District or law enforcement personnel. Permittee is not allowed to land anywhere other than at authorized location.
- Permittee shall comply with all applicable rules and regulations and obtain all licenses and permits required by its activity including, but not limited to, the California Department of Fish and Game and with the Moss Landing Harbor District Ordinances.
- Neither permittee nor permittees' activities shall interfere with navigation of vessels in any waters under the Districts' jurisdiction.
- Neither permittee nor permittees' activities shall interfere with the Districts' dredging, pile driving or other construction activities.
- **ALL VEHICLES MUST PURCHASE AND DISPLAY PARKING PERMITS.**
- Permittee shall not contact or approach marine mammals except as permitted by appropriate governing agencies.
- Permit valid only so long as licenses and permits issued by any governing agency, including the United States Coast Guard and California Department of Boating and Waterways, if applicable, remain current and in force.
- Permittee shall provide the District with copies of any of the following that apply to permittees activity:
 - 1) Fish & Game license to operate as Sport Commercial Fishing Vessel.

- 2) USCG license as Operator of Uninspected Passenger Vessel or higher.
 - 3) USCG Certificate of Inspection.
 - 4) Any other licenses/permits associated with business or activity.
- Permittee waives any and all claims for accident, injury, damage, theft or loss of any kind whatsoever arising out of or relating to the use of the facilities or grounds of the harbor against the Moss Landing Harbor District and/or its officers, commissioners, elected officials, agents or employees.
 - Permittee shall hold the District, its officers agents, employees and commissioners harmless, indemnify and defend the same from any and all damages arising out of activities undertaken by its employees, agents, or contractors pursuant to this permit.

Special Conditions:

No sales of food or other products or services. Food, water will be provided free for volunteers and participants. Educational exhibits, and research tent for garbage. Will BBQ hamburgers/hot dogs on site.

This Special Activities Use Permit shall expire on _____ unless revoked, surrendered or renewed. Permit remains valid only as long as all Conditions of Permit have been met and shall become immediately null and void should Permittee violate any provisions of this Permit, or the Ordinances of the District.

MOSS LANDING HARBOR DISTRICT

Linda G. McIntyre
General Manager

USCG