



North Coast Railroad Authority
419 Talmage Road, Suite M, Ukiah, Ca 95482
www.northcoastrailroad.org

**NORTH COAST RAILROAD AUTHORITY (NCRA)
Special Board of Directors Meeting
Teleconference**

MINUTES

**Thursday, December 17, 2020
4 p.m.**

A. CALL TO ORDER

Chair Hagele called the meeting to order at 4:02 p.m.

B. ROLL CALL

Director Present: Madrone, Marks, Haschak, Hart, Connolly, Campbell, Gore, and Chair Hagele

Directors Absent: McCowen

Others Present: Executive Director – Mitch Stogner, Legal Counsel – Elizabeth Coleman, and Recording Secretary – Hiedy Torres

C. AGENDA APPROVAL

Upon Motion by Dir. Marks, seconded by Dir. Campbell the Agenda was Unanimously Approved as presented.

Motion Carried:

AYES: 8- Madrone, Marks, Haschak, Hart, Connolly, Campbell, Gore, and Chair Hagele

NOES: 0

ABSENT: 1- McCowen

ABSTAIN: 0

D. PUBLIC COMMENT –

Mike Pechner- Mr. Pechner said that he would like to see the Fort Seward Depot placed on the National Railroad Depot Registry and registered as a historical building. He also said he would like to see a plaque made to commemorate the four founding members of the NCRA from the early 1980's and 1990's: Ruth Rockefeller, Mr. Robert Simonson, Mr. Jim Orinda, and Mr. Don Edmonson.

The Board adjourned to Closed Session at 4:08 p.m.

E. CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Negotiator for NCRA: Mitch Stogner, Executive Director

- a. Under Negotiation: Terms and Conditions of Possible Transfer of NCRA Owned Real Property Interest in-fee from Sonoma/Mendocino County line to Healdsburg, and NCRA Freight Easement from Healdsburg to Lombard Pursuant to Government Code Section 54956.8**

The Board reconvened to Open Session at 4:28 p.m.

F. ANNOUNCEMENT OUT OF CLOSED SESSION

Direction was given to Real Property Negotiators.

G. CONDUCT OF BUSINESS

- 1.** Discussion and Possible Action Regarding Waiver of NCRA Board Policy to Appoint Board Positions of Chair, Vice-Chair, and membership on Standing Committees, and Extension of Existing Board Positions and Committee Membership Assignments through Calendar Year 2021

Chair Hagele asked for Public Comment. No Public Comments made.

Upon Motion by Dir. Marks, seconded by Dir. Campbell the Board Unanimously Approved Retainment of the Existing Board Assignments.

Motion Carried:

AYES: 8- Madrone, Marks, Haschak, Hart, Connolly, Campbell, Gore, and Chair Hagele

NOES: 0

ABSENT: 1- McCowen

ABSTAIN: 0

- 2.** Discussion and Possible Action Regarding Approval of Lease Agreement, County of Humboldt Bay Trail South Project

Chair Hagele asked for Public Comment.

Uri Driscoll- Mr. Driscoll said he is concerned with the 60% design plan for the Humboldt Bay Trail South project and has submitted comments through the County and the Coastal Commission. He said he has concerns that the plan does not mention the types of usage for this trail or the difficulty it could present for speeders, rail bikes, trolleys, and other lightweight vehicles on specific sections of the proposed trail. He also said that the written testimony from THA has been submitted regarding this issue. He also said that the county should not remove any ties or rail unless and until railbanking is approved by the STB. He said any decision to do otherwise would violate STB guidance and invite legal challenges.

Karen Underwood, Humboldt Trails Council- Ms. Underwood said the Humboldt Trails Council serves as a unified voice in support of the development of trails for transportation and recreational use in

Humboldt County. She said the Trails Council has over 1,000 active supporters who sponsor the volunteer trail stewardship program that work on maintenance of trails with partner with cities and the county to create trail opportunities throughout Humboldt County. She also said that they are looking forward to the completion of the Humboldt Bay Trail South and that the final 4 plus miles of trail will complete the Arcata to Eureka connection, an important safety measure for bikers who currently compete with cars along the busy 101 corridor.

Emily Sinkhorn, Eureka resident- Ms. Sinkhorn said she feels the completion of the Humboldt Bay Trail has been a long time goal for Humboldt County residents because there is an immediate need for walking and biking trails for residents. She also said that the advancement of this project has been commendable and the increase in trail use is a major public benefit for the community and commuters. Mr. Sinkhorn also said that an active tourist train around the bay would greatly benefit the community and bring tourism and jobs to the county.

Pete Johnston, Timber Heritage Association (comment read aloud by Secretary)-
Comments as follows:

Timber Heritage Association is fully behind the plan for trails around the Bay but has some serious concerns with the current 60% plan for the Bay Trail South project. These concerns were outlined in a letter sent to all NCRA directors and staff 10/7/20. Full text of that letter follows this comment card. In short, we feel the section that includes removal of the rail without plans for replacement needs to be addressed and feel the wooden deck/open flangeway option needs to be further vetted in the proposal.

Mike Pechner- Mr. Pechner said that he supports the THA's comments and concerns regarding retention of a rails with trails policy in Humboldt County that leaves open the potential for speeders and/or an excursion train to coexist with trail users on NCRA right of way in Humboldt County.

Director Marks – Dir. Marks said in 2009 when he was elected to the Humboldt Bay Recreation Conservation District one of his goals was to help create a hiking and biking trail around the bay. He said he is very pleased that we are finally making real progress toward the realization of that goal.

Hank Seemann- Mr. Seemann said that former NCRA Dir. John McCowen provided invaluable assistance in the development of rails with trails projects in Humboldt county. Mr. Seemann publicly thanked Dir. McCowen for all of his efforts in the development of rail with trail policy on NCRA right of way.

Upon Motion by Director Marks, seconded by Director Madrone the Board Unanimously Approved Lease Agreement, County of Humboldt Bay Trail South Project

Motion Carried:

AYES: 8- Madrone, Marks, Haschak, Hart, Connolly, Campbell, Gore, and Chair Hagele

NOES: 0

ABSENT: 1- McCowen

ABSTAIN: 0

3. Discussion and Possible Action Regarding Approval of Amendment to License Agreement, City of Ukiah Rails with Trails

Chair Hagele asked for Public Comment. No Public Comments made.

Upon Motion by Dir. Hart, seconded by Dir. Gore the Board Unanimously Approved Amendment to License Agreement, City of Ukiah Rails with Trails.

Motion Carried:

AYES: 8- Madrone, Marks, Haschak, Hart, Connolly, Campbell, Gore, and Chair Hagele

NOES: 0

ABSENT: 1- McCowen

ABSTAIN: 0

4. Discussion and Possible Action Regarding approval of Documentation of Transfer of Real Property Interest in fee from Sonoma/Mendocino County line to Healdsburg, and NCRA Freight Easement from Healdsburg to Lombard to SMART, pursuant to Agenda Item E.3, November 16, 2020

Chair Hagele asked for Public Comment. No Public Comments made.

Upon Motion by Dir. Haschak, seconded by Dir. Hart the Board Unanimously Approved Documentation of Transfer of Real Property Interest in fee from Sonoma/Mendocino County line to Healdsburg, and NCRA Freight Easement from Healdsburg to Lombard to SMART, pursuant to Agenda Item E.3, November 16, 2020

Motion Carried:

AYES: 8- Madrone, Marks, Haschak, Hart, Connolly, Campbell, Gore, and Chair Hagele

NOES: 0

ABSENT: 1- McCowen

ABSTAIN: 0

H. CONSENT CALENDAR

1. Approval of Minutes – Special Board Meeting – November 16, 2020
2. Approval of NCRA Financial Statements – November 2020
3. Approval of Warrants Issued – November 2020
4. Approval of Cal Card Statement – November 2020
5. Authorization for Executive Director to Advance Property Related Documents to CTC for Approval : CSW/ST2 Vero Networks – Pipeline Crossing; Phillips 66 Company – Encroachment Permit; EPD Solutions – Private Commercial Grade Crossing; Humboldt Bay Municipal Water District – Utility Crossing and Additional Easement

Chair Hagele asked for Public Comment. No Public Comments made.

Upon Motion by Dir. Marks, seconded by Dir. Campbell the Board Unanimously Approved Agenda Items H.1 through H.5 as presented. The Board also Authorized Executive Director to Advance Property Related Documents to CTC for Approval.

Motion Carried:

AYES: 8- Madrone, Marks, Haschak, Hart, Connolly, Campbell, Gore, and Chair Hagele

NOES: 0

ABSENT: 1- McCowen

ABSTAIN: 0

I. STAFF REPORT – Mitch Stogner – Executive Director

Executive Director Stogner said the CTC approved the NCRA Strategic Plan, the initiation of Railbanking North of Willits, the transfer in fee from the Mendocino/Sonoma County line to Healdsburg to SMART, and transfer of the freight easement from the Mendocino/Sonoma County line to Brazos Junction to SMART.

J. MATTERS FROM THE BOARD

Dir. Madrone- Dir. Madrone said he thinks the emphasis on multi use trails along the railroad right of way in Humboldt County is a positive development that will benefit all the citizens of Humboldt county.

K. ANNOUNCEMENT OF NEXT MEETING

Regular Board of Directors Meeting Teleconference
Monday, March 8, 2021 - 10:30 a.m.

L. ADJOURNMENT

Chair Hagele adjourned the meeting at 5:08 p.m.



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**NORTH COAST RAILROAD AUTHORITY (NCRA)
Special Board of Directors Meeting
Teleconference**

MINUTES

Friday, January 29, 2021 at 2:30 p.m.

A. CALL TO ORDER

Vice Chair Connolly called the meeting to order at 2:38 p.m.

B. ROLL CALL

Directors Present: Marks, Madrone, Mulheren, Haschak, Hart, Campbell, Vice-Chair Connolly

Director Absent: Gore and Hagele

Others Present: Executive Director – Mitch Stogner, Legal Counsel – Elizabeth Coleman, and Recording Secretary – Hiedy Torres

C. AGENDA APPROVAL

Vice-Chair Connolly called for Public Comment. No Public Comments were made related to the Agenda Approval.

Upon Motion by Director Marks, seconded by Director Campbell the Agenda was Unanimously Approved as presented.

Motion Carried:

AYES: 7- Marks, Madrone, Mulheren, Haschak, Hart, Campbell, Vice-Chair Connolly

NOES: 0

ABSENT: 2 – Gore and Hagele

ABSTAIN: 0

D. PUBLIC COMMENT –

Mike Pechner- Mr. Pechner asked if the money SB 1029 appropriated for the NCRA was ever received?

Vice-Chair Connolly called for Public Comment. No Public Comments were made related to Closed Session.

The Board adjourned to Closed Session at 2:41 p.m.

E. CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Government Code Section 54956.9(a)
 - a. SOCO Investments LLC V. NORTH COAST RAILROAD AUTHORITY**
Sonoma County Superior Court Case No. SCV-267552

The Board reconvened to Open Session at 2:55 p.m.

F. ANNOUNCEMENT OUT OF CLOSED SESSION

Direction was given to Counsel.

G. CONDUCT OF BUSINESS

- 1. Discussion and Possible Action Regarding Caltrans purchase of NCRA Easement in Mendocino County for Calpella Bridge Overcrossing at MP 122.**

Vice-Chair Connolly called for Public Comment. No Public Comments were made related to Agenda item G.1.

Upon Motion by Director Haschak, seconded by Director Mulheren the Purchase of NCRA Easement in Mendocino County was Unanimously Approved.

Motion Carried:

AYES: 7- Marks, Madrone, Mulheren, Haschak, Hart, Campbell, Vice-Chair Connolly

NOES: 0

ABSENT: 2 – Gore and Hagele

ABSTAIN: 0

H. ANNOUNCEMENT OF NEXT MEETING

Regular Board of Directors Meeting Teleconference
Monday, March 8, 2021 - 10:30 a.m.

I. ADJOURNMENT

Vice Chair Connolly adjourned the meeting at 3:04 p.m.



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MINUTES

Thursday, February 18, 2021 at 8:00 a.m.

A. CALL TO ORDER

Chair Hagele called the meeting to order at 8:01 a.m.

B. ROLL CALL

Directors Present: Marks, Haschak, Mulheren, Hart, Campbell, Connolly, Chair Hagele

Directors Absent: Gore and Madrone

Others Present: Executive Director – Mitch Stogner, Legal Counsel – Elizabeth Coleman, and Recording Secretary – Hiedy Torres

C. AGENDA APPROVAL

Upon Motion by Director Hart, seconded by Director Marks the Agenda was Unanimously Approved as Presented.

Motion Carried:

AYES: 7- Marks, Haschak, Mulheren, Hart, Campbell, Connolly, Chair Hagele

NOES: 0

ABSENT: 2 – Gore and Madrone

ABSTAIN: 0

D. PUBLIC COMMENT –

Mike Pechner – Mr. Pechner asked if the money from the state had been received. He then said that in 1989 the NCRA formed with no funding, no state agency can continue without funding, and Mr. Hemphill and Mitch Stogner kept the NCRA afloat despite the lack of funding. He also said that the NCRA is needed more than ever to protect the railway.

Mitch Stogner – Mr. Stogner responded to Mr. Pechner' s comment and stated that the money is part of the state budget and has been encumbered to continue NCRA until a successor agency is named.

E. CONDUCT OF BUSINESS

1. Discussion and Possible Action Authorizing Counsel to Circulate and File all Documents Before the Surface Transportation Board as Necessary to Effectuate Railbanking of MP 139.5 near Willits to MP 284.1 near Eureka Including Related Branch Lines

Director Madrone joined the meeting at 8:19 a.m.

Chair Hagele called for public comment on this item.

Public Comment:

Director Haschak- Dir. Haschak asked what the status is for the line from Willits south to the county line and why can't that portion be railbanked?

Mitch Stogner- Mr. Stogner responded to Dir. Haschak and said that portion may be railbanked in the future, but at this time, the southern end of the line will be transferred to SMART as the designated freight carrier, and the line north through the Eel River Canyon will be used for a multi-use trail.

Director Madrone – Dir. Madrone said he is in full support of this railbanking process and is available to help move this trail forward.

Director Marks – Dir. Marks said this is a sad day, trains will not be an option, but he is excited the NCRA is in support of a trail.

Mike Pechner- Mr. Pechner said the cost of a trail would be almost as much as putting the rail back in. He also said that the trail is absolutely negative and that dissolving the Authority is ridiculous.

Upon Motion by Director Marks, seconded by Director Haschak the Board Unanimously Approved Action Authorizing Counsel to Circulate and File all Documents Before the Surface Transportation Board as Necessary to Effectuate Railbanking of MP 139.5 near Willits to MP 284.1 near Eureka Including 3 Related Branch Lines - Carlotta, Korbelt, and Samoa.

Motion Carried:

AYES: 8- Marks, Madrone, Haschak, Mulheren, Hart, Campbell, Connolly, Chair Hagele

NOES: 0

ABSENT: 1 – Gore

ABSTAIN: 0

F. ANNOUNCEMENT OF NEXT MEETING

Regular Board of Directors Meeting Teleconference
Monday, March 8, 2021 - 10:30 a.m.

G. ADJOURNMENT

Chair Hagele adjourned the meeting at 8:22 a.m.