

HUMBOLDT BAY MUNICIPAL WATER DISTRICT

Board of Directors Meeting

November 2018



MINUTES



HUMBOLDT BAY MUNICIPAL WATER DISTRICT
828 7th Street, Eureka



Minutes for Meeting of Board of Directors

October 11, 2018

A. **ROLL CALL**

President Woo called the meeting to order at 9:00 am. Director Rupp conducted the roll call. Directors Fuller, Hecathorn, Latt, Rupp and Woo were present. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris and Board Secretary Sherrie Sobol were also present. Maintenance Supervisor Ryan Chairez and Regulatory Analyst Samantha Ryan were present for a portion of the meeting. Pat Kaspari of GHD and Legal Counsel Paul Brisso and Ryan Plotz were also present for a portion of the meeting.

B. **FLAG SALUTE**

President Woo lead the flag salute.

C. **ACCEPT AGENDA**

On motion by Director Latt, seconded by Director Hecathorn, the Board voted 5-0 to accept the agenda.

D. **MINUTES**

The Board requested two changes to the Minutes of September 13, 2018 Regular Board Meeting. One was to correct a misstatement and the other to add clarification. On motion by Director Rupp, seconded by Director Fuller, the Board voted 5-0 to approve the amended minutes of the September 13th Regular Meeting and the September 25, 2018 Special Board Meeting.

E. **PUBLIC COMMENT**

No public comment was received.

F. **CONSENT AGENDA**

Director Rupp requested Item 1: Ruth Lake CSD Minutes be pulled. On motion by Director Rupp, seconded by Director Hecathorn, the Board voted 5-0 to accept the agenda less Item 1.

Ruth Lake CSD August 2018 minutes

Director Rupp commented on the Public Comment section of the minutes. He expressed concern regarding the tone of the comment and that Mr. Saunderson feels as if the District is “not saying much”. Director Rupp stated the District has been very transparent. The District has been using the same methodology for years and the data shows the lake levels this year are comparable to last years. He suggested staff provide a presentation to the Ruth Lake CSD Board and the Humboldt CSD Board since Mr. Saunderson is on the board there and they have expressed concern regarding instream flow. Director Latt firmly reiterated the District is very transparent and we need to correct any erroneous contrary thoughts. He added the Humboldt CSD Board seems to be under the impression that the District is releasing “additional flows” with the instream flow option. We are not releasing water at a cost to ratepayers and decisions are not done in secrecy.

Mr. Friedenbach concurred that it could be helpful to provide additional education regarding the District’s established process regarding releases from Ruth Lake. As background, he shared that Mr. Saunderson has expressed concern regarding perceived lower lake levels in bass spawning areas. Staff has explained to him the lake levels are similar to last year, perhaps there is additional sedimentation in the area, but the lake levels are not significantly lower. He stated that Mr. Francesconi (RLCSD) seems open to receiving communication and input. He shared that Mr. Francesconi contacted him on another matter to request input. On motion by Director Rupp, seconded by Director Latt, the Board voted 5-0 approve Consent Agenda Item 1.



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G. **CORRESPONDENCE**

Email from USFW re: Dunes Guild

Mr. Friedenbach stated he included the email for informational purposes and it is not listed for any action. He noted that staff received two inquiries regarding the email and one of them provided comment via email that was shared as an addition to the Board packet.

Letter from CDFW re: Ruth Lake Headwaters Restoration Grant

The District received notification that the Ruth Lake Headwater Restoration project would not be receiving funding this grant cycle. Mr. Friedenbach stated the District will resubmit in another grant cycle. He also stated that he met with the new Six Rivers Forest Supervisor, Ted McArthur. One of the topics discussed was the grant, as well as the MOU for water withdrawal from Ruth Lake for fire suppression purposes. The meeting was very productive. Director Fuller suggested staff follow up with CDFW and ask for the scoring information as this might be helpful for the next grant cycle.

Email from CalOES re: NOI for Flood Mitigation Assistance Grant

Mr. Friedenbach shared the notice from CalOES stating the R.W. Matthews Dam Failure Inundation Maps NOI was “determined the NOI did not represent an eligible jurisdiction and/or activity”. He will follow up and ask CalOES why were invited to apply with this project only to be immediately denied. If the DSOD requires the District to update the existing FERC approved inundation maps, it could cost up to \$200,000.

H. **CONTINUING BUSINESS**

Water Resource Planning - re: water-use options under consideration (local sales, transport, and in-stream flow dedication)

Mr. Friedenbach stated there is not much to report out. He shared the article regarding the Sites Reservoir which could potentially have less water at its disposal. This could be a possible opportunity for water transport. Director Rupp concurred and suggested he and Mr. Friedenbach try to meet to discuss opportunities at the ACWA conference.

Cannabis Grows affecting Mad River Watershed

The Board discussed the two articles regarding eradication of illegal cannabis grows in the Mad River Watershed.

The Mad River Policy Committee reported out on their meeting. Attorney Leslie Walker participated in the meeting and provided good input. The committee drafted policy on HBMWD’s Interests and Actions with Respect to Zoning and Land Use Changes that Potentially Affect the Mad River Watershed. The Board discussed the policy and provided suggestions including removing the first set of bulleted points and adding in the last paragraph that the GM will notify the Board President at a minimum. The Board suggested the draft policy be shared with the Municipal Customers to receive their input. Staff will bring the revised policy back to the November Board meeting for possible approval.

Humboldt County Public Hearing re: New Zoning Districts proposed to be added and properties

The new zoning districts for Humboldt County was not discussed at the October 4, 2018 Planning Commission meeting due to lack of time and was continued to October 18, 2018. Mr. Friedenbach shared the letter the District sent expressing concerns. He stated he met with John Ford and John Miller to discuss the concerns as well. He shared the email received from John Ford which shared the proposed changes addressing some of the concerns. It wasn’t exactly what was requested but the changes are acceptable. Mr. Friedenbach requested clarification on proposed County Code section



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314-55.3.4.1 and John Ford clarified that once a cannabis project application is withdrawn, if it is not revised within 180 days it cannot be revived and a new cannabis project application must be submitted and the process begins over again.

I. **NEW BUSINESS**

Water Loss Audit 2017

Ms. Samantha Ryan, Regulatory Analyst provided the Water Loss Audit report for 2017. She discussed the new process and methods used to determine water loss. The District was able to account for 99.85% of its water. Director Fuller thanked Ms. Ryan for walking them through the report in manner that they could understand. Director Rupp concurred and thanked Ms. Ryan for a great job. Ms. Harris added she was not able to help with the water loss audit and that this was Ms. Ryan's first water loss audit. Ms. Ryan completed the report on her own with some office support assistance. Mr. Friedenbach also commended Ms. Ryan stating she quickly learned and understood the regulations and was able to provide accurate data.

Ms. Harris stated she conducted the Water Loss Audit Validations for the District and four Municipal Customers. The other agencies have an average of 16% loss and we have .15%. President Woo inquired how much time was spent on the validations and if it was worth it. Ms. Harris stated yes, she spent about 60 hours. She needed to create her own forms and report template which accounted for ten of those hours. Next year should be much less time. The Muni customers were appreciative of her validation of their water loss audit reports. Mr. Friedenbach commended her for a job well done.

J. **REPORTS (from Staff)**

1. **Engineering**

a) **Axel Property Development**

Mr. Friedenbach provided the staff report. He noted the two concessions the property owner was willing to make that resulted in a decrease of approximately 2000 square feet to their development. Staff is recommending approval of the revised site plan as one-time exception to our easement rights. Staff will continue to work with the City of Arcata to develop a land use policy via ordinance that will address this issue when future developments are proposed adjacent to our pipeline easement in the City of Arcata. He also shared the letter received from the Axel Properties attorney late last night. Superintendent Davidsen discussed the space needed and the equipment required in the event of broken pipeline and why the easement is important. Mr. Kaspari concurred and stated this is true regardless of where the break is, it is not specific to this property. Mr. Davidsen stated that if the Board approves the staff recommendation, he needs assurances that heavy equipment is not on our pipeline during their construction. Members of the public provided comment. Mr. Bryan Gaynor, attorney for Axel Properties stated he wrote the letter to the Board since he feels the accommodations made by his client are reasonable. Ms. Jennifer Dart from the City of Arcata Planning Department spoke and stated she is supportive of the District and Axel Properties coming to an agreement. She noted that the City of Arcata does not have authority to enforce a right-of-way. Ms. Woo asked Ms. Dart if the City of Arcata's Axel Project approval is conditioned upon an agreement between Axel Properties and the District. Ms. Dart confirmed this was however, Mr. Gaynor stated no in the background. Ms. Stacia Eliason, one of the owners of Axel Properties addressed the Board. She stated she was not aware of the easement in 2016 when the plans were drawn up. She stated she already has tenants with signed leases waiting to move in and feels that Axel Properties has made all the adjustments they can. Director Rupp asked her if she would be willing to submit a letter to the District acknowledging that she is aware of the possible damage resulting from a pipeline break due to their proximity on our easement. She stated she was



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willing to do so. Mr. Gaynor stated he has other consultants ready to speak and set the basis for a legal case. Director Rupp asked him why he felt the need to write a letter regarding legal proceedings when he clearly saw the staff recommendation to accept the revised plan. Mr. Gaynor stated he felt the need for the letter since Mr. Friedenbach would not commit to the Board agreeing with his recommendation, but stated he could not say what the Board would decide. He did state that if a pipeline break were to occur, his clients would do whatever they could to accommodate the repair. It is in their best interest to not have the foundations undermined. Director Latt addressed Ms. Eliason and stated he appreciated her conciliatory tone. His decision will be based on the facts presented by the Superintendent and staff. The Board entered into closed session at 11:30 am. The Board returned to open session at 12:25 pm and stated there was no reportable action. On motion by Director Latt, seconded by Director Rupp, the Board voted 5-0 to approve staff recommendation with reservations that the location of the improvements in proximate location the District's lines creates a significantly greater risk of damage to owner's improvements in the event of a line failure. Approval is conditioned upon owner's acknowledgement and acceptance of this risk in writing.

Director Rupp expressed concerns going forward with similar issues with other developers. The District operated in good faith and protection of our facilities is very important. Director Fuller appreciates staff meeting with the City of Arcata and property owners to reach an acceptable compromise.

- b) Blue Lake-FG CSD Water Line Replacement over Mad River (funded by Prop 84 NCIRWMP grant and FEMA Hazard Mitigation Grant)
Mr. Kaspari reported on the progress. Mercer Fraser should be ready to make the final connection next Monday. No water loss is expected with the exception of one house. Full completion of the project is anticipated by the end next week which is good since the grant deadline is November 7, 2018. Mr. Kaspari shared Progress Payment Request 3 in the amount of \$273,743.50 less retention for payment of \$260,056.33.
- c) Surge Tower Replacement (\$239,900 District Match)
Mr. Kaspari stated he anticipates bringing the Categorical Exemption to the Board in November, will request approval to go out for bid in December with actual bid requests occurring in January 2019.
- d) Collector Mainline Redundancy Hazard Mitigation Grants (\$763,000 District Match)
Mr. Kaspari stated there is no news regarding the grant. The District is still on the wait list.
- e) Reservoir Structural Retrofit Hazard Mitigation Grant Application (\$914,250 District Match)
Mr. Kaspari stated there is no news regarding the grant.
- f) Single Line Industrial Slough Crossing Hazard Mitigation Grant Application (\$679,750 District Match)
Cal OES staff indicated they will make grant decisions by end of the week.
- g) Matthews Dam Spillway Analysis Hazard Mitigation Grant Application (\$1,666,667 District Match)
Cal OES staff indicated they will make grant decisions by end of the week.



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h) Essex Emergency Chlorine Scrubber Hazard Mitigation Grant NOI (\$402,000 District Match)

Mr. Kaspari shared information on the RJ-2000 Emergency Chlorine Scrubber. The District submitted on NOI for the project October 5, 2018. This project would provide a redundant level of protection in the event of chlorine leak. The grant request is for \$1.3 million with a District match of \$335, 000. The original match was estimated at \$402,000 but they re-worked the numbers and were able to reduce costs.

i) Lazzar Properties on 27th Street in Arcata

Mr. Friedenbach stated he met with the property owner and discussed the District's easement concerns. The property owner understands the need for an agreement with the District before moving forward with the Arcata Planning department and is honoring the previous agreement with the prior property owners. Mr. Friedenbach will provide a staff report next month.

j) Status report re: other engineering work in progress

Nothing to report.

2. **Financial**

a) Financial Report

Ms. Harris provided the September financial report. She noted the General Reserves look thin because \$679,000 was paid for the Blue Lake Fieldbrook Water Line Replacement Project. That money will be reimbursed from grant funds once received. Director Rupp reviewed the bills and stated there were no problems. On motion by Director Rupp, seconded by Director Hecathorn, the Board voted 5-0 to approve the September financial report and vendor statement in the amount of \$638,955.58.

b) PARS Account Report

Ms. Harris shared the PARS report. Returns are around 3% with a balance of \$672,510.47 at the end of August.

c) Staff Demographics

Ms. Harris discussed the demographics report. She noted that she put the report together based on a request by Director Rupp. Using the CalPers retirement eligibility standards, there are currently eight people that are eligible to retire. Director Rupp stated that is 25% of our workforce and points out the urgency for succession planning. Mr. Davidsen noted that three of the positions are operators. An advertisement for a T-3 operator has been in place for three months and no T-3 operators have applied. This is going to be an issue in the not to distant future.

d) SB 998: Discontinuation of Residential Water Service

Ms. Harris discussed SB998 the Discontinuation of Residential Water Service. When originally introduced, the bill included electrical, gas, heat and water. After the first amendment to the bill, only water was left. This will most significantly impact the District with paperwork. There will be new requirements for specific written shut-off policies, procedures and payment alternatives. There will also be modification to the timing of customer notifications. She reviewed the various changes. Although compliance is not



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mandated until February 2020, staff is beginning to incorporate these changes into Ordinance 13, which is currently being revised.

e) RFP re: OPEB-GASB75

Ms. Harris stated the District sent a Request for Proposal (RFP) for a standard OPEB valuation to four agencies. Two agencies, GovInvest Inc, and MacLeod Watts submitted proposals. Staff reviewed the proposals and recommended the Board authorize staff to enter into an engagement agreement with MacLeod Watts for the required computations and disclosures for GASB 75. The Board asked several questions. On motion by Director Rupp, seconded by Director Latt, the Board voted 5-0 to approve staff recommendation to engage the services of MacLeod Watts.

3. Operations

Mr. Davidsen provided the September Operational Report. Maintenance work was conducted at Ruth and two operators went to Ruth for hydro plant operations training. A leak on a source water line was found on West End Road and staff was able to repair it the following day. A power outage occurred at the Hydro Plant and the TRF. Both outages were caused by a brush fires but generators were used and there were no issues. Training included CPR/AED, Rockwell Training in Sacramento, and Confined Space and Trenching and Shoring training conducted by United Rentals.

Supervisor Presentation on Chlorine System

Maintenance Supervisor Ryan Chairez provided a presentation on the District's Chlorine System. He provided an overview of the chlorination process and equipment, safety equipment used, system maintenance and leak response, including training. The Board asked several questions which Mr. Chairez responded to. Mr. Chairez thanked the Board for supporting the safety culture by budgeting for safety equipment and training. The Board thanked him for the presentation. Mr. Friedenbach stated he scheduled the quarterly supervisor presentations to provide the Board with a level of awareness of what happens during operational and maintenance activities. It also provides the supervisors an opportunity to gain public speaking skills and a platform to share their knowledge. Director Latt stated he appreciates the presentations and it gives the Board an opportunity to get to know the Supervisors better as well.

K. MANAGEMENT

CSDA

Mr. Friedenbach shared the 2018 CSDA Board election results. Ralph Emerson, the general manager of the Garberville Sanitary District is representing the Northern Network.

12kV Project- Engineering Statement of Qualifications (SOQ's)

President Woo recused herself and left the room. Mr. Friedenbach explained that one the SOQ's listed SHN as a subcontractor and President Woo did not want any perceived conflict of interest. He stated the District received two SOQ's, one from Whitchurch Engineering and one from GHD. Whitchurch Engineering listed SHN as a subcontractor. He stated the review panel consisted of himself, Superintendent Davidsen, Ms. Harris, Troy Nicolini of NOAA, and Brian Gerving of the City of Eureka. He discussed the rating process and criteria used to rank the SOQ's. The group unanimously selected GHD as the quality of their responses to the criteria used to rank the responses was much higher than Whitchurch's responses. GHD has been notified and a proposal requested. He stated that GHD does such an excellent job with their SOQ's that he is concerned that other firms may stop submitting SOQ's. He proposes to meet with Whitchurch and review their SOQ and share



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GHD's to help them provide a better SOQ in the future. The Board liked the idea and thanked him for being proactive in helping qualified agencies. Director Woo returned to the boardroom when the discussion was over.

2nd Annual California Water Professionals Appreciation Week, October 6-14, 2018

Mr. Friedenbach stated this is the second annual California Water Professional Appreciation Week. Each employee received a copy of Resolution 2018-06 acknowledging this week along with a cover letter thanking them for their service and dedication to our District.

CLOSED SESSION

The Board entered into closed session at 2:10 pm to discuss the claim against the District by Keith Castonguay. The Board returned to open session at 2:25 pm. The Board voted 5-0 to reject the claim presented by Mr. Castonguay on September 21, 2018.

L. DIRECTOR REPORTS & DISCUSSION

1. General -comments or reports from Directors

Director Rupp attended a Headwaters Fund board meeting and reported out. They will soon be dispersing grant funds.

2. ACWA – JPIA

Mr. Friedenbach stated the District applied for and received a Wellness Grant from JPIA. Employees provided input and agreed gym membership would be great, but grant funds would not cover the cost of one-month membership for each employee. Grant funds were used to purchase a healthy lifestyle cookbook for each employee and Board member. He provided the directors with their cookbook. Director Rupp stated he was pleased to see the District listed on the Wellness Grant list of recipients and acknowledged that it has a lot to do with the General Manager and thanked Mr. Friedenbach.

Director Rupp reported out on three JPIA meetings: Liability, Finance and Employee Benefits. He also attended a CAJPA Conference which was about insurance pools and how they work. He noted that JPIA, not the District, paid for his conference attendance.

3. ACWA

Mr. Friedenbach stated he included the ACWA Advisory for informational purposes only.

4. Organizations on which HBMWD Serves: RCEA, RREDC

Director Woo reported out on her attendance at a Bureau of Ocean Energy Management (BOEM) meeting in Sacramento. She attended the meeting on behalf of RCEA. She and other RCEA members were there to present their offshore wind energy project and why BOEM should select the RCEA project application. BOEM did not make any selection. The RCEA project still has a chance for funding as BOEM is continuing to review applications.

Director Hecathorn reported out on her attendance at the RCEA meeting. She attended as the alternate since President Woo was in Sacramento at the BOEM meeting. It was a short meeting and there was a presentation by Terra-Gen on the Humboldt Wind Project on Monument Ridge. President Woo thanked Director Hecathorn.



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ADJOURNMENT

The meeting adjourned at 4:05 pm.

Attest:

Sheri Woo, President

J. Bruce Rupp, Secretary/Treasurer

DRAFT

CONSENT

Times-Standard 10-18-2018

Fishing groups sue harbor district

Allegations include money mismanagement, failure to dredge marina causing problems for fishermen



Mixed clouds drift over Woodley Island Marina and Humboldt Bay. The harbor district was sued in September by two local groups who allege issues with dredging and money management. (Shaun Walker — The Times-Standard)

By PHILIP SANTOS | psantos@times-standard.com |

PUBLISHED: October 18, 2018 at 9:05 pm | UPDATED: October 18, 2018 at 11:41 pm

A lawsuit was filed against the Humboldt Bay Harbor Recreation and Conservation District by the Humboldt Fishermen's Marketing Association and Trinidad Bay Fishermen's Association.

The two fishing groups are suing over a long list of allegations that include alleged dredging failures and money management issues among other things. The lawsuit was filed in September.

"Our objection is that the harbor district has essentially abandoned their mandated duty to maintain and protect the Woodley Island Marina for the benefit of the fishing fleet," said Ken Bates, vice president of HFMA, who emailed a news release announcing the lawsuit.

Dredging issues

One of the primary reasons behind the lawsuit is the alleged failure of the harbor district to dredge the marina, which according to Bates has created a multitude of hardships for fishermen. He said that at this point, many boats are unable to get in and out of their slips unless it is high tide.

Larry Oetker, executive director of the harbor district, said he believes the marina hasn't been dredged since sometime between 2007-08. Oetker said this is primarily because the harbor district has been unable to secure permits to use their suction dredge, which Oetker says is the most environmentally friendly way to dredge.

"You cannot dredge if you do not get permits," he said.

The main holdup in acquiring the permits, according to Oetker, was concern over the impact the city's dredging equipment would have on longfin smelt, a species of fish listed as threatened under the California Endangered Species Act in 2009. The worry, according to Oetker, is that the longfin smelt would be sucked up by the suction dredge.

The harbor district recently changed tactics and applied for a permit to dredge with a clamshell dredge which is slow, inefficient, less environmentally sound and less cost-effective than the suction dredge, according to Oetker. He said suction dredging costs about \$12 to \$14 per cubic yard, whereas clamshell dredging costs about \$25 to \$45 per cubic yard. Oetker says suction dredging is the solution to the problem, as it costs less and provides potential material —dredge spoils — for restoration projects and sea level rise protection.

Within the past two months, Oetker said the harbor district has received all the permits necessary to dredge the marina with a clamshell dredge. They cannot begin, however, until July 15, 2019.

Andrew Stunich, the attorney representing the two fisherman's associations, said in an email, that "the district's attempts, if any, to keep the Marina properly dredged seems, at best, to have been less than determined."

According to Craig Goucher, president of TBFA, some boats risk losing their live catches if they dock at some of the slips, because the silt is so high it gets sucked into the water that floods the tanks where the catches are held. This means some boats, despite paying for a slip, have to tie up at other places if they have live catches on board, Goucher said.

Money management

Bates said the financial records kept by the harbor district are "strange."

The news release he provided about the lawsuit claims there was a "disappearance of \$656,000 from the Woodley Island Marina dredging fund in 2013," which then later reappeared.

"We don't know if they have any money or not," he said.

When asked whether or not these funds disappeared as Bates described, Oetker did not provide a "yes" or "no" response.

Instead, he said that during the harbor district's regular meeting July 26, 2018, it was recommended that staff establish the dredging fund balance.

"There are four different methods to look at the funds," Oetker said.

Of those, he said, he used one which determined the amount to be \$1,568,290.

A 'last resort'

A "routine case management conference" is set, Stunich said, but he did not provide a specific date. He added that the counsel for the harbor district states plans to file an objection asserting there is no factual basis for the case.

Bates said the lawsuit was a "last resort."

"We've tried and tried and tried to talk to these guys, but they just look at you and keep on going," he said. "Fishermen don't sue people. They go fishing."

Philip Santos can be reached at 707-441-0506

LOCO STAFF / 10/19/18 @ 1:40 P.M. / ENVIRONMENT

(MAP, PHOTOS) Rancher's Deal With North Coast Regional Land Trust Preserves 15,000 Acres in the Mad River Watershed

The Hunter Ranch, along the banks of the Mad River. Use the switcher in the top right of the map to switch between satellite, topographic and street views.

[IMPORTANT ED. NOTE: *Though the owners of this ranch recently sold a conservation easement that protects the land from subdivision — see below — this is still private property. You can't show up and have a picnic.]*

Press release from the North Coast Regional Land Trust:

The Northcoast Regional Land Trust (NRLT), the California Wildlife Conservation Board (WCB), and the landowner of the Hunter Ranch announced today that NRLT will permanently hold and steward a 15,682-acre conservation easement on the middle Mad River in eastern Humboldt County.

Known as the Hunter Ranch, this newly protected property includes thousands of acres of beautiful oak woodlands, mature Douglas-fir forest, rolling grasslands, and many miles of frontage on the Mad River—a source of drinking water for much of Humboldt County's residents. One highlight of the property is iconic Pilot Rock, a landmark often used by early travelers and an area that has been culturally significant going back thousands of years. The conservation partnership between NRLT, WCB, and the landowner will prevent subdivision of this expansive ranch, protecting its remarkable habitat and rich cultural history while providing for continued cattle ranching, a sustainable working forest, and long-term stewardship of the property.

A \$3 million grant from the WCB and a generous donation of nearly \$2 million in easement value from the landowner helped make this project possible. NRLT and its partners have been working toward the completion of the Hunter Ranch Conservation Easement since 2014.

"The Wildlife Conservation Board (WCB) is proud to be a partner with the Northcoast Regional Land Trust in the 15,682-acre Hunter Ranch Conservation Easement. The ability to preserve and protect working landscapes, including grazing and grasslands, wildlife habitat, cultural values, and the Mad River watershed, is great opportunity that WCB is honored to be a part of," said John Donnelly, WCB Executive Director.

This property has deep cultural significance due to its location within the Pilot Ridge Archaeological/Historic District, which is listed on the National Register of Historic Places. The Pilot Ridge area was traditionally used as a seasonal hunting ground and includes what are thought to be some of the earliest human settlements in the region.

"The land of Hunter Ranch, and the waters that flow through it, have long sustained both people and wildlife. The completion of this project will forever safeguard these critical natural resources as a permanent benefit to the Ranch's diverse inhabitants, the people and wildlife downstream, and the generations to come," said NRLT Executive Director Dan Ehresman.

This easement nearly doubles the number of acres conserved by the Northcoast Regional Land Trust, a leader in conservation in our community for almost 20 years.

“As we celebrate the completion of this far reaching conservation project, it is worth noting that this is a good time for landowners to be looking at creating their own conservation easements,” said Ehresman. “In addition to possible tax benefits, there is funding available for easement projects through the State of California for preserving working lands, conserving unique habitats, and protecting waterways. NRLT staff is available to discuss private land conservation options with landowners based in Humboldt, Trinity and Del Norte Counties.”

Photos: NRLT.



Oroville Dam's Main Spillway Fully Reconstructed

From the Department of Water Resources: 10/31/18



The Department of Water Resources (DWR) today announced it has met its goal of completely reconstructing the main spillway at Oroville Dam by Nov. 1 to be prepared for the upcoming winter. The newly constructed spillway is now built to its original design capacity of 270,000 cubic feet per second.

“DWR has again met the Nov. 1 public safety milestone with help from our state, federal and local agency partners, and our construction contractors,” said DWR Director Karla Nemeth. “We thank the surrounding communities for their patience and DWR staff who have worked tirelessly on the Oroville spillways over the past two construction seasons. Today’s milestone is significant, but there is still more work to do before we call this project complete.”

Concrete on the main spillway will have cured by December 1, in time for the rainy season and use of the main spillway if necessary. Dry finishing, joint sealing, completing sidewall backfill and site clean-up on the main spillway will also continue after November 1.

“More than 700 construction workers, many of them from Butte County and other parts of Northern California, literally worked day and night to make incredible progress during the 2018 construction season,” said Tony Meyers, DWR Project Manager for the Oroville Spillways Emergency Recovery Project. “Staff from nearly every corner of DWR worked on the project in some capacity over the past year and a half and their planning, execution and hard work contributed to meeting this November 1 milestone.”

Main Spillway

- The final erosion-resistant concrete (ERC) slab was placed on Thursday, Oct. 11. Crews placed a total of 378 ERC structural slabs in 2018. Combined with last year’s work, 612 new concrete slabs have been installed.
- Crews placed the final ERC wall on Thursday, Oct. 18. Crews placed a total of 126 ERC walls in 2018. Together with last year’s work, 204 new concrete walls have been installed.
- Final concrete placements on the energy dissipaters, or dentates, at the base of the main spillway were completed on Saturday, Oct. 20.
- The main spillway has now been reconstructed to its original design capacity of 270,000 cubic feet of water per second.

Emergency Spillway

- The roller-compacted concrete (RCC) splashpad was completed on Friday, Oct. 26. Crews placed approximately 700,000 cubic yards of roller-compacted concrete on the splashpad.

- Crews also completed construction of the RCC buttress at the base of the emergency spillway earlier this month.
- Placement of a structural concrete cap connecting the RCC buttress to the emergency spillway structure will be complete in early 2019.

Other Updates

DWR has completed an operations plan for the 2018-19 flood season that will guide reservoir operations from November 2018 through April 2019. The plan calls for DWR to maintain lower-than-average lake levels during the winter months to provide operational flexibility to ensure flood protection, meet water deliveries, meet environmental requirements, and prevent use of the emergency spillway this winter, as construction will continue on the emergency spillway into early 2019. DWR updated the plan with recommendations from the U.S. Army Corps of Engineers, the Federal Energy Regulatory Commission and the Division of Safety of Dams.

The Oroville Dam Safety Comprehensive Needs Assessment (CNA) Ad Hoc Group met for the second time Tuesday, Oct. 30. The Ad Hoc Group consists of 12 community members appointed by State Senator Jim Nielsen and Assembly Member James Gallagher to provide community perspectives to both DWR and an Independent Review Board (IRB) of dam safety experts throughout the CNA process. Video and material of the meetings will be posted online in the coming days.

In a first, California abolishes Compton's water district board after years of dirty-water allegations

By ANGEL JENNINGS/ LA Times
OCT 31, 2018 | 8:00 PM



Residents gather outside the Sativa Los Angeles County Water District office during a June meeting. (Rob Gourley / Los Angeles Times)

State officials on Wednesday removed the elected board and general manager of a water district that for years has been accused of serving brown, smelly water to its customers in Compton.

With a 22-page decree, the State Water Resources Control Board abolished Sativa Los Angeles County Water District's five-member board of directors and ousted its manager. In their place, the state appointed the county's Department of Public Works to temporarily run the district while officials seek to merge the small district, which delivers water to about 1,600 homes, with a larger provider.

The move marks the first time that the state has used its power to order the takeover of a water agency.

"For far too long, our residents have had to endure the unacceptable — they had no idea what would flow when they turned on their tap," L.A. County Supervisor Mark Ridley-Thomas said.

"Enough is enough. Los Angeles County is ready to step in and step up ... and immediately begin to triage the situation."

County officials will move into Sativa headquarters Thursday, said Paul Novak, executive officer of the county's Local Agency Formation Commission, which monitors Sativa.

Calls to Sativa were not immediately returned.

Novak said the takeover will not immediately fix the problems that have plagued the water district, including manganese-coated pipes that discolor residents' water. Officials estimated that \$10 million to \$15 million is needed to upgrade the 70-year-old pipes.

But it will get rid of the administration of a long-criticized agency accused of financial instability, nepotism, poor maintenance and mismanagement.

"These are the changes I think they will see: They will see staff that's more accessible, that is more transparent, that is communicating with the ratepayers on a regular basis," Novak said.

“Instead of encountering a board and staff that are hostile to the ratepayers, they will have people they can come in and communicate with.”

Department of Public Works Director Mark Pestrella said the county will meet staff Thursday to take control of Sativa’s facilities and assets, then come up with a plan to deliver clean, safe water to residents.

In September, Gov. Jerry Brown signed AB 1577, a bill introduced by Assemblyman Mike Gipson (D-Carson), that would allow for the dismantling of the Sativa board.

Two years ago, the state water board was granted the authority to install an administrator at a failing water system. However, the role has to be paid for by the state, and the law did not provide funding.

The governor signed legislation Sept. 17 that appropriates \$200,000 for a state-appointed administrator to helm Sativa. The L.A. County Board of Supervisors and the Local Agency Formation Commission had asked the state to appoint the county’s Department of Public Works as the interim administrator.

The takeover ends a long-fought battle over Sativa’s operations. Over decades, district officials have been accused of giving themselves illegal Christmas bonuses, hiring family members and lacking the funding to replace aging pipes, which deposit a high concentration of manganese into the water.

Outrage reached a boiling point when discolored water began flowing from taps with greater frequency this year. Customers posted videos online of tea-colored water coming from their faucets.

That prompted the Local Agency Formation Commission to vote in July to dissolve Sativa — a lengthy and rare process separate from state-directed takeover. The commission has scheduled a February hearing to continue the dissolution so that Sativa will no longer exist.

The state’s decision to have L.A. County take control of Sativa boiled down to the district’s inability to provide clean, safe drinking water to its ratepayers, authorities said. The decree listed numerous violations for failing to meet water quality standards and inadequate water monitoring, as well as infrastructure problems.

“I’m excited to be serving this community and to be taking on the challenge of bringing them sustainable, clean water supply, which all residents deserve,” Pestrella said.

8:00 p.m.: This article was updated with additional context about the district.

This article was originally published at 5:15 p.m.

State Puts County in Temporary Control of Troubled Sativa Water in Compton

Published Nov 1, 2018 at 1:26 AM | Updated at 2:31 AM PDT on Nov 1, 2018 NBC Los Angeles

The state Water Resources Control Board Wednesday turned over management of the troubled Sativa Water District, which has been under fire for delivering brown water to customers in Willowbrook and Compton, to Los Angeles County.

The county has been pushing for months to assume control of the district, accusing it of shirking its responsibilities to its customers -- most notably when residents began reporting the murky water coming from their taps earlier this year.

According to the state water board, Sativa "has consistently failed to provide customers ... with a reliable and adequate supply of pure, potable water as required by the California Health and Safety Code." The board's action Wednesday appoints the county Department of Public Works as a temporary administrator of the water district, pending a decision by the Los Angeles Local Agency Formation Commission on dissolving the district and transferring its operations to another company.

Los Angeles County officials, including Supervisors Mark Ridley-Thomas, will hold a news conference Thursday to discuss the county's takeover of the district.

Four water companies have previously expressed interest in taking over the district: California American Water, a subsidiary of American Water; Golden State Water Company, a subsidiary of American States Water Company; Liberty Utilities Co., a subsidiary of Canadian company Algonquin Power & Utilities Corp.; and Suburban Water Systems, a subsidiary of SouthWest Water Company.

The first three parent companies are publicly traded and the fourth is owned by institutional investors advised by J.P. Morgan Asset Management.

CORRESPONDENCE

State of California
Department of Fish and Wildlife

M e m o r a n d u m

Date: October 2018

To: Andrew Jensen
Interior Fisheries Supervisor, Northern Region
California Department of Fish and Wildlife

From: L. Breck McAlexander
Aquatic Invasive Species Coordinator, Northern Region

Subject: October 2018 Lower Mad River Aquatic Invasive Species (AIS) Due-Diligence Surveys, Humboldt County

Spot AIS surveys were conducted for New Zealand Mudsnails (*Potamopyrgus antipodarum*) and invasive mussels (*Dreissenid spp*) from approximately 16 river miles upstream of the mouth of the Mad River to its mouth at the Humboldt County Mad River Park in mid-October 2018. The surveys were in response to observations of New Zealand Mudsnail (NZMS) reported by Dr. Darren Ward, Humboldt State University, at the Humboldt Bay Municipal Water District (HBMWD) Dog Park and samples received from Damon Goodman, USFWS, from the Mad River County Boat Ramp in early October 2018.

Dr. Ward observed low density NZMS populations at the HBMWD Dog Park during one of his field classes in early October 2018. My surveys at this location did not produce any detections of NZMS or *Dreissenid spp.* (Figures 1-3)

In addition, I surveyed about 2/3 mile upstream of the Dog Park below the Mad River Pump 4 Disc Golf Course. (Figure 4). I did not detect NZMS (or *Dreissenid spp.*) at this location.



Figure 1. HBMWD Park near Pump 1 on the Mad River



Figure 2. HBMWD Pump 1 on the Mad River.



Figure 3. Mad River just west of Pump 1.



Figure 4. Mad River below the Mad River Pump 4 Disc Golf Course Park

Mr. Goodman provided samples from the Humboldt County Mad River Boat Ramp near the mouth of the Mad River in early October 2018. I picked these up at the Arcata CDFW office prior to my own surveys.

I surveyed within the Humboldt County Mad River Park (Figure 5) at the Boat Ramp (Figure 6)



Figure 5. Humboldt County Mad River Park.



Figure 6. Boat Ramp near mouth of Mad River.

and discovered high density populations of NZMS on the east side of the boat launch apron (Figures 7 and 8). No observations were made of Dreissenid spp. in this location and it is presumed that they are not present there.

L. Breck McAlexander
October 2018



Figure 7. Black specs show NZMS on a submerged rock at eastside of boat ramp.

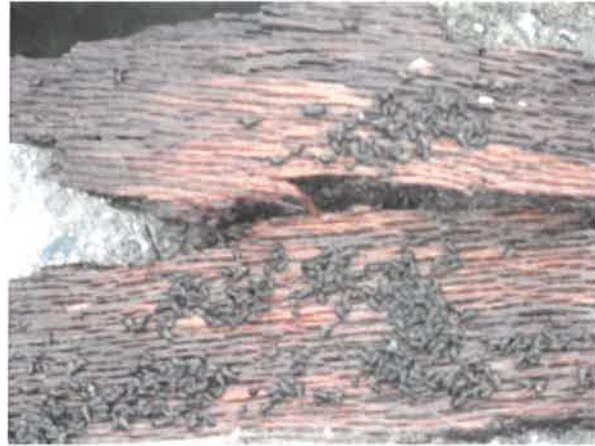


Figure 8. NZMS on pieces of bark submerged at eastside of boat ramp.

The mouth of the Mad River currently has high populations of NZMS approximately 16 river miles from the Mad River Hatchery.

Though my surveys did not confirm NZMS above the mouth of the Mad River, Dr. Ward's observations at the HBMWD Dog Park are conclusive (see Figure 9), indicating low density populations of the mudsnails currently exist to at least about river mile 8 of the Mad River. No detections of invasive mussels have been made in the Mad River watershed.



Figure 9. NZMS observed at HBMWD Park by Dr. Ward.
Photo by Darren Ward

Low density populations of mudsnails at the HBMWD Dog Park are currently about 8 river miles downstream of the Mad River Hatchery.

Destructive snails are invading Bay Area waters. And no one knows what to do

Peter Fimrite

Oct. 27, 2018 | Updated: Oct. 27, 2018 4:46 p.m.



UC Berkeley doctoral student Emily King is studying the behavior of New Zealand mud snails to find a way to stop their infestation.

Photo: Photos by Jessica Christian / The Chronicle

The tiny black dots on the soggy leaf that Emily King plucked out of Mount Diablo Creek the other day did not look very threatening, but the UC Berkeley biologist knows well how looks can be deceiving.

King, 25, has spent the past year and a half studying the smaller-than-tick-size specks, a dreaded sight for researchers familiar with what an infestation of New Zealand mud snails

looks like.

The otherworldly mollusks are among the most invasive alien species in the western United States and have recently spread into waterways in the Sierra and eight of the Bay Area's nine counties. It is an invasion, no less, of voracious armored critters, and nobody can figure out how to stop them.



Mount Diablo Creek, in the Contra Costa County town of Clayton, contains one of the highest concentrations of the creatures in the state. Close to 100,000 cover every square yard of rock, mud and vegetation during the summer, when their numbers are at their peak, King said, but hordes of them are there all the time.

“All of those black spots are snails,” King, a doctoral researcher in UC Berkeley’s Department of Integrative Biology, said as she took one specimen from the leaf and held it on her index finger. “This is an area that stays wet all year, so the snails really like it.”

UC Berkeley doctoral student Emily King is studying New Zealand Mud Snails in Mount Diablo Creek.
Photo: Jessica Christian / The Chronicle

New Zealand mud snails are a problem largely because of their uncanny ability to shut a trapdoor in their shell, walling themselves off in a virtually impenetrable suit of armor from hungry predators. This unique defense, and turtle-like ability to put themselves in a state of suspended animation, allow the creatures to pass through the digestive tracts of the salmon, trout and birds that swallow them and come out the other side ripe for more havoc.

The snail's digestive shield is not good for North American fish, some of which have been found with bellies full of the balled-up snails. The fish get no nutrients from the snails, become weak and are in danger of starving if they swallow too many.

Scientists think female mud snails were first imported from Down Under in the mid-1980s inside an imported fish or in a shipment of trout eggs delivered to an Idaho hatchery. The initial population, found in the Snake River, spread to other places in bait, fishing gear, wading boots and on boat hulls.

The tiny animals, which seldom exceed 5 millimeters in length, were first spotted in the Owens River, in the eastern Sierra, in 2000. Three years later, an infestation was found in the trout fishing stream Putah Creek, below Monticello Dam on Lake Berryessa Reservoir, east of Napa Valley.

They have since been found in Mount Diablo, Alameda, Strawberry and Walnut creeks in the East Bay, San Anselmo Creek in Marin County, and in tributaries along the Peninsula, according to a U.S. Geological Survey database.

"They are established throughout California and the other Western states," said King, who believes crawfish hunters inadvertently introduced them into Mount Diablo Creek in Clayton. "They seem to be able to get around, apparently by accident."

The snails have not yet been found in San Francisco Bay, where there is another snail invader rampaging. Whelk snails, also known as Atlantic oyster drills, hitchhiked in shipments of Atlantic oysters in the 19th century and are decimating native Olympia oysters. The ghoulish drills use a chain saw-like tongue to drill into oyster shells and suck out the insides. They have killed almost all the native oysters in Richardson Bay and as many as half of those in Tomales Bay.

“That’s the problem with bringing animals from one place to another,” King said, referring to the thousands of introductions over the years of crustaceans, mollusks, plants, reptiles, insects, mammals and other species to new habitat. “You need to know and watch out for the hitchhikers.”

Biologists don’t believe the New Zealand snails could tolerate the salty bay water like their whelk cousins, but they have been detected in brackish water near the salty mouth of the Columbia River in Oregon. They thrive in freshwater, especially in spots where people reel in salmon and trout, and inadvertently track things around on their boots.

Miles of trout fishing streams in Montana have been infested. In some places, such as Polecat Creek in Wyoming, concentrations of close to 700,000 per square yard have been recorded. Snails in Polecat make up 97 percent of the animal mass in the creek and eat 75 percent of the edible plant material.

“It’s not as bad (in the East Bay) as it is in other places, but the snails are spreading,” said King, who estimated that there were 90,000 snails per square yard in Mount Diablo Creek last summer. “You just wonder where they are going to go after here.”

King said the amazing population growth of mud snails in the western United States is happening because they possess yet another extraordinary ability: They can reproduce asexually. The snails essentially clone themselves, protect the duplicate embryos inside their shells and, when the babies are ready, spread the mini-me’s all over the place.

The armies of clones are both fertile and voracious, gobbling up all the available algae and aching out the larvae of native flies, which also feed on algae. That’s another strike against trout and salmon, which cannot find enough insects or larvae to eat when the snails are around.

Biologists have reported 50 to 90 percent declines in native invertebrates and fish in waterways where the snails are abundant.

Although there are 13 species of mud snails in New Zealand, only one strain made it to California, all of them genetically identical females, King said. One other strain, apparently transported in ship ballast water from Europe, was found in the Great Lakes, and a third one was found in Idaho, she said, but the vast majority are clones from the same genetic strain that spread into the Golden State.

In their native New Zealand, the snails are kept in check by specialized parasites and three species of fish that can crush the shells.

Other than crayfish, only the Tidewater Goby, a critically endangered fish that only exists in Humboldt Bay, can digest the snails in North America.

The emergency prompted the establishment of a national New Zealand Mud Snail Management and Control Plan 15 years ago, which led to the tightening of fish stocking requirements and stepped up efforts to find and eradicate pathways for the pest's spread, including inspections of boat hulls.

Anglers are now strongly encouraged to inspect and clean their gear, preferably with copper sulfate, a known mud snail killer, after each excursion.

But the gastropods just keep coming.

King intends over the next four years of her dissertation research to unlock the secrets of female asexuality, which might also answer why the males, which cannot reproduce without a mate, even exist. She also hopes to figure out how the snails suspend their metabolism and survive in the stomachs of other animals.

She said her research will focus in on the creatures' behavior around predators and adaptations to different water conditions and food in Mount Diablo Creek.

"All of those factors will be impacted by a changing climate, likely favoring the snails," she said. That's why "we need to find out what are the boundaries and what we can do."

Peter Fimrite is a San Francisco Chronicle staff writer. Email: pfimrite@sfchronicle.com Twitter: [@pfimrite](https://twitter.com/pfimrite)





SECTION G2 PAGE NO. 1
HUMBOLDT BAY MUNICIPAL WATER DISTRICT

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JOHN FRIEDENBACH

October 15, 2018

Karen Diemer
Arcata City Manager
736 F Street
Arcata, CA 95521

RE: Collaboration for land use policy

Hello Karen,

As you are aware, our District has transmission pipelines that run through the City of Arcata. We also have recorded property easements associated with those pipelines. As property owners develop their properties within the Arcata City Limits, they need to be aware of our easements and how they can affect their projects. In January of 2017, we sent letters to all property owners within Arcata where we have easements. We clearly stated it is not our intent to hinder development, but to protect our infrastructure. We suggested the property owner meet with us prior to drawing up plans in an effort to streamline the process with the Arcata Planning Department. I have attached the letter for your reference.

Unfortunately, property owners are not consulting with the District prior to drafting plans and submitting them to the Arcata Planning Department. This can result in project delays and additional expenses for the property owner. It also causes additional work for City and District staff. This was evident in the most recent proposed development by Axel Properties, LLC. on West End road. David Loya, Saskia Burnett and Nancy Diamond each put in extra work to process the design review application. I would like to acknowledge and express my appreciation for their extra time and effort put into this project to address our concerns.

We would like to minimize the impact on City staff going forward. We are uncertain as to your process but would like to facilitate discussion and request collaboration with your staff to develop a land use policy via ordinance concerning our easements for our infrastructure that run through the City of Arcata. Based on discussions with attorneys, we believe a land use policy via Ordinance by the City of Arcata will help prevent issues such as those we all experienced with the Axel Property, streamline the planning process, and reduce staff time for the City of Arcata. If you agree, kindly contact me to initiate that process.

I look forward to working collaboratively with you and your staff to develop a City of Arcata land use policy that will be mutually beneficial.

Regards,



John Friedenbach
General Manager

cc: David Loya and Nancy Diamond, City of Arcata
Paul Brisso, District Legal Counsel



SECTION G2 PAGE NO. 3
HUMBOLDT BAY MUNICIPAL WATER DISTRICT

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GENERAL MANAGER

PAUL HELLIKER

January 5, 2017

Po Box
Arcata, CA 95518

RE: APN#

Dear Arcata Property Owner,

You are receiving this letter because our District has an easement on your property for our pipeline(s) that run under your property. These pipelines may be either a 27" or 51" main transmission line that provide domestic or industrial water for our customers.

Recently, some property owners with whom we have an easement have gone to the Arcata Planning Department with plans drafted for their project that did NOT take into consideration our easement. This has caused some issues and additional expense for them. Additionally, some have had to re-design their projects to incorporate our easement rights.

It is not our intent to hinder development, but to help you and keep our pipeline protected. The site specifications vary by property and are based on topography, location where the pipeline traverses your property, the type and size of proposed development, and other factors. If you intend to develop or subdivide your property, we suggest you contact us to discuss our easement and any limitations prior to investing in drawing up any plans. This will also streamline the process when you bring your project to the Arcata Planning Department.

If you do not have plans for development on your property in the near future, please simply file this information with your other property documents in case you decide to make changes in the future.

Feel free to contact us with questions or to arrange a meeting to discuss your planned development.

Sincerely,

Paul Helliker

General Manager

cc: City of Arcata Planning Department
Humboldt County Planning Department



SECTION G.3, PAGE NO. 1
HUMBOLDT BAY MUNICIPAL WATER DISTRICT

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GENERAL MANAGER

JOHN FRIEDENBACH

October 18, 2018

Dennis Johnson, Chair
Ruth Lake CSD
12200 Mad River Road
Mad River, CA 95552

Subject: Continuing our improvements in communication

Dear Dennis:

Thank you for sharing the minutes of Ruth Lake CSD meetings with us. Until we can attend each other's meetings occasionally, an exchange of our minutes is a next best step in keeping ourselves informed.

In the RLCSD August 9, 2018 minutes, one member of the Ruth Lake Leaseholders Association expressed concern that HBMWD is not forthcoming about "water flow from Humboldt Bay [Municipal Water District]". We would like to address this concern, although I am assuming that "water flow" could be either 1) current releases from Ruth Lake, or 2) possible changes in releases if or when a Petition for Change in HBMWD's water rights is granted.

Releases from Ruth Lake and lake levels are monitored closely by HBMWD staff. One way the public can easily see Ruth Lake levels and release information is on our monthly graphs that are in the Operations section of the monthly board packet, posted on the District's website. To access these graphs online, go to hbmwd.com, click on Meetings, then scroll down and select any meeting date. Then click on the bullet point that says "___month___ Board Packet.pdf" and scroll through the pdf until the Operations section. The Operations report provides flow into the lake from the Mad River at Zenia Bridge, and three lake levels (for the month, the same month one year previously, the same month's ten-year average). It also includes the average discharge for the month. The monthly graphs follow the memo portion of the Operations report.

As Ruth Lake CSD board members are aware, we have excess water rights due to the loss of the two pulp mills on the Samoa Peninsula. To preserve local control over our water rights, HBMWD is considering filing a Petition for Change with the State. HBMWD received a nearly \$700,000 grant to perform studies needed to support the Petition of Change application. No ratepayers' dollars are being spent on these studies. The Petition for Change, if proven beneficial, may result in slight changes in releases, and will be the ending activity for securing a portion of our excess water rights under the instream flow water use option, which will support and increase local control. The instream flow water use option is one of three, with the other two being continuing local sales and

pursuing transfer to another public agency. The water use options resulted from our public water resources planning process, which was very well documented and is also posted on HBMWD's website. From the homepage, click on Reports & Resources, then Water Resources Planning.

Thanks again for sharing your meeting minutes, and let's keep our communications lines open.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheri Woo". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sheri Woo
President, HBMWD Board

cc: Mike Francesconi, RLCSD General Manager
John Friedenbach, HBMWD General Manager

CONTINUING BUSINESS

HUMBOLDT BAY MUNICIPAL WATER DISTRICT

To: Board of Directors
From: John Friedenbach
Date: November 2, 2018
Subject: Water Resource Planning (WRP) – Status Report

.....

The purpose of this memo is to summarize recent activities and introduce next steps for discussion.

1) Top-Tier Water Use Options

a) Local Sales

No significant activity has transpired on this topic during the past month. Periodically our office receives inquiries to issue “Will Serve” letters for new cannabis enterprises.

b) Transport

I have received a couple of emails from Erico Tavares regarding ocean transport of water. He continues to move his project forward, but remains in the fact finding stages.

c) Instream Flow Dedication

A site visit was conducted on October 29th by the Wildlife Conservation Board grant staff, Alyssa Persau and Water Board Stream Flow staff, Alex Balcerzak. Participants included: Sheri Woo, John Friedenbach, Dale Davidsen, Pat Kaspari, Sharon Kramer, Dennis Halligan.

LOCO STAFF / 10/9/18 @ 9:45 A.M. / MARIJUANA
AND/OR CANNABIS

Humboldt Sheriff's Office Releases 2018 Weed Raid Stats: 65
Operations, 198,692 Plants Eradicated, \$3M Seized

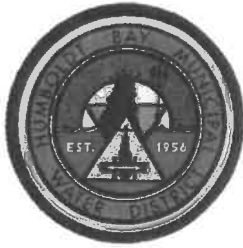


Humboldt County Sheriff's Office press release:

The Humboldt County Sheriff's Office Drug Enforcement Unit (DEU) has concluded the 2018 Domestic Cannabis Eradication/Suppression Program (DCE/SP) grant cycle (October 2017 to September 2018). During the 2018 cycle the following statistics were calculated:

- 65 operations conducted
- 198,692 Marijuana plants eradicated
- 12,591.06 pounds of marijuana bud destroyed
- 11,561.98 pounds of marijuana shake destroyed
- 4 Butane Honey Oil labs disrupted
- 656.85 pounds of Butane Honey Oil destroyed
- \$3,160,570 in US currency seized
- 14 arrests
- 36 firearms seized

The DCE/SP grant is funded by the Drug Enforcement Administration with the intent to reduce domestic marijuana cultivation. The DCE/SP grant started in 1979 and funds deputy overtime costs, expendable and non-expendable equipment, aircraft rental and training/travel costs. The Sheriff's Office has been a recipient of this grant for the past 20 years and received \$154,000 for the 2018 grant cycle.



SECTION H3 PAGE NO. 1
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GENERAL MANAGER

JOHN FRIEDENBACH

November 1, 2018

Planning Commission
Humboldt County
3015 H Street
Eureka, CA 95501

**RE: Zoning Text Amendments and Zone Reclassifications
November 1, 2018**

Dear Planning Commission,

Humboldt Bay Municipal Water District (District) submits this letter in response to the Zoning Reclassification proposed for Assessor Parcel Number 504-161-010 (Parcel) currently zoned Agriculture General (AG). The Parcel is the subject of the District's January 26, 2018 appeal to Humboldt County. While the zoning changes proposed in early October 2018 designated the Parcel Agriculture Exclusive (AE), with Mineral Resource (MR) and Streamside Management Areas and Wetlands (WR) combining districts, page 44 of the November 1, 2018 Planning Commission staff report suggests that staff now proposes to zone the Parcel Heavy Industrial (MH) with an unspecified Qualified combining district. For the reasons stated below, as well as in our prior letters, the District continues to oppose rezoning the Parcel to permit heavy industrial activities adjacent to the Mad River and the drinking water intake infrastructure.

The County proposes rezoning various parcels to make them consistent with their land use designations under the 2017 General Plan. The 2017 General Plan designates the Parcel Industrial, Resource Related (IR). "This designation provides areas for resource-related industrial processing such as timber, agriculture and mineral products processing in areas not typically served by urban services and therefore not suitable for a broader range of industrial uses." (General Plan, p. 4-49.) The 2017 General Plan identifies five zoning classifications consistent with the IR General Plan Designation: Limited Industrial with a Qualified combining zone (ML), Heavy Industrial with a Qualified combining zone (MH), Flood Plain (FP), Agriculture Exclusive (AE), and Timber Production Zone (TPZ). (2017 General Plan Table 4-H.) and current staff report page 48.

Recognizing the environmentally sensitive location of the Parcel, in early October of 2018, staff proposed designating the Parcel AE, with MR and WR combining districts. The AE designation is more appropriate for the Parcel located adjacent to the Mad River. On-site uses should be limited to all general agricultural uses and any vested rights that the property owner may currently possess. The WR

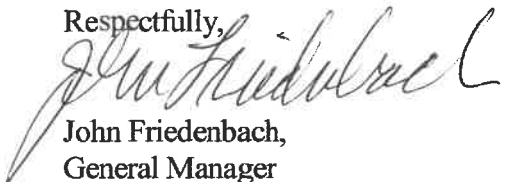
combining district would require compliance with the Streamside Management Area Ordinance, consistent with General Plan Policy BR-5. Instead, the zoning change to MH contained in the November 2018 staff report will allow industrial manufacturing “subject only to regulations as are needed to control congestion and protection of surrounding areas,” which regulations are not identified. (Zoning Ordinance 314-3.3.) This could allow for an expansion of industrial uses on the property in the future.

The District is concerned that such uses may be detrimental to water quality and watershed habitat. In fact, the National Oceanic and Atmospheric Administration’s comment to the County on the January 2018 effort to rezone the Parcel to MH stated that industrial zoning is incompatible with the designated critical habitat for salmon, steelhead and Pacific eulachon, in particular hazardous materials and manufacturing. (See March 19, 2018 letter from National Oceanic and Atmospheric Administration to Humboldt County Board of Supervisors.) The California Department of Fish and Wildlife suggests that at least one manufacturing use on the Parcel would result in the degradation of both aquatic and riparian habitat in the Mad River. (See February 27, 2018 California Department of Fish and Wildlife CEQA Referral Checklist.) The zoning proposed in early October respected the sensitive location of the Parcel by designating it AE and subject to the WR combining district. The current proposal abandons this approach without explanation as to how the new proposal will comply with the Streamside Management Area Ordinance. The November staff report in fact proposes to zone all parcels designated IR in the 2017 General Plan MH if their existing zoning is not consistent with the IR designation. This means that all properties currently zoned for general agriculture within the IR designation will be rezoned to the most intensive and environmentally harmful use permitted under the IR General Plan land use designation. In fact, two of the parcels listed on page 44 of the November 1 staff report are currently zoned either MH-Q or AE which are consistent with the IR land use designation and to not require any zoning change to be consistent with the 2017 General Plan.

Given these concerns, the County is unable to make the findings necessary to support the proposed rezone. In particular, the changes are not in the public interest. (Humboldt County Zoning Ordinance, § 312-50.) The staff report does not include a discussion of how a sweeping rezone of parcels designated IR to the most environmentally intensive land use is in the public interest. Further, the County cannot find that the zoning qualifies for streamlined CEQA review under CEQA Guidelines section 15168 (c)(2) and 15162 because the location of heavy manufacturing adjacent to the Mad River was not part of the project described in the General Plan Environmental Impact Report and therefore was not analyzed or mitigated.

Of particular concern to the District is the lack of transparency with respect to this proposed change. While we appreciate County staff working with the District to alert us of the issue, it is not clear that other interested parties and agencies have received notice of this proposed change or have been able to locate it within the November 2018 staff report. The District respectfully requests the Planning Commission either: 1) zone the parcel AE with a WR combining district or 2) defer decision on this matter until the County has taken the following two actions: a) studied the full environmental impacts of locating heavy industrial uses adjacent to the Mad River and adopted mitigation measures to address those impacts; and b) informed and solicited input from all parties potentially interested in the rezone.

Respectfully,



John Friedenbach,
General Manager



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1655 Heindon Road
Arcata, California 95521-4673

MAR 19 2018

In response refer to:
10012WCR2018AK00017

Humboldt County Board of Supervisors
825 Fifth Street
Eureka, CA 95501

Dear Supervisors:

I'm writing to provide comments from NOAA's National Marine Fisheries Service (NMFS) on the proposed Mercer Fraser MCMP, LLC, Zone Reclassification and Special Permit for a cannabis extraction facility in the Glendale Drive area of the Mad River. In particular, the California Environmental Quality Act (CEQA) Addendum (dated December 2017) to the Program and Supplemental Environmental Impact Reports (PEIR, SEIR) on Gravel Extraction on the Lower Mad River does not analyze the potential impacts associated with a cannabis extraction and manufacturing facility at the gravel processing site, nor do the gravel mining EIRs. In addition to the lack of CEQA analysis, we are also concerned with: 1) the location of the proposed facility within the 100-year floodplain that is within designated critical habitat for Endangered Species Act (ESA) listed coho salmon, Chinook salmon, steelhead and Pacific eulachon, 2) potential effects on ESA listed salmon, steelhead and Pacific eulachon, and 3) the proposed zoning change of the parcel to Heavy Industrial.

As described in the January 11, 2017, staff report from the Planning and Building Department to the Humboldt County Planning Commission (staff report) for the MCMP, LLC, Zone Reclassification and Special Permit, the gravel extraction PEIR and SEIR analyze the effects of gravel removal, and the associated activity of aggregate material being temporarily stockpiled and processed on site; processing operations involve crushing, sorting and storage of the rock. The staff report states that the new facility has fewer and less substantial impacts than the existing gravel extraction and processing use and that these changes are minor in nature and do not require additional mitigation measures relative to the original REIR (1994) or the more recent SEIR (2014).

The cannabis facility will use volatile and nonvolatile solvents that were not analyzed for potential impacts in the gravel extraction PEIR or SEIR. In addition, the cannabis extraction proposal includes 24-hour operation of the facility and deliveries around the clock during the peak season. In contrast, the PEIR states that trucking operations associated with gravel mining be contained to the hours of 9:00 am to 5:00 pm, Monday through Friday. The gravel mining EIRs focused on the physical effects of removing gravel from the river (e.g., changes in channel bed elevation and river planform). Gravel mining mitigation measures described in the PEIR and the SEIR include leaving a head of bar buffer as an unmined portion of a gravel bar to protect river form, and having a team of experts recommend annual mining plans to prevent over-extraction and bed degradation.



The staff report describes mitigation measures for the cannabis facility, such as the closed loop system for solvents and limits on the amount of chemicals stored on site that do not pertain to gravel mining or processing, which further indicates that the two types of actions are not similar. These additional mitigation measures required for cannabis extraction and manufacturing are not described in the gravel mining PEIR or SEIR. Since there is essentially no analysis describing the potential for impacts from the cannabis facility, it is difficult to discern how much the proposed mitigations reduce the risk of chemical spills into the Mad River or its riparian habitat, or what the impacts would be on water quality and listed salmon, steelhead and Pacific eulachon if a chemical spill did occur.

In addition, we are concerned that the facility is proposed for construction within the 100-year floodplain of the Mad River. As described in the California Department of Fish and Wildlife (CDFW) comment letter dated February 28, 2018, floodplains are important parts of riverine ecosystems and provide habitat and functions critical to federally and State listed salmon and steelhead survival and recovery. In their role as the State Trustee and Responsible Agency for CEQA for issues pertaining to wildlife and fisheries, CDFW has recommended denial of the special permit for the facility due to the location within the 100-year floodplain. The 100-year floodplain provides areas for channel migration and habitat creation that are critical for salmon recovery as well as unique attributes of designated critical habitat such as slow water velocity refuge, and riparian vegetation for shade, cover and food.


The staff report also describes that the proposed facility would be elevated two feet above the 100-year flood elevation. However, flood recurrence intervals are approximations of risk, and elevating the proposed facility by two feet may not be adequate to ensure protection from 100-year flood waters given the imprecision of the recurrence interval estimate and climate change. We updated the flood frequency estimates for the Mad River at Arcata and the 100-year peak flow estimate is 81,870 cubic feet per second (cfs), with 90 percent confidence intervals of 68,490 cfs and 102,600 cfs, respectively. The large range of the confidence interval indicates that requiring a 2-foot elevation above the 100-year flood level may not be protective enough, especially when considering climate change.

Also, we are concerned with the proposed zoning change of the property from Agricultural Grazing to Heavy Industrial. While we understand that the most recent Humboldt County General Plan designated this parcel as Industrial Resource Related, and that gravel mining and processing is currently found within the 100-year floodplain, we do not support the zoning change to Heavy Industrial for this or other parcels along the floodplain of the Mad River due to the general incompatibility of heavy industry with a 100-year floodplain. Many of the stated uses of Heavy Industrial zoned land are incompatible with designated critical habitat for salmon, steelhead and Pacific eulachon, in particular hazardous materials and manufacturing. We suggest using a zoning designation that acknowledges the gravel mining uses, but also acknowledges the important habitat value of the 100-year floodplain for listed fish. In addition, we are concerned about the cumulative effects of the zoning change and additional heavy industry located within the 100-year floodplain of the lower Mad River.

Since the proposed facility has the potential to impact federally and State listed fish species and their habitat in ways that are different than gravel mining and processing, requires development and use of hazardous materials within the 100-year floodplain, and requires a zoning change to Heavy Industrial which we see as incompatible with habitat for salmon, steelhead and Pacific eulachon, we recommend the Board of Supervisors reconsider the Planning Commission's approval of the special permit and not allow for the zoning change to Heavy Industrial.

If you would like to discuss our comments or recommendations, please contact Justin Ly at 707-825-5154, or by email at Justin.Ly@noaa.gov.

Sincerely,


fn Lisa Van Atta,
Assistant Regional Administrator
California Coastal Office

cc: Kalyn Bocast, CDFW, Eureka, CA
John Friedenbach, HBMWD, Eureka, CA



California Department of Fish and Wildlife
CEQA Referral Checklist

Applicant: Mercer Fraser MCMP LLC		Date: 2/27/2018	
APPS No.: 10244	APN: 504-161-010	CDFW CEQA: 2017-0176	Case No.: SP16-015, ZR16-001
<input checked="" type="checkbox"/> New	<input type="checkbox"/> Existing	<input type="checkbox"/> Mixed-light (SF):	<input type="checkbox"/> Outdoor (SF): <input type="checkbox"/> Indoor <input checked="" type="checkbox"/> Other

Thank you for the opportunity to comment on the Mercer Fraser MCMP LLC Zoning Reclassification and Special Permit. Due to staffing changes and workload, CDFW was not able to provide comprehensive comments on the initial referral. Based on the current status of the project, CDFW understands that the County will accept comments from CDFW prior to the next hearing for the Project. Therefore, CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code section 21000 et seq.).

Please note the following information:

- Recommend Denial. See comments below.

Thank you for the opportunity to comment on the Mercer Fraser MCMP LLC Zoning Reclassification and Special Permit. Due to staffing changes and workload, CDFW was not able to provide comprehensive comments on the initial referral. Based on the current status of the project, CDFW understands that the County will accept comments from CDFW prior to the next hearing for the Project. Therefore, CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code section 21000 et seq.).

The Project proposes a zoning change from Agriculture General to Heavy Industrial for the parcel, and construction and operation of a cannabis manufacturing facility of approximately 5000 square feet in size. The facility will use volatile and nonvolatile solvents in the manufacturing process and may operate 24 hours a day. The facility is proposed to be located within the 100-year floodplain of the Mad River.

CDFW's primary concern with the project relates to the proposed construction of a permanent cannabis manufacturing facility within the 100-year floodplain. Floodplains are an important physical and biological part of riverine ecosystems. All rivers flood, and flooding is a natural and recurring event in river systems such as the Mad River. CDFW strongly supports the conservation and restoration of floodplain habitats. CDFW is especially concerned with maintaining the floodplain and riparian habitat along the Mad River because of the significant biological values the Mad River has for numerous commercially important fish species and State and federally-listed or otherwise sensitive species.

Riverine floodplains provide many ecological services, including but not limited to:

- Facilitating growth of trees and vegetation that anchor riverbanks and prevent bank erosion.
- Sustaining listed anadromous salmonid populations and thereby commercial fisheries by providing river habitat such as shade, over-hanging banks, habitat complexity, large woody debris, insect and foliage drop contributing to the aquatic food chain, and high-flow refugia for fish during flood events.
- Providing vitally important habitat to numerous riparian-dependent wildlife species, such as reptiles, amphibians, bats, and migratory songbirds.
- Functioning as natural filters that absorb nutrients and other pollutants from water and making rivers healthier for drinking, swimming, and supporting fish and wildlife species.

Development in flood-prone areas disconnects rivers from their natural floodplains and displaces, fragments, and degrades important riparian habitat. Development in floodplains often eliminates benefits of natural flooding regimes such as deposition of river silts on valley floor soils, and recharging of wetlands. In addition, development can prevent the formation of braided channel structure, off-channel fish habitat, and backwaters, resulting in higher velocity flows. These changes lower habitat suitability for salmon, which need low-velocity refugia during flood flows.

Development in floodplains is vulnerable to erosion and flood damage. Once structures are built and threatened by river flooding, property owners often seek to armor riverbanks or build or raise levees to prevent future property damage. Thus, not only does development displace riparian and floodplain habitat when it is built, it often results in further riparian and floodplain habitat loss through rock armoring and levee construction. Floodplains also provide vital water storage capacity during flood events. Flood-damaged properties also have a high potential to result in contaminant releases into river systems.

CDFW recommends that local agencies permit only vital public infrastructure in floodplains (e.g., transportation structures and water, sewer, natural gas, and electrical transmission facilities). Public facilities built in floodplains should be able to withstand flood events without significant damage or pollution release. Given their biological importance, and propensity to flood, CDFW believes ideal land uses for floodplains are parks, picnic areas, boat ramps, agriculture, open space, and, especially, lands dedicated to the maintenance and enhancement of riparian wildlife habitat. To best protect California's riverine and riparian habitats, CDFW believes it is wise public policy to maintain and restore floodplain functions and to prevent, whenever practicable, the development of residential and commercial structures in areas that are not already protected by existing levee systems.

Allowing non-essential development and habitat conversion in floodplains will result in degradation of riverine and riparian habitats and negatively impact the fish and wildlife species that depend upon them. Consequently, this Project, as proposed, will result in the degradation of both aquatic and riparian habitat of the Mad River. For this reason, CDFW recommends the project be redesigned to keep permanent structures out of the Mad River's 100-year floodplain.

This project has the potential to affect sensitive fish and wildlife resources such as Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*), Coast Cutthroat Trout (*O. clarkii clarkii*), Eulachon (*Thaleichthys pacificus*), Pacific Lamprey (*Entosphenus tridentatus*), Green Sturgeon (*Acipenser medirostris*), White Sturgeon (*Acipenser transmontanus*), Northern Red-legged Frog (*Rana aurora*), Foothill Yellow-legged Frog (*Rana boylei*), Tailed Frog (*Ascaphus truei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Western Pond Turtle (*Actinemys marmorata marmorata*), and amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to kalyn.bocast@wildlife.ca.gov.

Please confirm that you have received this email.

Sincerely,

California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501

Residents speak out about zoning; concerns raised about potential for pot grows



The Humboldt County Planning Commission heard about some contentious rezoning proposals Thursday night. (Ruth Schneider — The Times-Standard)

By [RUTH SCHNEIDER](#) | rschneider@times-standard.com | Eureka Times-Standard

PUBLISHED: November 1, 2018 at 9:24 pm | UPDATED: November 1, 2018 at 9:25 pm

Humboldt County residents spoke out against proposed rezoning changes during a Humboldt County Planning Commission meeting Thursday night.

One of the issues repeatedly cited by residents is a need for more time to understand the zoning change — a process that is very complex and layered.

“It is complex. It is confusing at best,” said 5th District Supervisor-Elect Steven Madrone. “The only way you are going to accomplish clarity ... is by taking the time to meet with people.”

Multiple Willow Creek residents voiced concerns about proposed zoning changes to the golf course parcels and to a Mercer-Fraser Co. property.

One commenter who identified himself as Willow Creek resident Jim Crowley discussed concerns about potential cannabis grows.

“You can’t drive into Willow Creek without the stench of marijuana,” he said, noting a large permitted grow. “You can’t open your window without the stench of marijuana.”

Another Willow Creek resident who identified herself as Lisa Robers said more understanding was needed.

“To my knowledge, the planning staff has not done any outreach,” she said reading from a letter she wrote.

The commissioners themselves spent a considerable amount of time discussing what needed to be done at the Thursday night meeting.

Commission Chair Robert Morris halted a staff presentation to confer with the other commissioners on what should be done.

“We need to answer the bigger question first,” he said, noting that zoning consistency needed to be addressed with the General Plan.

Commissioner Noah Levy suggested he wanted to hear the full presentation from planning staff before making a decision about how to proceed.

The board had 40 property owners before them who requested zoning changes to be consistent with the General Plan. Of those, some had drawn concerns about the potential for cannabis facilities on Mercer-Fraser properties and the potential for water quality issues within the local watershed.

“By law you have at least two years to update this zoning,” Madrone said during public comment, urging the commission to slow down the process.

Levy appeared to be convinced that slowing down would be appropriate.

“We should see this as a slower process than the timetable that was laid out for us,” he said.

Later he added, “I don’t understand what’s the rush after 20 years (of working on the General Plan).”

One thing repeatedly suggested, especially with regard to the Glendale area and the Willow Creek area, was allowing community planning to take on some of the more disputed issues.

Planning and Building Director John Ford said the General Plan could be amended at a later date if community plans were implemented on an individual basis.

No decision was made before the Times-Standard publishing deadline Thursday night.

Concerns raised about Mercer-Fraser rezoning request, Mad River water impacts

Company states cannabis facility is still 'off the table'



The owners of Mercer-Fraser Co. proposed then withdrew plans for a cannabis facility for this Glendale Drive property between Arcata and Blue Lake and near the Mad River and a drinking water supply pump station. The company stated those plans are “off the table” and that a rezoning request dates back to before the cannabis ordinances was even introduced. (Shaun Walker The Times-Standard)

By [RUTH SCHNEIDER](#) | rschneider@times-standard.com | Eureka Times-Standard
October 31, 2018 at 7:58 pm

A Humboldt County Planning Commission meeting set for Thursday evening will address sweeping zoning changes across the county and is concerning some residents about potential changes, which could mean the revival of a cannabis manufacturing facility project at a Mercer-Fraser Co. site.

The 55-page document accompanying the agenda for the planning commission includes requests for zoning changes by the owners of 30 parcels across the county. Among those parcels are several owned by Mercer-Fraser, including a gravel quarry in the Glendale area, which was the site of a previously proposed cannabis facility.

For Mercer-Fraser’s part, the company’s CEO Justin Zabel said the zoning changes have nothing to do with the cannabis facility, which is a no-go at this point.

"That's off the table," Zabel said of plans for a cannabis manufacturing facility.

He said the rezone request is actually a much older request than the cannabis project.

"This process was in motion way before the marijuana ordinance was enacted," he said Wednesday evening. "I didn't have a crystal ball."

The cannabis project was officially withdrawn in April.

At that time, Humboldt County Supervisor Ryan Sundberg put his own position on the line in a guarantee that the project would not be reintroduced after the June election when Sundberg was a candidate.

"I can promise you that will not happen. I publicly offer my resignation if the project comes back," Sundberg posted in a comment on the Times-Standard's Facebook page, at the time.

Zabel said the rezone request was part of the county's lengthy process of updating the General Plan and it is part of an effort to make the zoning "consistent with historical uses."

Nevertheless, groups including Humboldt Baykeeper and Humboldt Bay Municipal Water District are concerned about what rezoning for heavy industrial sites could mean for the Mad River.

A special meeting was called by the water district board on Wednesday afternoon, and the board voted to request the staff draft a letter outlining concerns.

"The board directed staff to prepare a letter to the county planning commission detailing how designating the properties in the Mad River watershed is inconsistent with other county policies and poses a threat to the Mad River water quality," District General Manager John Friedenbach said.

He said he planned to deliver the letter to the planning commission on Thursday evening.

About 88,000 residents depend on the watershed for water, approximately two-thirds of Humboldt County residents, Friedenbach said.

The property would be rezoned to heavy industrial with a special designation that Humboldt Baykeeper Executive Director Jennifer Kalt said would allow for cannabis manufacturing.

"A heavy industry is the zone that they are changing it to. They claim they are putting a 'Q' on to restrict it to cannabis," she said.

But her primary concern she said is that after the rezone, there could be no further environmental reviews of the parcel.

“The way this county operates,” she said, “when something is developed with industrial uses, they say ‘well, it’s already industrial. We can add this that and the other.’”

She also noted that the way the zoning request is introduced makes it somewhat inaccessible to most local residents.

“A really big question is why isn’t there more information that is easily accessible to the public,” she said. “You can scroll through all these pages and I have been following land use planning issue for years and it was somewhat incomprehensible to me what was being changed.”

For Zabel, he’s perplexed by some of the planning processes locally.

He said, historically, there have been heavy industrial uses on Mercer-Fraser properties.

“(In the 1960s), these engineers thought it was proper to install water intake structures next to already operating industrial properties,” he said, noting he has photos to back up the assertion. “They lived there in conjunction a lot of years... Now they are saying that use isn’t proper.”

The Humboldt County Planning Commission meets at 5:30 p.m. in the supervisors’ chambers of the courthouse Thursday evening. The agenda can be found at <https://humboldt.legistar.com/Calendar.aspx>.

Ruth Schneider can be reached at 707-441-0520.

HUMBOLDT BAY MUNICIPAL WATER DISTRICT

To: Board of Directors
Date: November 11, 2018
From: Chris Harris
RE: City of Arcata Agreement

Background

(from the July 2018 Staff Report)

In the 1970's, there were multiple meters installed at 4200 and 4700 West End Road, Arcata for the then Flakeboard Plant and Simpson Timber (now Alves Construction and Figas Construction). These meters (1) 8" meter service with an 8" backflow device (4700 West End Road); and (2) an 8" meter service with detector check valve, and 2" meter with check valve (4200 West End Road)¹ are connected directly to the HBMWD transmission line.

These meters are (and have been) handled differently than other meters connected directly to District lines. Based on an agreement between the District and the City of Arcata, HBMWD includes any water used through these meters on the City of Arcata monthly wholesale invoice. In turn, the City includes charges for fire service on their domestic water bills to these customers.

Discussion

In July, the Board authorized staff to work with District Counsel to draft an agreement with the City of Arcata to delineate the Districts position regarding billing water usage through these meters directly to the City of Arcata on the monthly wholesale invoice. This agreement also assigns the responsibility of billing the retail customers associated with these meters to the City of Arcata.

Staff has worked with District Council, City of Arcata Staff and the City Attorney for a draft agreement.

Currently, the agreement is on the agenda for approval by the City of Arcata City Council on Wednesday, November 7th. Staff will advise the Board as to the outcome at our District Board meeting on Thursday, November 8th.

Recommendation

Staff recommends approval of the Agreement between HBMWD and City of Arcata regarding "Direct Water Services From Transmission Lines."

Attachments

Agreement between the Humboldt Bay Municipal Water District and City of Arcata Concerning Direct Water Services from Transmission Lines

¹ Meter descriptions have changed slightly from July 2018 staff report based on City of Arcata staff request/field work

**AGREEMENT BETWEEN THE HUMBOLDT BAY MUNICIPAL WATER DISTRICT
AND CITY OF ARCATA CONCERNING
DIRECT WATER SERVICES FROM TRANSMISSION LINES**

This Agreement Concerning Direct Water Services from Transmission Lines is made this _____ day of _____, 2018, by and between the Humboldt Bay Municipal Water District, a California public entity municipal water district (hereinafter referred to as "Water District"), and the City of Arcata, a California municipal corporation (hereinafter referred to as "City").

RECITALS

WHEREAS, Water District provides wholesale water to City pursuant to a main wholesale water supply contract, governed by Water District Ordinance 16;

WHEREAS, in addition to the primary sale of wholesale water by Water District to City, Water District has consented to two direct connections to its main transmission lines for the benefit of the City and some of City's water customers;

WHEREAS, this Agreement is intended to govern the terms for direct connections to the Water District's main transmission lines that are in addition to the main wholesale water supply contract between the parties.

NOW THEREFORE, based on the mutual agreements and covenants recited herein and made a material part hereof, the parties agree as follows:

1. Ratification of direct connections. The Water District hereby ratifies the following existing direct connections into its transmission water line (collectively referred to as the "Direct Connections") and authorizes the continuation of said Direct Connections: (1) an 8" meter service and 8" backflow device servicing real property located at 4700 West End Road, Arcata; and, (2) an 8" service, 8" meter with detector check valve, and 2" meter with check valve servicing real property located at 4200 West End Road, Arcata. City shall give Water District written notice of the name and address of each person or entity currently connected to the lines. Additional connections to the Water District's main transmission lines or deletions of existing connections may be made by written Amendment to this Agreement.

2. Charges. District shall bill City monthly for water consumption at the Direct Connections based on the meter readings using the same rate as the main wholesale water contract. Said charges shall be billed monthly as part of the main wholesale contract invoice, but shall be separately identified or stated on the invoice. City may bill its customers such charges as it deems appropriate, including but not limited to connection charges and water service charges.

3. Equipment ownership, repairs. Water District owns and shall be responsible for repairs and maintenance of the three existing meters associated with the Direct Connections from the point of its main transmission line up to and including the water meters. Through City ordinances, regulations, and/or agreements with its customers, the City shall ensure that the benefitted property owner owns and shall be responsible for repairs and maintenance of all lines and any related facilities beginning immediately beyond the water meter(s), including backflow devices.

4. Backflow Prevention Devices. City shall require any water service now connected to the Water District transmission lines, or which may be connected to the Water District transmission lines in the future, to have and maintain appropriate backflow prevention devices as required by State law and/or regulations. City's ordinances, regulations or agreements with any of its water service customers connecting directly to Water District transmission lines shall require the customer to defend, indemnify and hold harmless Water District from all costs incurred by Water District, and from any third party claims, related to failure to install and maintain proper backflow prevention devices. City shall be responsible to

ensure annual inspections of required backflow prevention devices are completed by City or a qualified third party and to provide written notice to Water District of the results of those inspections. If City fails to conduct such inspections after 30 days written notice from Water District, District may conduct such inspections and City shall reimburse Water District for the inspection costs, including but not limited to Water District's salaries and benefits if it elects to have the inspections performed by its own personnel. After reasonable notice to City, Water District may shut off service to a Direct Connection which does not have the appropriate backflow prevention device.

5. No Liability for Water Service Interruption. Water District shall not be liable to City or City's customers for any interruption or failure of water service.

6. Term of Agreement. This Agreement shall be valid and have a term concurrent with that of the main wholesale water contract between City and Water District governed by Water District Ordinance 16. City shall have the right to terminate this Agreement at any time with 90 days written notice to Water District. Upon such termination by City, City shall remove the connections to the Water District transmission lines at City's expense. Water District shall not terminate this Agreement as long as the main wholesale water contract between City and Water District is in effect, except that Water District may terminate this Agreement with a minimum of six months written notice if Water District decides to relocate or abandon one or both of the main transmission lines to which any of these services are connected.

WITNESS, the parties execute this agreement effective as of the date set forth above.

John Friedenbach, HBMWD General Manager

Date: _____

Karen T. Diemer, City Manager City of Arcata

Date: _____

Memo to: Board of Directors
From: Dale Davidsen, Superintendent
Date: October 31, 2018
Subject: Ruth Lake Cyanobacteria sampling

SECTION H5, PAGE NO. 1

Background:

As you know, the issue of Cyanobacteria / HAB (Harmful Algae Bacteria) in lakes and rivers has become more prevalent in recent years. Last year (2017) there was an algae outbreak on Ruth Lake that looked similar to cyanobacteria but when tested, the samples the results were not conclusive.

Through the process of having the sample analyzed, I was in contact with the NCRWQCB and they requested we monitor the lake closely this year (2018) so samples could be collected earlier in the bloom cycle should that occur again.

Current:

Near the end of August, I was contacted by the NCRWQCB and asked to provide samples from Ruth Lake in the most popular swim areas so they could send the samples in for analysis and get results to publish before the Labor Day holiday. See sample results on pages 4-6. See sample #'s 3222 and 3215. Both samples were determined to be ND (Non Detect).

We are continuing to monitor the lake and will provide additional samples to the NCRWQCB if a bloom is observed. Typically, once the lake is full and spilling and the lake water temperature drops, we have not observed any algae blooms.



Bend Genetics, LLC
87 Scripps Drive, Ste. 301
Sacramento, CA 95825
Tel: (916) 550-1048

Date: 8/29/2018

Subject: Cyanobacterial testing results – Agreement #18-028-270

From: Tim Otten, Laboratory Director

To: Ali Dunn, Co-Lead of Freshwater HABS Program
State Water Resources Control Board - Information Management & Quality Assurance

Attached are the results of microscopy and ELISA analyses conducted on eight sets of composite samples collected from the Mad River, Ruth Lake, Big Lagoon and Stone Lagoon in Humboldt County (Region 1; c/o Melissa Richard) on 8/21/18. All data have been reviewed and are considered final. An EDD report summarizing these data will be submitted to the State Water Board within 40 days of receipt of the data template.

Analyses included in this report:

- Quantification of total anatoxin-a, cylindrospermopsin and microcystin/nodularin using enzyme linked immunosorbent assay (ELISA) methods.
- Identification of potentially toxigenic cyanobacteria (PTOX) via microscopy.



Bend Genetics, LLC
 87 Scripps Drive, Ste. 301
 Sacramento, CA 95825
 Tel: (916) 550-1048

Project: SWAMP FHAB 2018 - Region 1

Analysis for Toxigenic Cyanobacteria

Project #: 18-028-270

Reported: 8/29/2018 12:05

ANALYTICAL REPORT FOR SAMPLES						
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Sample ID	Location	Date Collected	Date Received	Matrix	Preserved	BG_ID
3198/0364	Stone Lagoon North Park	8/21/2018 10:55	8/23/2018 9:40	Water	N	WB313
3289/0333	Stone Lagoon Boat Ramp	8/21/2018 11:20	8/23/2018 9:40	Water	N	WB314
3227/0438	Mad River Downstream	8/21/2018 15:02	8/23/2018 9:40	Water	N	WB315
0421/0473	Mad River Upstream	8/21/2018 14:46	8/23/2018 9:40	Water	N	WB316
3222	Ruth Rec. Boat Launch	8/22/2018 6:20	8/23/2018 9:40	Water	N	WB317
3215	Old Ruth Swim Dock	8/22/2018 6:40	8/23/2018 9:40	Water	N	WB318
0303/0346	Big Lagoon North	8/21/2018 11:46	8/23/2018 9:40	Water	N	WB319
3303/3206	Big Lagoon Campground	8/21/2018 12:14	8/23/2018 9:40	Water	N	WB320



Bend Genetics, LLC
 87 Scripps Drive, Ste. 301
 Sacramento, CA 95825
 Tel: (916) 550-1048

Project: SWAMP FHAB 2018 - Region 1
 Analysis for Toxigenic Cyanobacteria
Project #: 18-028-270
Reported: 8/29/2018 12:05

SAMPLE RESULTS

Sample ID	Method	Target	Result	Quantitation		Notes
				Limit	Units	
3198/0364	ELISA	Anatoxin-a	ND	0.15	µg/L	U
3198/0364	ELISA	Cylindrospermopsin	0.056	0.05	µg/L	
3198/0364	ELISA	Microcystin/Nod.	24.7	15.0	µg/L	
3289/0333	ELISA	Anatoxin-a	1.08	0.15	µg/L	
3289/0333	ELISA	Cylindrospermopsin	ND	0.05	µg/L	U
3289/0333	ELISA	Microcystin/Nod.	3.87	0.15	µg/L	
3227/0438	ELISA	Anatoxin-a	0.30	0.15	µg/L	
3227/0438	ELISA	Cylindrospermopsin	ND	0.05	µg/L	U
3227/0438	ELISA	Microcystin/Nod.	ND	0.15	µg/L	U
0421/0473	ELISA	Anatoxin-a	1.61	0.15	µg/L	
0421/0473	ELISA	Cylindrospermopsin	ND	0.05	µg/L	U
0421/0473	ELISA	Microcystin/Nod.	ND	0.15	µg/L	U
3222	ELISA	Anatoxin-a	ND	0.15	µg/L	U
3222	ELISA	Cylindrospermopsin	ND	0.05	µg/L	U
3222	ELISA	Microcystin/Nod.	ND	0.15	µg/L	U
3215	ELISA	Anatoxin-a	ND	0.15	µg/L	U
3215	ELISA	Cylindrospermopsin	ND	0.05	µg/L	U
3215	ELISA	Microcystin/Nod.	ND	0.15	µg/L	U
0303/0346	ELISA	Anatoxin-a	ND	0.15	µg/L	U
0303/0346	ELISA	Cylindrospermopsin	0.051	0.05	µg/L	
0303/0346	ELISA	Microcystin/Nod.	14.0	0.75	µg/L	
3303/3206	ELISA	Anatoxin-a	ND	0.15	µg/L	U
3303/3206	ELISA	Cylindrospermopsin	ND	0.05	µg/L	U
3303/3206	ELISA	Microcystin/Nod.	13.1	0.75	µg/L	



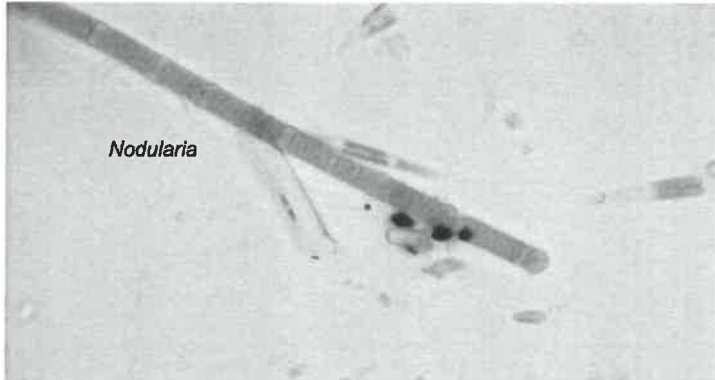
Bend Genetics, LLC
 87 Scripps Drive, Ste. 301
 Sacramento, CA 95825
 Tel: (916) 550-1048

Project: SWAMP FHAB 2018 - Region 1
 Analysis for Toxicogenic Cyanobacteria
Project #: 18-028-270
Reported: 8/29/2018 12:05

MICROSCOPY RESULTS - Identification of CyanoHABs

Sample ID	Dominant	Sub-dominant	Also present	Notes
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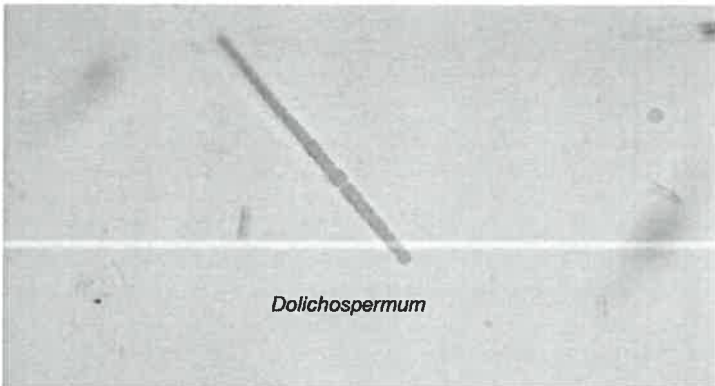
3198/0364 *Nodularia* *Dolichospermum*



There was a moderate amount of *Nodularia* sp. and *Dolichospermum* sp. present in this sample; no other cyanobacteria were observed. The photomicrograph was taken under 400X magnification.

Sample ID	Dominant	Sub-dominant	Also present	Notes
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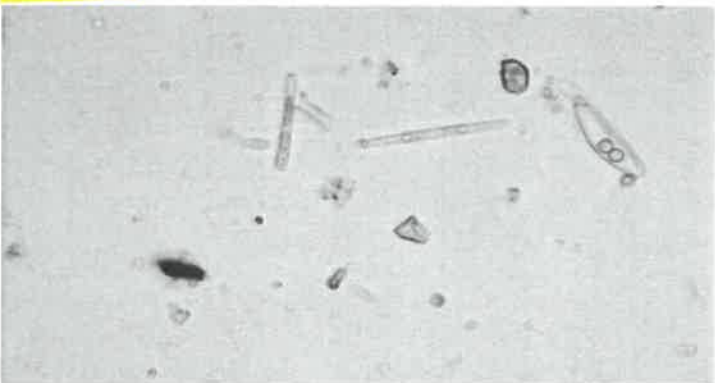
3289/0333 *Dolichospermum*



There was a low amount of *Dolichospermum* sp. present in this sample; no other cyanobacteria were observed. The photomicrograph was taken under 400X magnification.

Sample ID	Dominant	Sub-dominant	Also present	Notes
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3227/0438 NA



This sample contained a moderate amount of diatoms and debris; however, no cyanobacteria were observed. The photomicrograph was taken under 400X magnification.



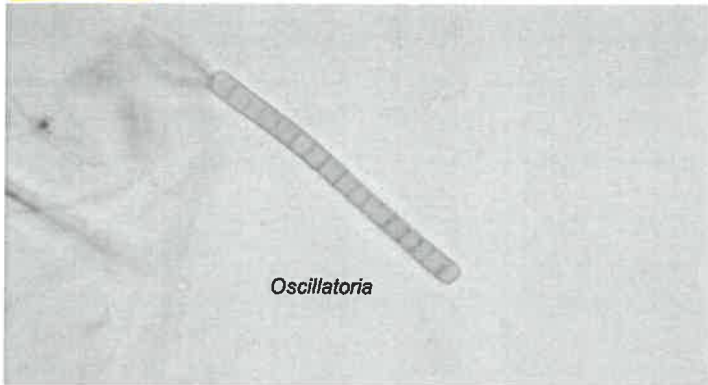
Bend Genetics, LLC
 87 Scripps Drive, Ste. 301
 Sacramento, CA 95825
 Tel: (916) 550-1048

Project: SWAMP FHAB 2018 - Region 1
Analysis for Toxigenic Cyanobacteria
Project #: 18-028-270
Reported: 8/29/2018 12:05

MICROSCOPY RESULTS - Identification of CyanoHABs

Sample ID	Dominant	Sub-dominant	Also present	Notes
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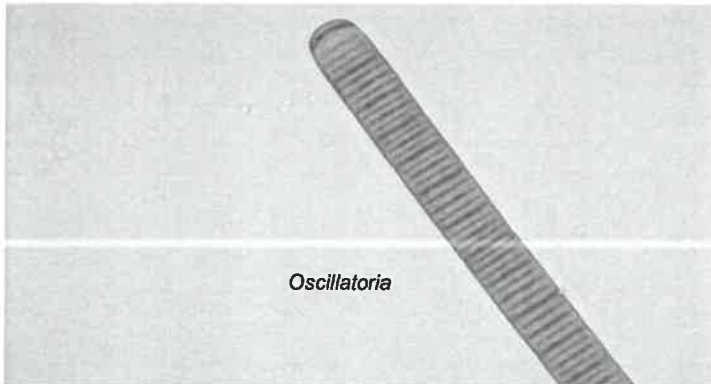
0421/0473 *Oscillatoria*



This sample contained a moderately low amount of *Oscillatoria* sp.; no other cyanobacteria were observed. The photomicrograph was taken under 400X magnification.

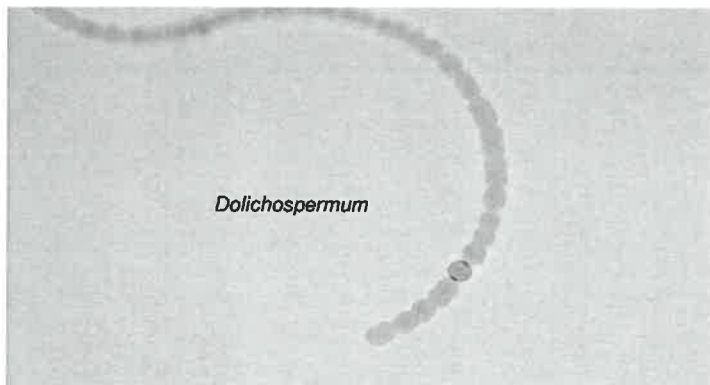
Sample ID	Dominant	Sub-dominant	Also present	Notes
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3222 *Oscillatoria*

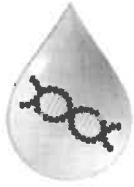


Sample ID	Dominant	Sub-dominant	Also present	Notes
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3215 *Dolichospermum*



There was a moderate amount of *Dolichospermum* sp. present in this sample; no other cyanobacteria were observed. The photomicrograph was taken under 400X magnification.

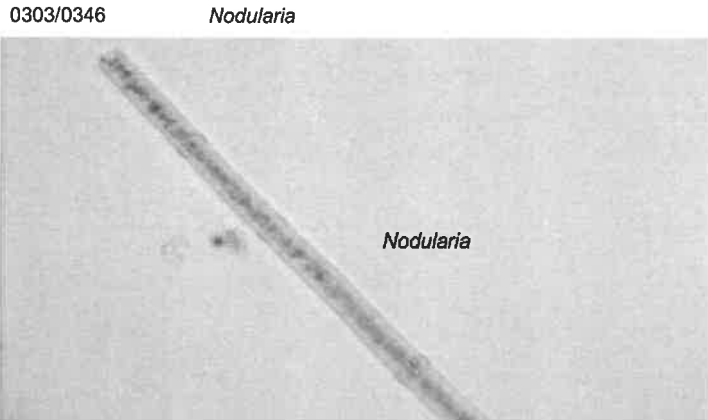


Bend Genetics, LLC
 87 Scripps Drive, Ste. 301
 Sacramento, CA 95825
 Tel: (916) 550-1048

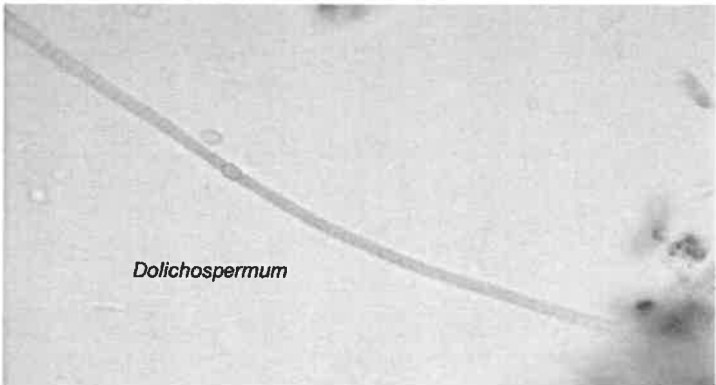
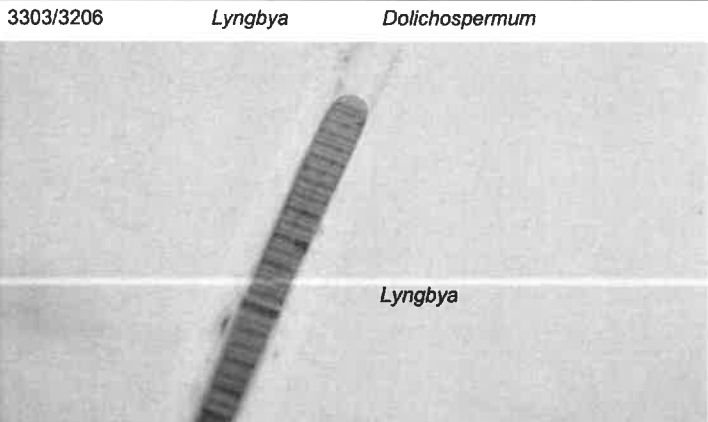
Project: SWAMP FHAB 2018 - Region 1
 Analysis for Toxigenic Cyanobacteria
Project #: 18-028-270
Reported: 8/29/2018 12:05

MICROSCOPY RESULTS - Identification of CyanoHABs

Sample ID	Dominant	Sub-dominant	Also present	Notes
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Sample ID	Dominant	Sub-dominant	Also present	Notes
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Bend Genetics, LLC
 87 Scripps Drive, Ste. 301
 Sacramento, CA 95825
 Tel: (916) 550-1048

Project: SWAMP FHAB 2018 - Region 1
 Analysis for Toxigenic Cyanobacteria

Project #: 18-028-270

Reported: 8/29/2018 12:05

QUALITY CONTROL

Method	Analyte	Result	Qualifiers / Comments	Units	Spike Level	%REC	%REC Limits
ELISA	ATX - Blank	ND	U	µg/L	0		
ELISA	ATX - Positive	0.73		µg/L	0.75	97.8	70-130
ELISA	ATX - Matrix Sp	1.37		µg/L	1.25	109.8	70-130
ELISA	CYN - Blank	ND	U	µg/L	0		
ELISA	CYN - Positive	0.73		µg/L	0.75	97.8	70-130
ELISA	CYN - Matrix Sp	0.92		µg/L	1.00	92.0	70-130
ELISA	MC - Blank	ND	U, Batch 1	µg/L	0		
ELISA	MC - Positive	0.86	Batch 1	µg/L	0.75	114.6	70-130
ELISA	MC - Matrix Sp	0.89	Batch1	µg/L	1.00	89.1	70-130
ELISA	MC - Blank	ND	U, Batch 2	µg/L	0		
ELISA	MC - Positive	0.75	Batch 2	µg/L	0.75	99.5	70-130
ELISA	MC - Matrix Sp	1.07	Batch2	µg/L	1.00	106.6	70-130

QUALIFIERS/COMMENTS/NOTES

- C1 The reported concentration for this analyte is below the quantification limit.
- C2 The reported concentration for this analyte is above the calibration range of the instrument.
- J The reported result for this analyte should be considered an estimated value.
- U Undetected

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SWAMP HAB
REQUEST FOR ANALYSIS AND CHAIN OF CUSTODY (COC)

Group: HABs SWAMP ProjectCode: SWAMP_FHAB_2018 Field Sampling Lead: Marisa Van Dyke (916) 322-8431
 Fiscal Year: 18/19 Sampling Procedures: SWAMP Aug17 CA HAB QADM: Marisa Van Dyke (916) 322-8431
 Regional Board: Sampling Agency: CA Freshwater HAB Program: All Dunn (916) 319-8458
 EventCode: WQ Field Crew:

SampleID	Sampling Location/ Station Name	Sample Date	Collection Time	Sample Volume	Circle / Select		Remarks	Analysis Authorization: requested analysis, see comments below Per Marisa Van Dyke Invoice: SWAMP 18-028-270
					Field Preservation	Sample Type Code		
3198 0364	Stone Lagoon North Park	8/21/18	10:55	2- 100ML	Stored 2-8°C / 10% Diluent	water Grab/ algal mat	PETG Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID
3289 0333	Stone Lagoon Boat Ramp	8/21/18	11:26	2- 100ML	Stored 2-8°C / 10% Diluent	water Grab/ algal mat	PETG Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3 archive for QPCR Analysis: Microscope ID

Comments: For each row choose analysis corresponding to # 1 - 9 below
 1 microcystins + nodularin by ELISA, Total fraction measured (no field filtering)
 2 Anatoxin-a by ELISA, Total fraction measured (no field filtering)
 3 Cylindrospermopsin by ELISA, Total fraction measured (no field filtering)
 4 Saxitoxin by ELISA, Total fraction measured (no field filtering)
 5 Microcystin gene; lab analysis includes concentration + extraction per method
 6 Anatoxin-a gene; lab analysis includes concentration + extraction per method
 7 Cylindrospermopsin gene; lab analysis includes concentration + extraction per method
 8 Saxitoxin marker; lab analysis includes concentration + extraction per method
 9 Total cyanobacteria; quantifies "cell equivalents/mL", by qPCR

Samples Relinquished by: Name (Print and Sign) Date & Time
 MeLisa Richard 8/22/18 12:30
 Melissa Richard
 Samples Received by: Name (Print and Sign) Date & Time
 Gabe Gutierrez 9:40am 8-23-18
 Gabe
 Distribution of COC form: Original accompanies shipment, Electronic copy emailed: customer_service@bendgenetics.com; CyanoHab.Reports@waterboards.ca.gov

SWAMP HAB
REQUEST FOR ANALYSIS AND CHAIN OF CUSTODY (COC)

SWAMP (Surface Water Ambient Monitoring Program) is administered by the State Water Resources Control Board

Group: HABS SWAMP Project Code: SWAMP_FHAB_2018 Field Sampling Lead: Marisa Van Dyke @waterboards.ca.gov
 Fiscal Year: 18/19 Sampling Procedure: SWAMP Aug17 CA HAB QAD/M: Marisa Van Dyke (916) 322-8431
 Regional Board: Sampling Agency: CA Freshwater HAB Program: Ali Dunn (916) 319-8458
 Event Code: WQ Field Crew:

Sample ID	Sampling Location/ Station Name	Sample Date	Collection Time	Sample Volume	Circle / Select		Remarks	Analysis Authorization: requested analysis, see comments below Per Marisa Van Dyke Invoice: SWAMP 18-028-270	
					Field Preservation	Sample Type Code		Sample Container	Analysis: Toxins Toxin 1,2,3
3227	Mad River Downstream	8/21/18	15:02	2-100ML	Stored 2-8°C / 10% Diluent	water Grab/ algal mat	PETG Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID
0421	Mad River Upstream	8/21/18	14:46	2-100ML	Stored 2-8°C / 10% Diluent	water Grab/ algal mat	PETG Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID
0473					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: Microscope ID

Comments: For each row choose analysis corresponding to # 1 - 9 below
 1 Microcystins + nodularin by ELISA, Total fraction measured (no field filtering)
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 3 Cylindrospermopsin by ELISA, Total fraction measured (no field filtering)
 4 Saxitoxin by ELISA, Total fraction measured (no field filtering)
 5 Microcystin gene; lab analysis includes concentration + extraction per method
 6 Anatoxin-a gene; lab analysis includes concentration + extraction per method
 7 Cylindrospermopsin gene; lab analysis includes concentration + extraction per method
 8 Saxitoxin marker; lab analysis includes concentration + extraction per method
 9 Total cyanobacteria; quantifies "cell equivalents/mL", by qPCR

Samples Relinquished by: Me V. Richardson
 Date & Time: 8/22/18 12:30
 Samples Received by: Gabie Gutierrez
 Date & Time: 8-23-18 9:46am
 Distribution of COC form: Original accompanies shipment, Electronic copy emailed: customer_service@bendgenetics.com; Cyanohab.Reports@waterboards.ca.gov

Set 4

SWAMP HAB
REQUEST FOR ANALYSIS AND CHAIN OF CUSTODY (COC)

Group: HABs SWAMP ProjectCode: SWAMP_FHAB_2018 Field Sampling Lead: Marisa Van Dyke (916) 322-8431
 Fiscal Year: 18/19 Sampling Procedure: SWAMP Aug17 CA HAB QADM: Marisa Van Dyke (916) 319-8458
 Regional Board: Sampling Agency: CA Freshwater HAB Program: Ali Dunn (916) 319-8458
 EventCode: WQ Field Crew:

SampleID	Sampling Location/ Station Name	Sample Date	Collection Time	Sample Volume	Field Preservation	Circle / Select		Sample Container	Remarks	Analysis Authorization: requested analysis, see comments below Per Marisa Van Dyke Invoice: SWAMP 18-028-270
						Sample Type Code	Sample Code			
3227	Ruth Rec Boat launch	8/22	0620	100ml	Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass Plastic		Analysis: Toxins Toxin 1,2,3 Microscope ID
3215	Old Ruth Swindocks	8/22	0640	100ml	Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass Plastic		Analysis: Toxins Toxin 1,2,3 Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass		Analysis: Toxins Toxin 1,2,3 Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass		Analysis: Toxins Toxin 1,2,3 Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass		Analysis: Toxins Toxin 1,2,3 Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass		Analysis: Toxins Toxin 1,2,3 Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass		Analysis: Toxins Toxin 1,2,3 Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat		Glass		Analysis: Toxins Toxin 1,2,3 Microscope ID

Comments: For each row choose analysis corresponding to # 1 - 9 below
 1 microcystins + nodularin by ELISA, Total fraction measured (no field filtering)
 2 Anatoxin-a by ELISA, Total fraction measured (no field filtering)
 3 Cylindrospermopsin by ELISA, Total fraction measured (no field filtering)
 4 Saxitoxin by ELISA, Total fraction measured (no field filtering)
 5 Microcystin gene; lab analysis includes concentration + extraction per method
 6 Anatoxin-a gene; lab analysis includes concentration + extraction per method
 7 Cylindrospermopsin gene; lab analysis includes concentration + extraction per method
 8 Saxitoxin marker; lab analysis includes concentration + extraction per method
 9 Total cyanobacteria; quantifies "cell equivalents/mL", by qPCR

Samples Relinquished by: Dale Davidson
 Name (Print and Sign) Dale Davidson Date & Time 8-22-18 0645
 Samples Received by: **Attention Lab - if sample arrives >10 °C do not analyze*
 Name (Print and Sign) Gabe Gutierrez Date & Time 8-23-18 9:40am
 Distribution of COC form: Original accompanies shipment, Electronic copy emailed: customer_service@bendgenetics.com; CyanoHab.Reports@waterboards.ca.gov

7064

SWAMP HAB
REQUEST FOR ANALYSIS AND CHAIN OF CUSTODY (COC)

SWAMP (Surface Water Ambient Monitoring Program) is administered by the State Water Resources Control Board

Group: HABS SWAMP ProjectCode: SWAMP_FHAB_2018 Field Sampling Lead: Marisa Van Dyke (916) 322-8431
 Fiscal Year: 18/19 Sampling Procedure: SWAMP Aug17 CA HAB QA/QM: Marisa Van Dyke (916) 322-8431
 Regional Board: Sampling Agency: CA Freshwater HAB Program: (916) 319-8458
 EventCode: WQ Field Crew: Ali Dunn @waterboard.ca.gov

SampleID	Sampling Location/ Station Name	Sample Date	Collection Time	Sample Volume	Circle / Select		Remarks	Analysis Authorization: requested analysis, see comments below Per Marisa Van Dyke Invoice: SWAMP 18-028-270		
					Field Preservation	Sample Type Code		Sample Container	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR
0303	Big Lagoon North	8/21/18	11:46	2-100ML	Stored 2-8°C / 10% Diluent	Water Grab/ algal mat	PETG Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID
0346	Big Lagoon North	8/21/18	12:14	2-100ML	Stored 2-8°C / 10% Diluent	Water Grab/ algal mat	PETG Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID
3303	Big Lagoon Campground	8/21/18			Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID
3206					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID
					Stored 2-8°C / 10% Diluent	water Grab/ algal mat	Glass	Analysis: Toxins Toxin 1,2,3	Analysis: archive for QPCR	Analysis: Microscope ID

Comments: For each row choose analysis corresponding to # 1 - 9 below
 1 microcystins + nodularin by ELISA, Total fraction measured (no field filtering)
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 3 Cylindrospermopsin by ELISA, Total fraction measured (no field filtering)
 4 Saxitoxin by ELISA, Total fraction measured (no field filtering)
 5 Microcystin gene; lab analysis includes concentration + extraction per method
 6 Anatoxin-a gene; lab analysis includes concentration + extraction per method
 7 Cylindrospermopsin gene; lab analysis includes concentration + extraction per method
 8 Saxitoxin marker; lab analysis includes concentration + extraction per method
 9 Total cyanobacteria; quantifies "cell equivalents/mL", by qPCR

Samples Relinquished by: Name (Print and Sign) Date & Time
 Melissa Richard 8/22/18 12:30
 Melissa Richard
 Samples Received by: Name (Print and Sign) Date & Time
 Garbie Gutierrez 8-23-18 9:40am
 Distribution of COC form: Original accompanies shipment, Electronic copy emailed: customer_service@bendgenetics.com; Cyanohab.Reports@waterboards.ca.gov



Bend Genetics, LLC
 87 Scripps Drive, Ste 301
 Sacramento, CA 95825
 (916) 550-1048

Cooler/Box/Envelope 1 of 1

Sample Receipt Checklist

Sample Information

Project Number: Humboldt County SWAMP R1 Received Date: 8-23-18 9:40am
 Work Order No(s): 18-028-270 Received By: Eubie G.

Custody Seals Intact (check if applies)

Yes No N/A
 External Seals Internal Seals Hand Delivered

Sample Containers Intact

Yes No
 If not intact, was volume recoverable for analysis Yes No N/A
 Check if applies: Bottle/Jar/Vial Broken Cap Broken or Loose Other: _____

Temperature

Temperature °C: 5.4°C Within Acceptable Range Yes No Ambient OK
 Check if applies:
 Provided Temp Blank Between 0°C to 10°C Still Cooling (ice packs still frozen)
 Previously Frozen Insufficient/Melted Ice Delivery Delay

Chain of Custody (COC) Received

COC complete and consistent with labels Yes No
 Check if applies: Not Relinquished Inconsistency Resolved Follow-Up Needed (See Comments)
 TAT and analyses match scheduling Yes No N/A
 Check if applies: Preliminary Results Rush Request 7-day TAT
 Within hold times Yes No N/A Expires Today
 All shipping and sample containers accounted for Yes No N/A

Preservation/Filtration

<input type="checkbox"/> Preserved		<input checked="" type="checkbox"/> Not Preserved		<input type="checkbox"/> Preservative Needed		<input type="checkbox"/> N/A	
Sample ID	Bend Genetics ID	Date & Time preserved/filtered	Volume filtered (mL)	Original pH	Adjusted pH		
3198/0364	WB 313	8-23-18 9:50	35mL	8.10	N/A		
3289/0333	WB 314	↓	30mL	7.85	↓		
3227/0438	WB 315		20mL	7.86			
0421/0473	WB 316		30 mL	7.59			
3222	WB 317		100mL	7.40			
3215	WB 318		100mL	7.38			
0303/0346	WB 319		55mL	7.54			
3303/3206	WB 320		20ml	7.40			

Follow-up/Comments

Engineering

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Humboldt

From: (Public Agency): _____
Humboldt Bay Municipal Water District
828 7th Street, Eureka CA 95501

(Address)

Project Title: HBMWD Surge Tower Retrofit

Project Applicant: Humboldt Bay Municipal Water District (HBMWD)

Project Location - Specific:

Project located between the towns of Fairhaven and Samoa along the Pacific Ocean. Specifically, the project is located on New Navy Base Road, approximately two miles south of the Highway 255 intersection.

Project Location - City: Samoa Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

The project includes demolishing an existing Surge Tower, (an outdated 70 foot tall metal structure), and replacing it with an appropriate replacement appurtenance, which may include a new air/vacuum relief and/or surge valve. The new valve will effectively replace the function of the Surge Tower.

Name of Public Agency Approving Project: Humboldt Bay Municipal Water District

Name of Person or Agency Carrying Out Project: Humboldt Bay Municipal Water District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Replacement or Reconstruction (15302)
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

This project is exempt because it involves the replacement of a component of an existing utility system with a smaller and safer component performing the same mechanism. There would be no expansion of capacity or footprint of the utility system. The site is highly disturbed and no federal, state or local species of special concern were found on site.

Lead Agency
Contact Person: John Friedenbach Area Code/Telephone/Extension: 707-443-5018

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: General Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

HUMBOLDT BAY MUNICIPAL WATER DISTRICT

To: Board of Directors

From: John Friedenbach

Date: November 2, 2018

Subject: Proposed Lazzar Subdivision over District's easement

.....
Background

Phil Lazzar is the current owner of Assessor's Parcel number 507-331-066. He has proposed development near our main transmission lines for the industrial and domestic systems (two 42 inch lines and one 27 inch line). There is also a valve access vault on the south side of the parcel. This property was also the subject of a proposed development in 2006 (Paik-Nicely / 27th Street Alliance, LLC) During 2006 and 2007 the District had extensive negotiations with the 27th Street Alliance to define a specific easement with setbacks in exchange for giving up our original floating easement and associated property rights. Unfortunately, that development fell through and our agreement was not recorded on the property.

The property has subsequently been purchased by several individuals. The first was Garret and Caren Coonrod. The District had various conversations with the Coonrod's during 2014, '15, and '16. Mr. Philip Lazzar began consulting with Mr. Coonrod on the property and ultimately purchased the property from Coonrod. The District had various conversations with Mr. Lazzar during 2016, '17 and '18.

Mr. Lazzar would like to proceed with his proposed development (See Page I1^o 3) and resolve of our easement rights that conflict with his proposed development plans over and adjacent to our existing pipelines and infrastructure on the property.

Discussion

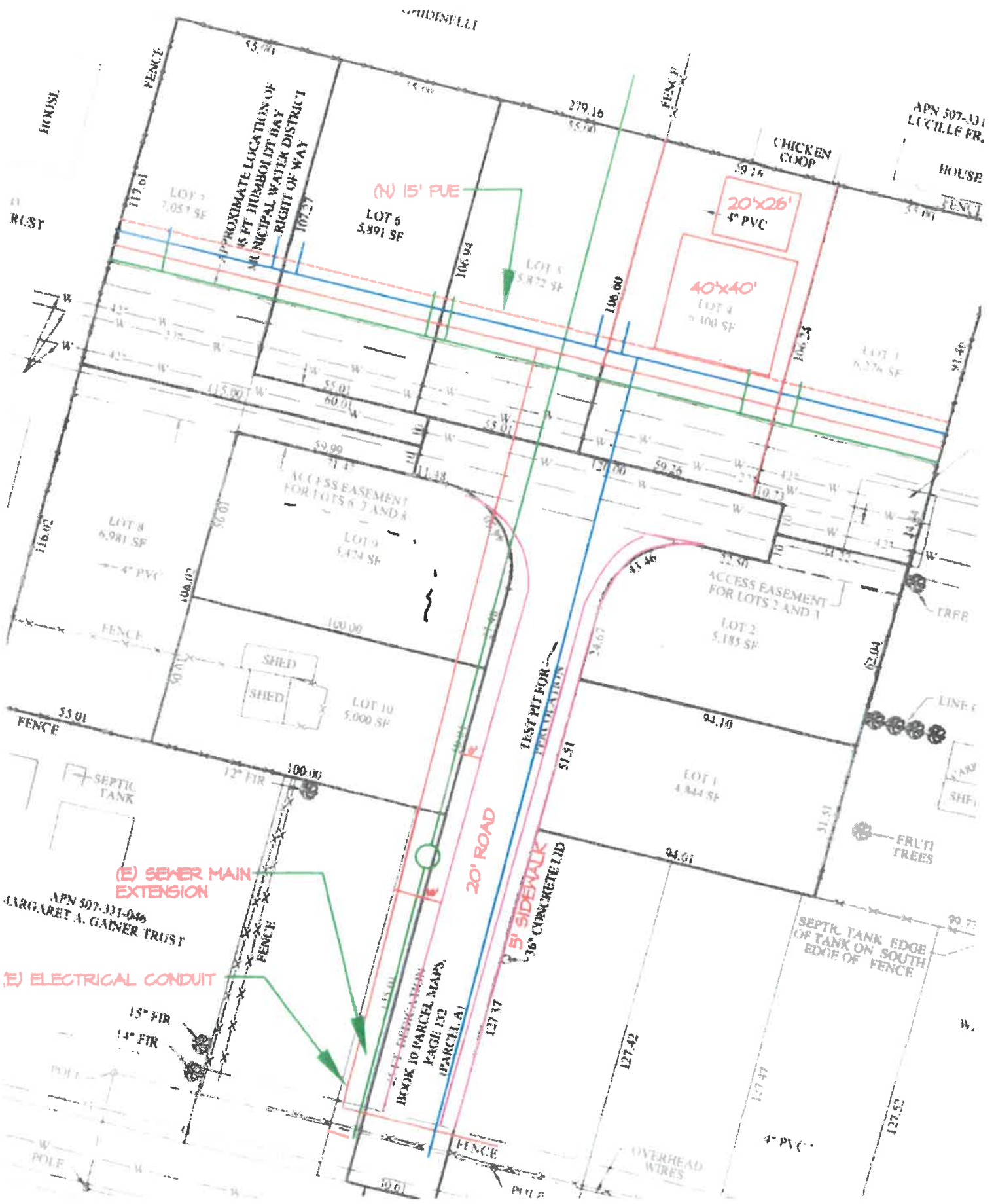
The 27th Street Alliance proposed development which included converting our floating easement to a 45 foot easement over our pipes with an additional 5 foot buffer zone on either side of the pipeline easement upon which there shall be no fencing, structures, residential construction, nor planting of plants with invasive root systems. The District could utilize the buffer zone at any time, in any manner it deems reasonably necessary, with no liability for obstruction or damage.

District staff had several discussion with Mr. Lazzar regarding possible changes to our easement rights and concerning the content of the prior 27th Street Alliance agreement. Mr. Lazzar raised specific concerns about Sections 11 Hold Harmless and Indemnity; Assumption of Risk; Waiver of All Potential Invers Condemnation Claims and Section 12 Insurance in that agreement. See attached pages 9, 10, and 11 of that agreement. Pages I1^o 4-6 Those sections have been reviewed by District Counsel who has provided the following suggested modifications.

1. Delete the waiver of inverse condemnation at last sentence of 11 A.
2. For clarification, move that to end of 11 B, as "In the event of such leak, break, or rupture of the District's water lines, any damage to improvements of developer, Homeowners' Association or future lot owners resulting from the proximity of the improvements to the District's lines shall not constitute a basis for a claim of inverse condemnation, and any such claim is waived."
3. 11 C., add to provision. "However, any available insurance, whether the Developer's, Homeowner Association's and/or future lot owners' primary insurance and District's secondary insurance shall first be credited to the obligation to indemnify.

Recommendation

Continue discussions with Mr. Lazzar to reach a mutually agreeable resolution of our District's easement rights on the property relative to his development interests.



access by Developer or individual homeowners to various parts of the Property. It is agreed that District shall have no liability or responsibility of any sort for any claims or damages arising out of or relating in any way to impairment of access by District. Developer and future Homeowners' Association shall save and hold District harmless from any such claims made by any person or entity.

10. Integration of Recitals; Binding Effect.

The Recitals are hereby made a part of this Agreement. Developer shall comply with the terms and conditions of this Agreement and the easements recorded herewith. It is specifically intended by the parties hereto that all obligations of Developer set forth herein shall apply to and be the obligations of any future Homeowners' Association, as the situation or context may allow, permit or require. Any Homeowners' Association may not change or vary any provision herein without the express written consent of District. The Board of Directors of the Association shall have full power and authority to act on behalf of the Association, its members and the owners of lots in the development, including the right to approve any modifications to this Agreement and the consent of the members and lot owners shall not be required.

11. Hold Harmless and Indemnity; Assumption of Risk; Waiver of All Potential Inverse Condemnation Claims.

A. Developer and any future Homeowners' Association and any future lot owners agree to hold the District harmless, and indemnify and defend the District, its agents, contractors and employees, from any and all claims for damages for personal injuries, losses or damages due to interruption of services, or property damages, whether direct or indirect, incidental or consequential, arising out of or relating in any way to the residential development except for those occurrences that arise from the sole negligence or active misconduct of the District, its officers, directors, employees or agents. **All potential claims for inverse condemnation are hereby waived.**

B. The parties acknowledge that in the event of any leak, break or rupture in any pipeline or appurtenance, the leak, **break or rupture could release a large quantity of water in a** very short time potentially causing personal injuries and property damages of unknown extent. Developer and any future Homeowners' Association and any future lot owners agree and acknowledge that they will assume the risk of any damage or liability of any sort arising out of or in

any way relating to the presence of the District's water pipelines or appurtenances. Developer and any future Homeowners' Association and any future lot owners agree to hold the District harmless and indemnify and defend the District, its agents, contractors and employees, from any and all claims for damages for personal injuries, losses or damages due to interruption of services or property damages, whether direct or indirect, incidental or consequential, from any cause whatsoever, arising out of or in any way relating to the District's pipelines or appurtenances, except for those occurrences that arise from the sole negligence or active misconduct of the District, its officers, directors, employees or agents. *insert ② here.*

C. This obligation to indemnify shall not be limited to any insurance proceeds. *insert ③ here*

12. Insurance.

A. Before beginning any physical work on site, Developer shall file with the District certificates of insurance and policy endorsements reasonably satisfactory to the District evidencing general liability coverage of not less than \$2,000,000 per occurrence, \$4,000,000 general and products-completed operations aggregate for bodily injury, personal injury, and/or property damage; auto/vehicle liability of at least \$2,000,000 for bodily injury and property damage each accident limit; and employer's liability of (\$2,000,000). All insurance shall require 30 days' written notice to District of any expiration or cancellation.

B. Such insurance shall be primary and any insurance, self-insurance or other coverage maintained by the District, its directors, officers, employees or agents shall not contribute to it. All insurance coverage shall give the District, its directors, officers, employees and agents insured status using ISO endorsement CG2026 or insurer's equivalent. The coverage thereby provided shall also include coverage for underground operations. Coverage is to be placed with a carrier with an A.M.Best rating of no less than A-VII or equivalent, unless otherwise approved by the District in writing.

C. Insurance requirements shall be maintained by Developer for two years following formation of a Homeowners' Association. Thereafter, the Homeowners' Association shall provide proof of insurance with provisions as set forth herein.

D. Starting at the twentieth anniversary of Developer's execution of this Agreement and no sooner than at ten year intervals thereafter, District shall have the right, in its sole discretion, to vary, alter or increase the insurance requirements set forth herein.

13. Enforcement; Term of Covenants, Conditions and Restrictions.

The parties hereto acknowledge and agree that each and every lot owner by acceptance of any deed therefore (whether or not it shall be so expressed in the deed) and any and all heirs, executors, administrators, assigns and successors in interest of each such lot owner are deemed to covenant and agree as follows:

A. If Developer or any Homeowners' Association fails to cure any default under this Agreement within 30 days after receipt of written demand from the District or fails to commence and diligently pursue a cure if the cure cannot reasonably be effected within 30 days of the demand notice, District shall have the right, but not the duty, to do or perform any act the Developer or Homeowners' Association is required to do under the provisions of this Agreement, and bill the Developer or Homeowners' Association, as applicable, for any costs incurred.

A.1. Any costs billed to Developer or the Homeowners' Association are due and payable immediately after an itemized billing statement describing in reasonable detail the costs incurred by the District. If any costs due from the Association are unpaid after 30 days, the District may levy and collect the costs due in accordance with the assessment procedures set forth in the Covenants, Conditions and Restrictions ("CC&R's"). The costs shall be allocated equally among the residential lots. No residential lot owner shall be obligated to pay more than the lot owner's allocable share of the costs.

A.2. All unpaid costs may be deemed a lien on the Property, or any portion of the Property for that portion's allocable share, as the District may impose, in its sole discretion.

A.3. District may take all steps necessary to compel performance, including but not limited to, recording such liens and levying and collecting any assessments as the District may deem necessary and appointment of a receiver to collect sums owed to the District.

A.4. In the event that the District shall exercise any of the remedies afforded to it under this Agreement, any sum recovered from such suit or foreclosure sale or judicial

FINANCIAL

Humboldt Bay Municipal Water District

Memo to: Board of Directors

From: Becky Moyle, Accounting & Human Resources Specialist

Date: November 2, 2018

Subject: Financial Report for October 2018

The Financial Report for October 2018 was not completed by the BlueBook publish date. I expect to have the Financial Report completed next week and will email it to you as soon as it is completed. Please let me know if you would like a paper copy delivered to you.

The Expenses by Vendor Detail report is in the BlueBook.

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

October 2018

Memo	Amount
101Netlink	
Ruth Data Link/Internet	-160.00
Total 101Netlink	-160.00
A-1 Radiator, Battery & Muffler	
TRF Generator Installation	-555.76
TRF Generator Installation	-38.04
Total A-1 Radiator, Battery & Muffler	-593.80
ACWA	
2019 Annual Dues	-15,405.00
Total ACWA	-15,405.00
ACWA/JPIA	
Auto and General Liability Program Renewal 10-1-2018 thru 10-1-2019	-37,866.20
Auto and General Liability Program Renewal 10-1-2018 thru 10-1-2019	-2,045.05
Auto and General Liability Program Renewal 10-1-2018 thru 10-1-2019	-13,303.75
Total ACWA/JPIA	-53,215.00
Advanced Display & Signs	
Sheriff's Cove Gravel signage	-156.93
Total Advanced Display & Signs	-156.93
Advanced Security Systems	
Ruth Hydro Quarterly Alarm System Monitoring	-76.50
Total Advanced Security Systems	-76.50
Almquist Lumber	
maintenance shop supplies	-29.45
Total Almquist Lumber	-29.45
Altec Industries, Inc	
Unit 4 maintenance	-210.54
Total Altec Industries, Inc	-210.54
AT & T	
Ruth HQ	
TRF	
Essex office	
Eureka office	-32.25
Ruth Hydro	
Valve Building Samoa	
Ruth HQ	
TRF	-6.90
Essex office	-250.91
Eureka office	-6.70
Ruth Hydro	-362.80
Valve Building Samoa	-105.89
Total AT & T	-765.45
AT&T	
Eureka/Essex Landline	-35.04
Arcata/Essex Landline	-35.04
Samoa/Essex Landline	-234.99
Blue Lake Meter Signal	-60.51
Eureka Office Modem	-171.21
Eureka Office Alarm	-99.52
Samoa Booster Pump Station	-99.04
Valve Building-Samoa	-171.21
Eureka Office	-400.74
Essex Office	-995.07
TRF	-169.12

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

October 2018

Memo	Amount
Ruth Dataline	-166.82
Total AT&T	-2,638.31
AT&T Advertising Solutions	
white page listing	-21.00
white page listing	-21.00
Total AT&T Advertising Solutions	-42.00
ATS Communications	
Essex Control System Technical Support & Software Updates	-2,231.96
Total ATS Communications	-2,231.96
B&B Portable Toilets	
Portable toilet rental for Park 1	-157.29
Total B&B Portable Toilets	-157.29
BAVCO	
Fieldbrook-Glendale CSD backflow inspections	-259.58
Total BAVCO	-259.58
Biovir Laboratories, Inc	
lab tests	-1,295.00
Total Biovir Laboratories, Inc	-1,295.00
Buckles-Smith	
SCADA/Control System Training	-4,180.00
Total Buckles-Smith	-4,180.00
C & K Johnson Industries, Inc	
Culvert lid at Ruth HQ	-81.38
Total C & K Johnson Industries, Inc	-81.38
C1 Actuation	
TRF Limatorque Valve Retrofit Supplies	-6,030.53
Total C1 Actuation	-6,030.53
California Heating	
TRF Generator Installation	-388.00
Total California Heating	-388.00
Citi Cards	
Eureka office supplies	-70.03
Eureka office supplies	-24.93
Total Citi Cards	-94.96
City of Eureka	
Eureka office water/sewer	-83.00
Total City of Eureka	-83.00
Coastal Business Systems Inc.	
Eureka office copy and fax machine	-908.73
Total Coastal Business Systems Inc.	-908.73
Coastal Business Systems, Inc	
Essex office copy/fax machine maintenance agreement	-2,022.42
Essex office copy/fax machine color overage charges	-1,263.75
move Eureka office copy/fax machine to new location	-97.50
Eureka office copy/fax machine installation of surge protector	-295.00
Eureka office copy/fax machine surge protector	-148.82
refund Eureka office copy/fax machine maintenance agreement	4,413.66
Assistance with Eureka office copy/fax machine network repair	-116.25

Humboldt Bay Municipal Water District Expenses by Vendor Detail

October 2018

Memo	Amount
Essex office copy/fax machine maintenance agreement	-2,270.56
Eureka office copy/fax machine supplies not included in Maint agreement (s...	-113.38
Total Coastal Business Systems, Inc	-1,914.02
Corey Borghino	
auto mileage reimbursement July-September 2018	-66.16
Total Corey Borghino	-66.16
Crane & Equip Regulatory Training	
Crane inspections and certifications - Chlorine Building	-250.00
Crane inspections and certifications	-5,025.00
Crane inspections and certifications - Ruth Hydro	-350.00
Total Crane & Equip Regulatory Training	-5,625.00
CSDA	
2019 Membership	-7,252.00
Total CSDA	-7,252.00
Cummins Pacific LLC	
TRF Generator Replacement	-25,162.24
Total Cummins Pacific LLC	-25,162.24
Dave Perkins	
auto mileage reimbursement	-142.74
auto mileage reimbursement	-295.99
Total Dave Perkins	-438.73
Davidson Brothers Lock & Safe	
keys for Zenia staff gauge	-8.14
keys for Ruth Hydro	-16.27
Total Davidson Brothers Lock & Safe	-24.41
Eureka-Humboldt Fire Ext.,Co, Inc	
Fire extinguisher signs at TRF	-168.07
Total Eureka-Humboldt Fire Ext.,Co, Inc	-168.07
Eureka Oxygen	
cylinder rental	-108.20
Total Eureka Oxygen	-108.20
Eureka Readymix	
TRF sludge bed maintenance	-397.53
Total Eureka Readymix	-397.53
Eureka Rubber Stamp	
Eureka office name plates	-95.27
Total Eureka Rubber Stamp	-95.27
Fastenal Company	
Essex safety supplies	-115.65
Total Fastenal Company	-115.65
FEDEX	
Ship lab samples to lab	-122.21
Total FEDEX	-122.21
FleetPride	
Repair Unit 5	-11.53
TRF generator installation	-16.34

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

October 2018

Memo	Amount
Total FleetPride	-27.87
Frontier Communications	
Ruth HQ	-51.36
Ruth Hydro/Ruth Dataline	-163.41
Total Frontier Communications	-214.77
GHD	
(106283) Grant Submittal - Single Line Slough Crossing Retrofit	-594.75
(106284) General Engineering - Ruth Dam Video and Dam Break Inundation	-332.50
(106284) General Engineering - Chlorine NOI	-633.00
(106284) General Engineering - Essex	-1,751.00
(106284) General Engineering - Eureka	-1,160.50
(106286) Blue Lake/ Fieldbrook-Glendale CSD Pipeline Crossing	-90,235.13
(106285) Mad River Cross Sectional Survey	-295.25
(107760) Grant Assistance	-129.00
(107759) General Engineering - Ruth Dam Dam NOI Review	-105.50
(107759) General Engineering - Chlorine NOI	-316.50
(107759) General Engineering - Essex	-2,574.50
(107759) General Engineering - Eureka	-844.00
(107759) General Engineering - FERC EAP	-282.50
(107763) Mad River Cross Sectional Survey	-6,203.75
(107762) Blue Lake/ Fieldbrook-Glendale CSD Pipeline Crossing	-32,411.00
(107261) Collector 3 Monitoring Well Abandonment	-3,941.50
(107761) FERC DSSMR Review	-107.50
(108662) Collector 3 Monitoring Well Abandonment	-1,847.00
Total GHD	-143,764.88
Goodway Technologies	
HEPA Filter Vacuum Cleaner	-1,140.31
Total Goodway Technologies	-1,140.31
Harbor Freight Tools	
carpentry tools	-12.98
floating work platform maintenance	-94.35
Total Harbor Freight Tools	-107.33
Harper Motors	
Unit 9 repair	-528.94
Total Harper Motors	-528.94
Hensel Hardware	
TRF maintenance	-175.61
Industrial reservoir fence repair	-15.11
painting supplies	-30.34
security camera maintenance	-14.09
chlorine test strips	-23.85
Total Hensel Hardware	-259.00
Henwood Associates, Inc	
Consultant Services Agreement	-462.79
Total Henwood Associates, Inc	-462.79
Hilfiker Co.	
Emergency air relief valve repair	-294.49
Total Hilfiker Co.	-294.49
Humboldt County Health Department	
Onsite Wastewater Treatment System Permit Application Fee	-745.00
Total Humboldt County Health Department	-745.00
Humboldt Redwood Company, LLC	

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

October 2018

Memo	Amount
Mt Pierce Lease site	-266.79
Total Humboldt Redwood Company, LLC	-266.79
Humboldt Waste Management Authority disposal of old furniture Ruth Bunkhouse	-70.12
disposal of corporation yard waste materials	-141.80
dispose of hazardous waste	-141.00
Total Humboldt Waste Management Authority	-352.92
Ian Ivey	
Travel Advance for T-4 Exam in Redding	-377.05
Total Ian Ivey	-377.05
Industrial Electric	
electrical maintenance supplies	-123.99
TRF UPS Connector	-92.05
TRF Domestic water reservoir Level Transducer repair	-22.57
Total Industrial Electric	-238.61
Interstate Battery System	
TRF Generator installation	-238.42
Total Interstate Battery System	-238.42
JTN Energy, LLC	
Consultant Services Agreement	-462.79
Total JTN Energy, LLC	-462.79
Keenan Supply	
Emergency repair air relief valve	-502.19
Total Keenan Supply	-502.19
Larry Raschein	
Travel Advance - ACWA/JPIA Leadership training in Roseville	-594.10
Total Larry Raschein	-594.10
Lee Dedini	
reimbursement for over payment COBRA Dental and Vision coverage	-85.43
Total Lee Dedini	-85.43
Mario Palmero	
Ruth Bunkhouse furniture storage	-4.29
TRF Maintenance	-27.19
Water Quality maintenance	-23.87
Customer Service supplies	-16.76
replace tools	-17.32
Essex office supplies	-14.34
Employee recognition	-11.97
maintenance supplies	-4.55
Ruth maintenance	-7.15
Ruth Hydro maintenance	-7.16
Total Mario Palmero	-134.60
Matthews Paints, Inc.	
vehicle maintenance	-23.98
Total Matthews Paints, Inc.	-23.98
McMaster-Carr Supply	
TRF valve actuator maintenance	-108.34
maintenance shop tools	-140.35
Total McMaster-Carr Supply	-248.69

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

11/01/18

October 2018

Memo	Amount
Mendes Supply Company	
Eureka office supplies	-105.32
Total Mendes Supply Company	-105.32
Mercer-Fraser Company	
Blue Lake/Fieldbrook-Glendale CSD River Crossing	-260,056.33
Total Mercer-Fraser Company	-260,056.33
Miller Farms Nursery	
safety supplies	-75.41
chainsaw maintenance	-27.75
Industrial reservoir fence repair	-24.24
Total Miller Farms Nursery	-127.40
Mission Linen	
maintenance supplies	-34.50
Uniform Rental	-404.35
Total Mission Linen	-438.85
Mitchell, Brisso, Delaney & Vrieze	
Legal Services Eureka - September 2018	-939.00
Total Mitchell, Brisso, Delaney & Vrieze	-939.00
Munnell & Sherrill, Inc.	
hydrant meter repair	-88.39
Total Munnell & Sherrill, Inc.	-88.39
N1 Critical Technologies	
Replace Essex UPCs	-20,159.89
Total N1 Critical Technologies	-20,159.89
Napa Auto Parts	
Unit 6 maintenance	-242.88
Unit 6 maintenance	-242.88
pressure gauge	-30.25
maintenance supplies	-25.70
Unit 1 battery	-137.50
Unit 3 service	-18.03
Total Napa Auto Parts	-697.24
Nilsen Co.	
Industrial Reservoir fencing repair	-12.99
Total Nilsen Co.	-12.99
North Bay Auto	
Unit 6 wheel alignment	-50.00
Unit 6 wheel alignment	-49.99
Total North Bay Auto	-99.99
North Coast Laboratories	
lab tests	-620.00
Total North Coast Laboratories	-620.00
North Valley Labor Compliance	
Blue Lake/Fieldbrook-Glendale CSD river crossing	-975.00
Total North Valley Labor Compliance	-975.00
Northern California Safety Consortium	
membership fee	-50.00
Total Northern California Safety Consortium	-50.00

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

October 2018

Memo	Amount
Occupational Health Services of Mad River	
DMV physical	-135.00
Total Occupational Health Services of Mad River	-135.00
Pacific Gas & Electric Co.	
Ruth Bunkhouse	
Eureka office	-321.96
Jackson Ranch Rectifier	-15.92
299 Rectifier	-95.46
West End Road Recifier	-126.62
TRF	-3,514.58
Ruth Hydro Valve Control	-26.67
Ruth Hydro	-23.67
Samoa Booster Pump Station	-1,205.80
Samoa Dial Station	-19.87
Essex Pumping 9/1 - 9/30/2018	-54,908.55
Total Pacific Gas & Electric Co.	-60,259.10
Pacific Paper Co.	
Eureka office supplies	-117.83
Essex office supplies	-192.31
Eureka office supplies	-153.33
Total Pacific Paper Co.	-463.47
Peterson Tractor Co.	
Cat 420 backhoe bucket repair	-26.69
Total Peterson Tractor Co.	-26.69
Pitney Bowes	
refill postage meter	-500.00
Total Pitney Bowes	-500.00
PitStop Cleaning`	
Eureka office cleaning	-160.00
Total PitStop Cleaning`	-160.00
Platt Electric Supply	
Essex shop lighting	-534.32
Total Platt Electric Supply	-534.32
Rebecca J. Moyle	
landscape maintenance	-23.50
mail treatment exam application	-7.41
Board meeting supplies	-34.93
12KV Engineering SOQ meeting	-2.04
Essex meeting	-28.00
Channel Control supplies - fishing nets	-15.16
Total Rebecca J. Moyle	-111.04
Recology Arcata	
Essex Garbage Service	-421.05
Total Recology Arcata	-421.05
Recology Humboldt County	
Eureka office garbage/recycling service	-90.72
Total Recology Humboldt County	-90.72
Redwood Electrical Services	
TRF Generator installation	-5,000.00
Total Redwood Electrical Services	-5,000.00
Renner Petroleum	

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

11/01/18

October 2018

Memo	Amount
cardlock fuel - pumping & control	-486.62
cardlock fuel - water quality	-486.62
cardlock fuel - maintenance	-486.62
cardlock fuel - customer service	-486.63
sorbent pads	-141.05
refill Essex bulk fuel	-1,031.70
Fuel for 2 MW Generator	-8,756.35
Total Renner Petroleum	-11,875.59
Roto-Rooter Plumbers	
pump Park 1 septic tank	-680.00
Total Roto-Rooter Plumbers	-680.00
Sheri Woo	
expense reimbursement to attend BOEM meeting for RCEA	-31.17
auto mileage reimbursement to attend BOEM meeting for RCEA	-327.00
Total Sheri Woo	-358.17
Sitestar Nationwide Internet	
Essex Internet	-52.90
Total Sitestar Nationwide Internet	-52.90
Six Rivers Communications	
install antenna at Pierce Mountain	-4,481.44
Total Six Rivers Communications	-4,481.44
Springville Safety/Supply	
safety supplies	-256.71
First Aid Kit Unit 7	-38.52
Total Springville Safety/Supply	-295.23
Staples	
Essex office supplies	-112.92
Total Staples	-112.92
Stillwater Sciences	
professional assistance -Streambed Flow Enhancement Project	-302.00
Total Stillwater Sciences	-302.00
Sudden Link	
TRF Internet	-107.33
Eureka office Internet	-206.94
Essex Internet	-126.94
Fieldbrook-Glendale CSD Internet	-276.99
Total Sudden Link	-718.20
T.P. Tire Service, Inc	
flat repair Unit 13	-15.00
Total T.P. Tire Service, Inc	-15.00
TechnoFlo Systems	
Collector 2 Meter Calibration - Balance owed on invoice	-1,000.00
Total TechnoFlo Systems	-1,000.00
Tehama Tire Service	
Unit 10 tire rotation	-120.00
replace equipment trailer tires	-164.04
Total Tehama Tire Service	-284.04
Thatcher Company, Inc	

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

SECTION 120 PAGE NO. 10

11/01/18

October 2018

Memo	Amount
replenish chlorine	-1,179.22
Total Thatcher Company, Inc	-1,179.22
The Mill Yard	
shelving Line Shed 7	-52.66
shelving Line Shed 7	-58.08
Inudstrial Reservoir fencing repair	-44.87
Sheriff's Cove gravel signage	-27.48
TRF valve actuator maintenance	-11.47
maintenance supplies	-13.01
Total The Mill Yard	-207.57
Thomas Law Group	
Legal Fees - September	-9,906.25
Total Thomas Law Group	-9,906.25
Three G's	
Ruth HQ culvert replacement	-51.40
Industrial Reservoir fencing repair	-12.90
Total Three G's	-64.30
Thrifty Supply	
TRF 2" check valves for sump pump	-282.38
TRF hypochlorite system repair	-838.72
6" Generac Pump and Ditch Witch fittings	-256.29
Total Thrifty Supply	-1,377.39
Tim Farrell	
Travel Advance for T-3 Exam in Redding	-360.34
Total Tim Farrell	-360.34
Trinity County General Services	
Pickett Peak site lease	-250.00
Total Trinity County General Services	-250.00
Trinity County Solid Waste	
Ruth HQ dump fees	-6.20
Ruth Hydro dump fees	-6.20
Total Trinity County Solid Waste	-12.40
U.S. Bank Corporate Payment System	
Replace Fleet Vehicle Emergency Safety Beacons	-1,677.95
Replace Essex Administrative Computers	-184.58
TRF Instrumentation Emergency Replacement Inventory	-4,459.82
Essex office supplies	-32.29
Portable Gantry System	-3,226.66
Conference Call SGMA -Groundwater Management Plan	-5.23
The How Not to Die Cookbook - Wellness Grant	-657.30
ACWA Fall Conference Registration - J. Friedenbach	-699.00
Supervisors Quarterly Meeting	-115.50
Business Cards	-37.15
Operations & Maintenance Tech positon advertisement - Water and Waste...	-185.00
Operations & Maintenance Tech positon advertisement - CSDA	-105.00
Operations & Maintenance Tech positon advertisement - CA Water Jobs	-285.00
Operations & Maintenance Tech positon advertisement - BC Water Jobs	-200.00
Operations & Maintenance Tech positon advertisement - Water District Jobs	-145.00
Office Supplies for FERC STID	-71.61
Operations & Maintenance Tech positon advertisement -Craigs List-Humbol...	-30.00
Operations & Maintenance Tech positon advertisement -Craigs List-SF Bay...	-150.00
Business Cards	-16.25
Food Supplies for Ruth work crew	-81.27
Ruth Hydro Wicket Gate Hydraulic Control Motor	-2,082.05
Unit 5 repair	-69.80
covers for storage of Ruth bunkhouse furniture	-38.74

Humboldt Bay Municipal Water District
Expenses by Vendor Detail

October 2018

Memo	Amount
Essex office supplies	-68.97
travel expense for Ruth Operations/Hydro Training	-35.26
travel expense for Ruth Operations/Hydro Training	-35.26
Essex Computers networking supplies	-22.29
Essex Computers networking supplies	-31.51
Robo Call Service - Fieldbrook-Glendale CSD Will be reimbursed by Fieldbr...	-8.82
Robo Call Service - Customer notifications Blue Lake/Fieldbrook-Glendale ...	-90.18
Total U.S. Bank Corporate Payment System	-14,847.49
United Rentals, Inc	
Ruth HQ culvert repair	-107.79
equipment maintenance	-123.90
Confined space and excavation safety training	-250.00
Total United Rentals, Inc	-481.69
USA Blue Book	
Replace altitude/pressure gauge - CT tank	-194.47
Total USA Blue Book	-194.47
USTI, Inc	
ebill charges Humboldt Bay retail	-3.84
ebill charges Fieldbrook-Glendale CSD	-8.64
Total USTI, Inc	-12.48
Verizon Wireless	
General Manager	-37.58
Customer Service	-55.15
Operations 2	-0.40
Electrician	-0.18
Unit 6	-21.25
unit 6	-21.25
Operations 1	-0.18
Total Verizon Wireless	-135.99
Weck Laboratories, Inc	
UCMR lab tests	-1,100.00
Total Weck Laboratories, Inc	-1,100.00
Western States Oil Company	
oil for collectors	-1,828.69
Total Western States Oil Company	-1,828.69
Wonder Bros. Auto Body	
Unit 15 repair	-4,873.47
Total Wonder Bros. Auto Body	-4,873.47
TOTAL	-690,642.88

H.B.M.W.D. OCT 16 2018
via email

SECTION I2b PAGE NO. 1



COUNTY OF HUMBOLDT

JOHN BARTHOLOMEW
TREASURER-TAX COLLECTOR

825 FIFTH STREET ROOM 125
EUREKA, CALIFORNIA 95501

PHONE: 707-476-2450

FAX: 707-445-7608

TOLL FREE: 877-448-6829

EMAIL: taxinfo@co.humboldt.ca.us

Subject: Interest Apportionment Rate and Other Considerations

October 16, 2018

Honorable Board Members,

Your fund balances in the County Treasury from April through June 2018 (Fiscal 17/18 4th Quarter) earned an annualized interest rate of 1.64%. For comparison purposes, the LAIF (Local Agency Investment Fund) rate was 1.90%.


The Federal Open Market Committee (FOMC) voted on September 26 to again raise the fed funds target rate by 25 basis points to a range of 2.00% to 2.25%; and they signaled strong support for another increase in December. The Fed wants to gradually bring short term rates to what they consider a neutral level whereby inflation is stabilized at about 2% per annum. Fed Chair Powell has defended the FOMC approach of very gradual increases because "moving rates up too fast could needlessly foreshorten the expansion, but moving too slowly could risk a rise in inflation expectations", he said. He was also quoted as saying the US economy is "remarkably positive."

Yes, LAIF is now paying at a higher interest rate than the county pool. This is an expected outcome of FOMC decisions to increase fed funds rates because short term rates are much more effected and volatile than longer term rates (5, 10, & 30 year) and the LAIF account is comprised primarily of securities with maturities of less than 6 months; hence it's nice surge in interest. The LAIF account is by design a short-term pool where California municipalities can park their liquidity funds for daily access as needed.

When fed funds rates stabilize we expect that county pool interest apportionment will again catch up with, and then exceed, LAIF interest. At some point the fed funds rate will be reduced to enhance the US economy due to recessionary difficulties (yes, it will happen again) at which time the county pool rate will maintain a higher interest rate for a longer period of time than LAIF, and other 'short-term security' pools, because the county pool is by design less effected by short-term interest rate changes.

As always our goals are Safety, Liquidity and Yield. Let us know how we may be of service.

Sincerely,


John Bartholomew
Treasurer Tax Collector

Humboldt County Treasury Team:
Whitney Morgan – Treasury Assistant
Amy Christensen – Treasury Assistant

H.B.M.W.D. OCT 16 2018

Via email

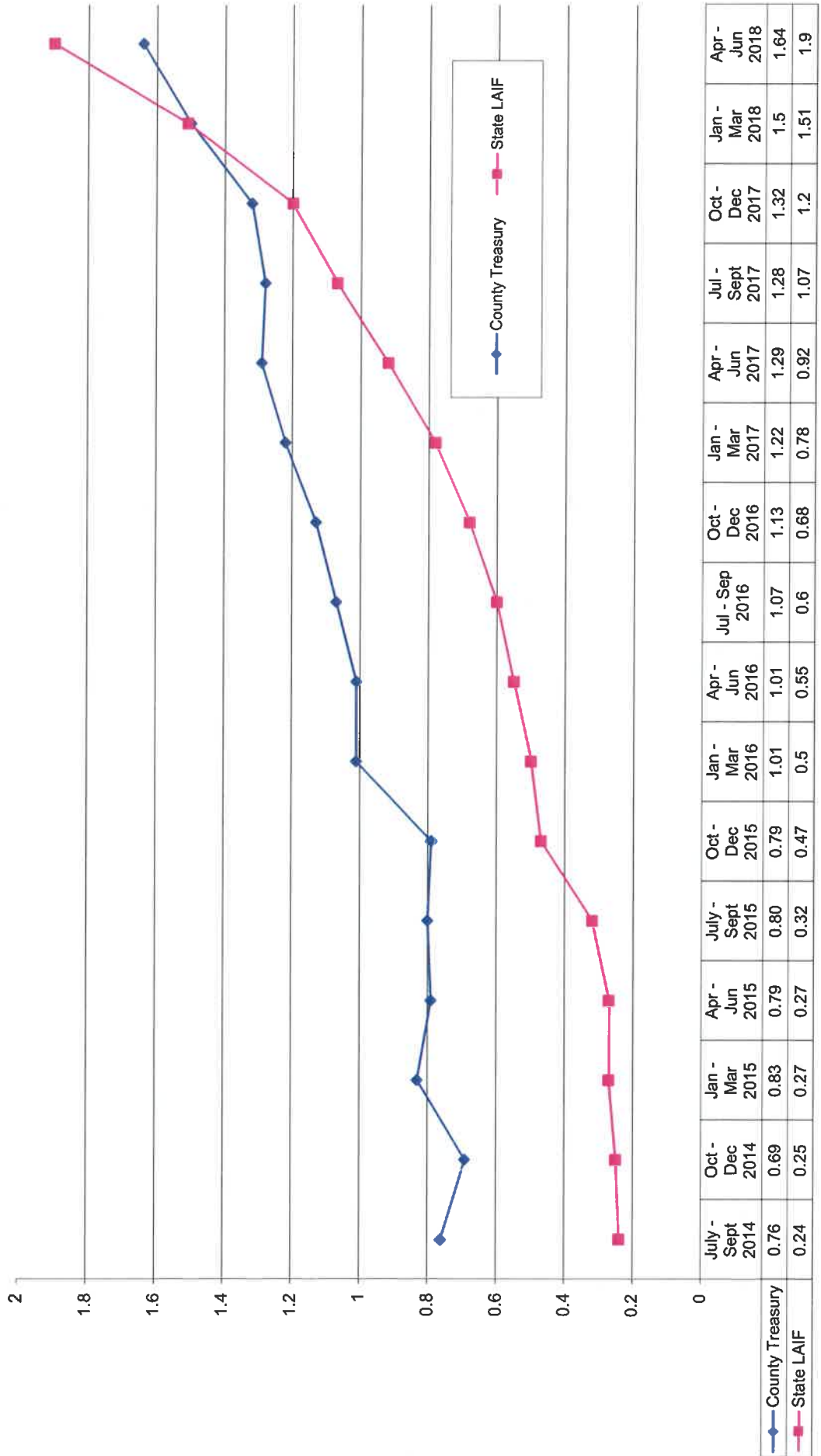
FUND BALANCES

Allocation Account Activity
July 1, 2018 - July 1, 2018

Interest April - June 2018

Account	Fund	Security ID	Current Transaction ID	Transaction Date	Receipt	Trans. Type	Contributions / Transfer In	Disbursements / Transfer Out / Fees	Allocated Earnings	Balance
2710	2710	SYS								34,857.10
			1.639	07/01/2018		Alloc/Fee			1,152.07	36,009.17
<i>1% Taxes</i>										
			1.639				0.00	0.00	1,152.07	36,009.17
2711	2711	2711								428,703.81
			1.639	07/01/2018		Alloc/Fee			1,751.64	430,455.45
<i>MSRA</i>										
			1.639				0.00	0.00	1,751.64	430,455.45
2712	2712	2712								259,473.00
			1.639	07/01/2018		Alloc/Fee			855.42	260,328.42
<i>Remat</i>										
			1.639				0.00	0.00	855.42	260,328.42
3873	3873	3873								1,802,284.64
			1.639	07/01/2018		Alloc/Fee			7,579.48	1,809,864.12
<i>Investment Account</i>										
			1.639				0.00	0.00	7,579.48	1,809,864.12
3874	3874	3874								234,232.42
			1.639	07/01/2018		Alloc/Fee			957.05	235,189.47
<i>DWFP</i>										
			1.639				0.00	0.00	957.05	235,189.47
3876	3876	3876								3,945.49
			1.639	07/01/2018		Alloc/Fee			259.93	4,205.42
<i>SRF Payment</i>										
			1.639				0.00	0.00	259.93	4,205.42

Comparison of County Treasury and State LAIF Investment Earning Rates
July 2014 - June 2018



OPERATIONS

Memo to: HBMWD Board of Directors
From: Dale Davidsen, Superintendent
Date: October 30, 2018
Subject: Essex/Ruth October 2018 Operational Report

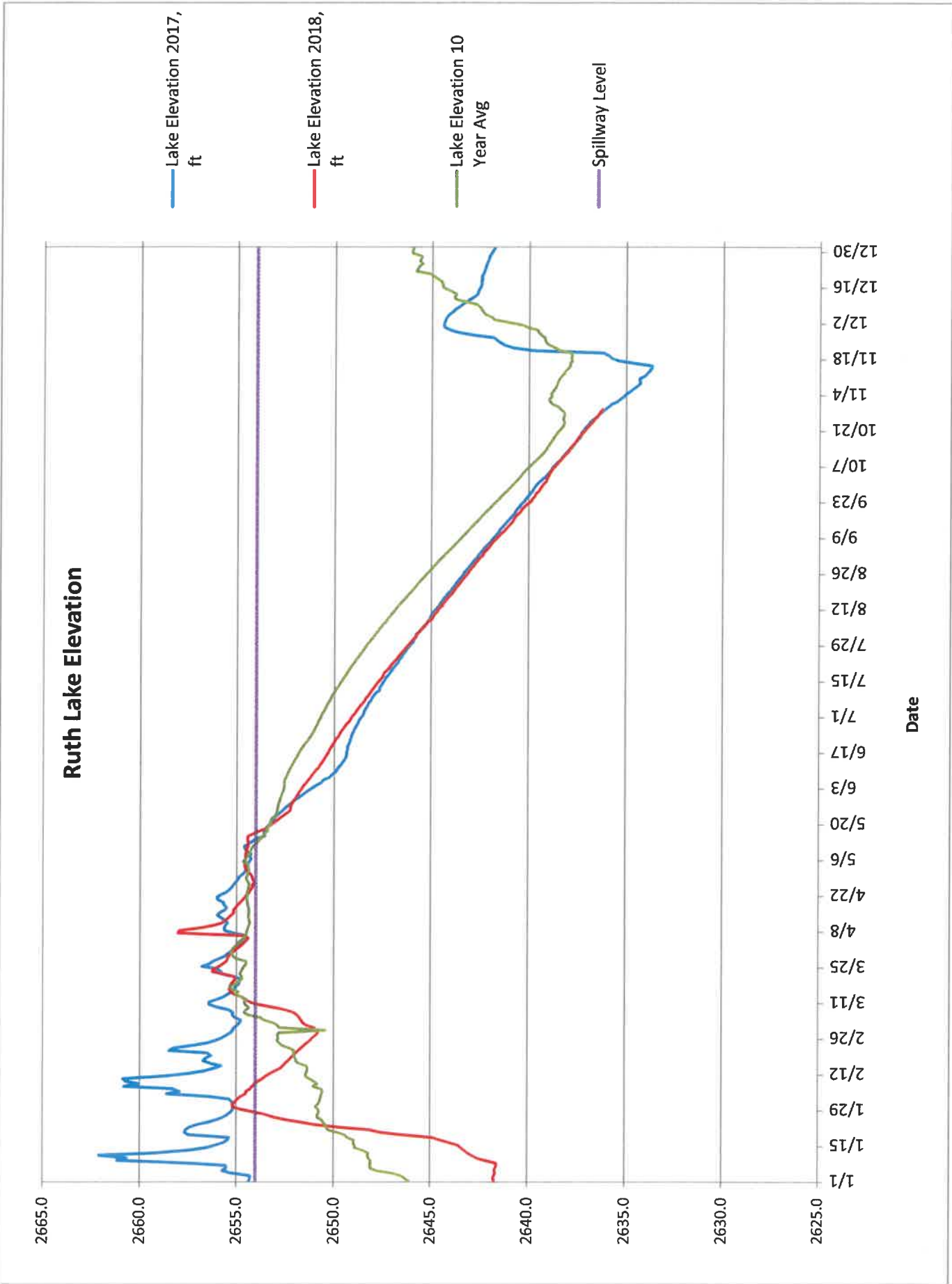
Upper Mad River, Ruth Lake, and Hydro Plant

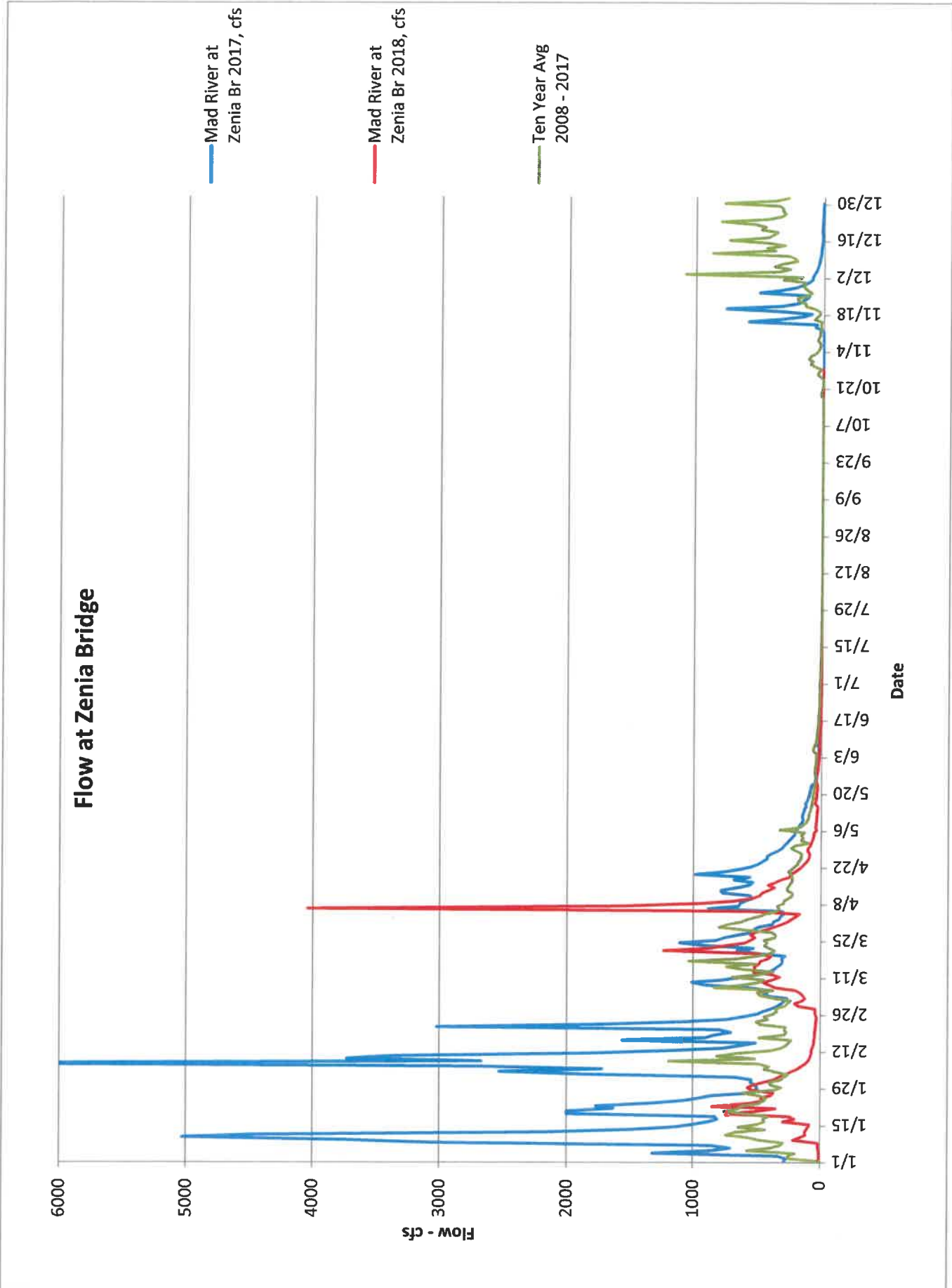
1. The flow at Mad River above Ruth Reservoir (Zenia Bridge) was 0 cfs for the month of October.
2. The conditions at Ruth Lake for the month of October were as follows:
 - a. The lake level on October 30th was 2636.10 feet which is:
 1. 3.00 feet lower than September 30th, 2018
 2. 0.20 feet higher than October 30th, 2017
 3. 2.87 feet lower than the ten-year average
 4. 17.90 feet below the spillway
3. There was 0.74 inches of recorded rainfall for October 2018 at Ruth Headquarters.
4. Ruth Hydro produced 147,666 KWh in October. The hydro plant was online all month with two shutdowns and 1,134kw lost.
5. In October the discharge from the lake averaged 44 cfs.

Lower Mad River, Winzler Control, and TRF

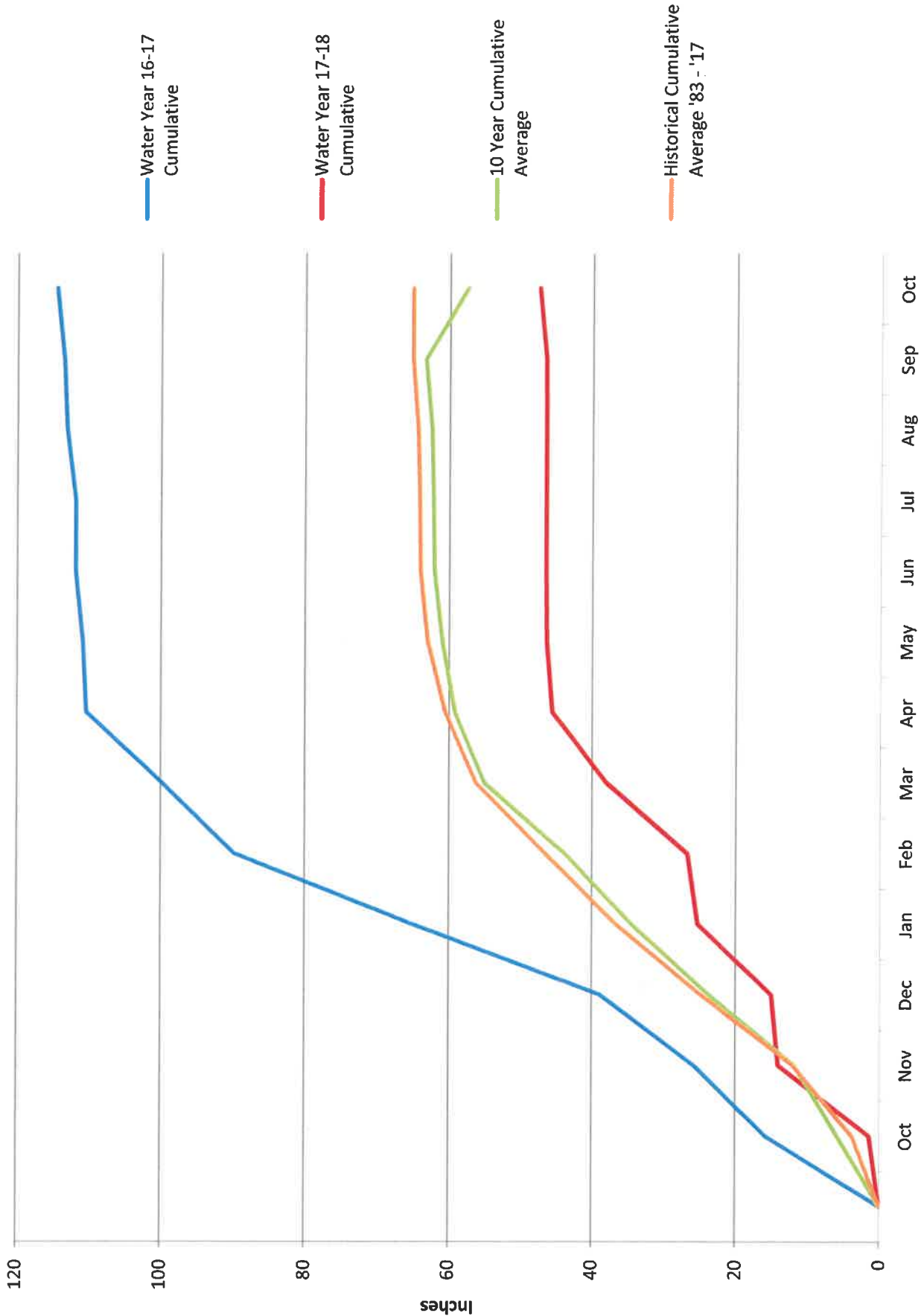
6. The river at Winzler Control Center for October was steady at 54cfs with a river level of 20.9.
7. The domestic water conditions were as follows:
 - a. The monthly turbidity average was 0.14 NTU, which meets Public Health Secondary Standards.
 - b. For the month of October, we pumped 273.260 million gallons at an average of 8.789 MGD.
 - c. The maximum metered daily municipal customer use was 10.166 MGD on October 7th.
8. The Turbidity Reduction Facility was started up in the first week in October, and is in recirculation mode waiting for the rains.
9. October 3rd – Safety Meetings
 - a. Trenching / Shoring
 - b. Tsunami Awareness

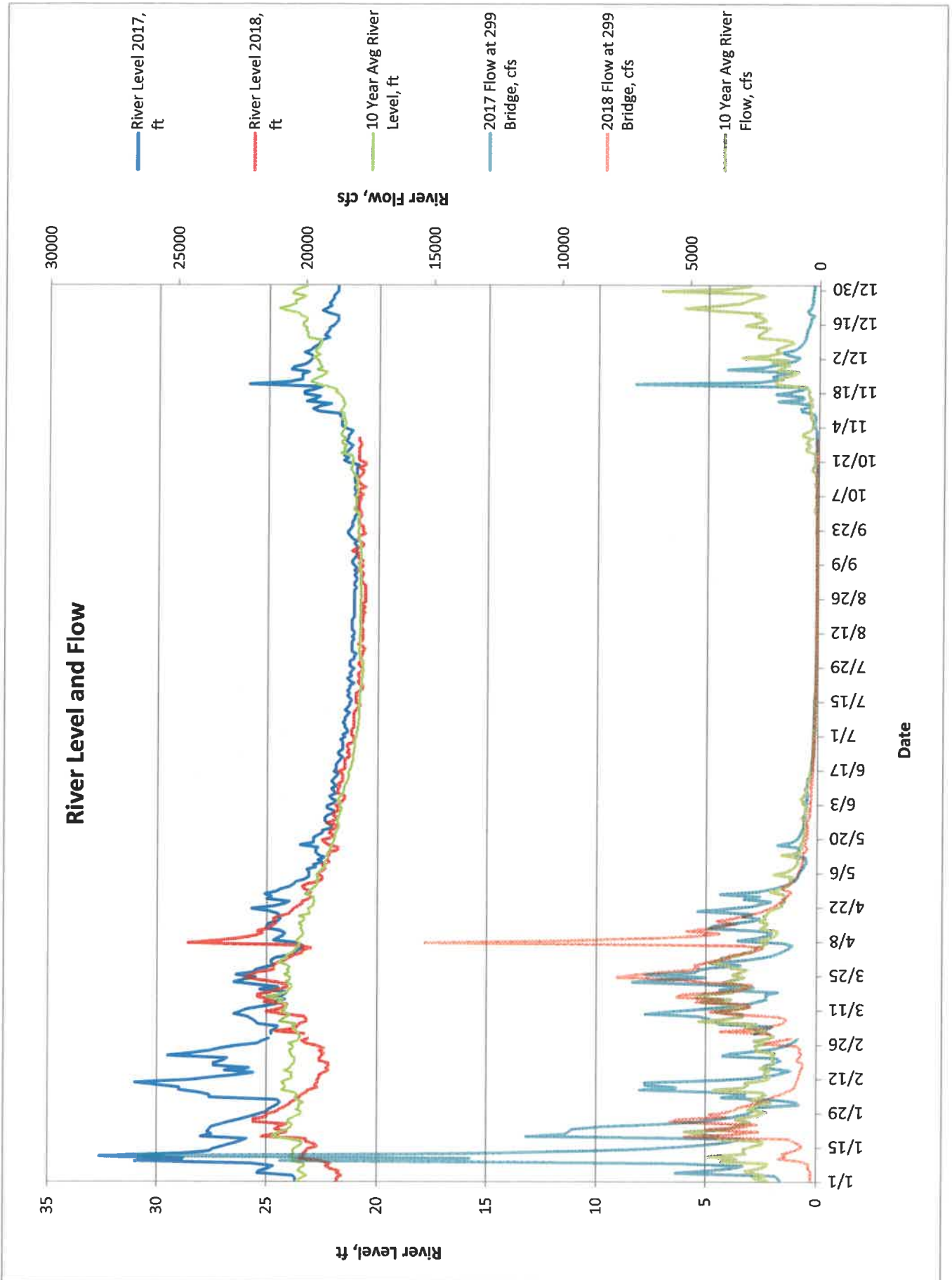
10. October 4th – Complete Caustic Soda removal from TRF
11. October 5th – True North Constructors started asbestos abatement on the bunkhouse.
12. October 7th – Completed 90 Day Class A truck inspections.
13. October 8th & 9th – Redwood Electrical did electrical installation of TRF standby generator and transfer switch
14. October 8th – 12th – CERTS (Crane & Equipment Regulatory Training & Services) was on-site inspection our cranes and rigging equipment at Essex and Ruth.
15. October 9th – Mario and Ryan attended a webinar on use of drones for dam inspections
16. October 15th – Mercer Fraser did final tie-in of the Mad River crossing project.
17. October 17th – Safety meeting – Sight and Sound safety
18. October 23rd – Maintenance crew installed manhole on lost vault in West End Rd.
19. October 29th – Confirmed there is a leak on the Collector 2 line
20. October 30th – Maintenance Crew started replacement of valves and check valves on pumps 1-3 & 1-4
21. Current and Ongoing Projects
 - a. TRF Startup
 - b. Radio system repairs
 - c. Ruth Bunkhouse remodel – Bunkhouse has been demolished, working on footings



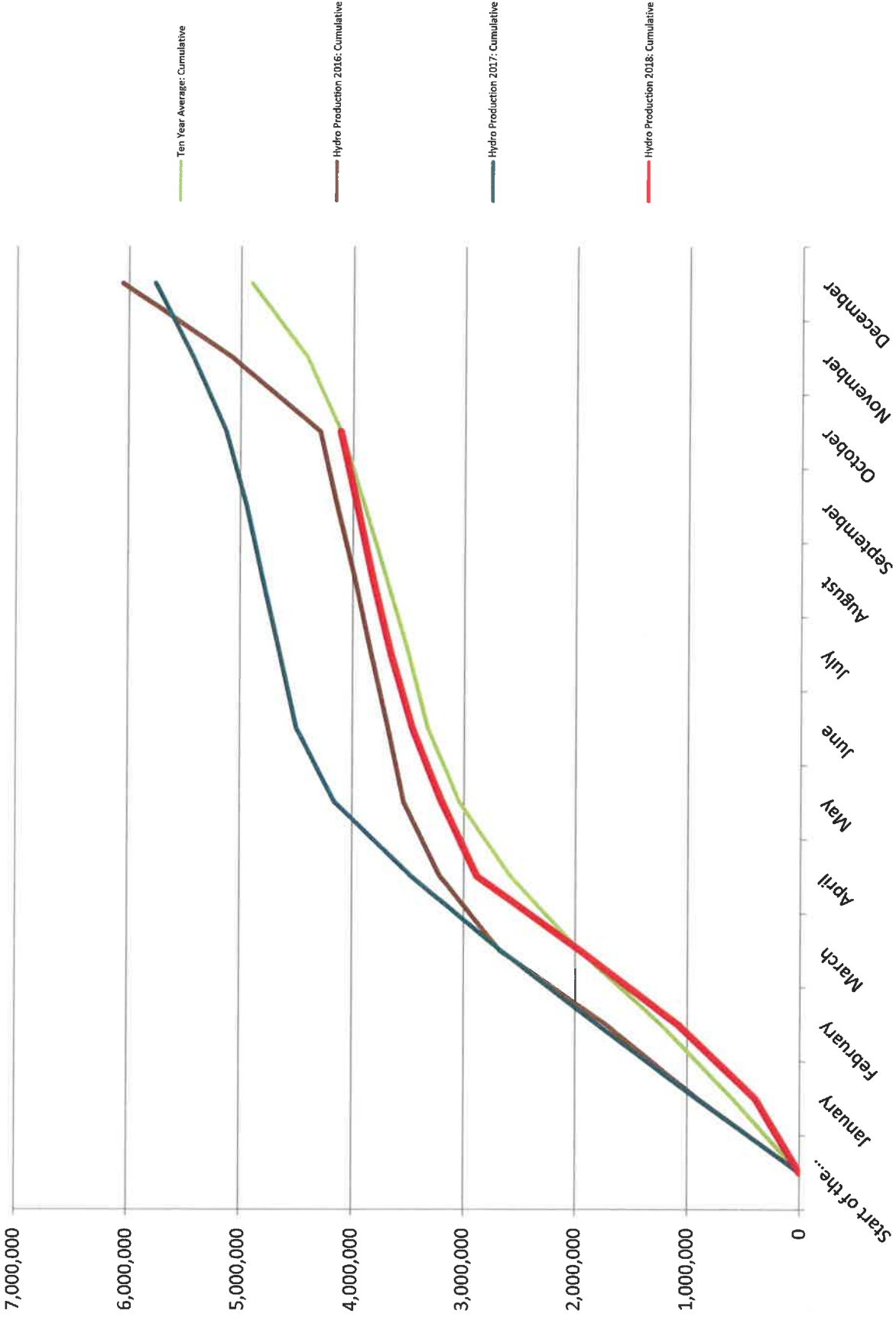


Ruth Rainfall - Water Year 2017-2018





Ruth Hydro Production: kW per Month



Humboldt Bay Municipal Water District

Ruth Hydro Production Report - Since June 1983

SECTION FB PAGE NO. 1

PG&E June 1983 through May 14, 2017		
	Total KWH Production	Average Monthly KWH Production
On Peak	11,630,866	28,575
Part Peak	58,575,072	143,919
Off Peak	83,856,378	206,035
Super Off Peak	26,796,680	65,840
Grand Total	180,858,216	444,369
	Pre REMAT Total Revenues	\$8,790,377.99
	No. of Months of Operation	407.5
	Average \$/Kwh	0.0486

REMAT		
June 2017 to August 2018		

Hydro Production Payment - Beginning June 2017

2017/2018	Production KWH			Totals		REMAT #of Mos	Total No. of Months	Cumulative REMAT Revenues	Grand Total Revenues to Date	Avg \$/Kwh REMAT
Month	Day	Shoulder	Night	Total KWH	Monthly Revenues					
June	81,535.2	96,802.0	155,848.2	334,185.4	\$ 26,120.87	1	408	\$ 56,508.94	\$ 8,846,886.93	\$ 0.0932
July	37,839.9	43,978.6	69,926.9	151,745.4	\$ 14,146.42	2	409	\$ 70,655.36	\$ 8,861,033.35	\$ 0.0932
Aug	39,075.2	45,418.9	71,539.6	156,033.7	\$ 14,543.49	3	410	\$ 85,198.85	\$ 8,875,576.84	\$ 0.0932
Sept	36,363.2	42,226.0	66,220.2	144,809.4	\$ 13,497.57	4	411	\$ 98,696.42	\$ 8,889,074.41	\$ 0.0932
Oct	48,570.2	56,566.9	87,605.6	192,742.7	\$ 18,457.96	5	412	\$ 117,154.38	\$ 8,907,532.37	\$ 0.0958
Nov	77,434.5	88,110.3	138,532.3	304,077.1	\$ 29,180.65	6	413	\$ 146,335.03	\$ 8,936,713.02	\$ 0.0960
Dec	83,746.8	100,034.0	158,937.6	342,718.4	\$ 32,775.44	7	414	\$ 179,110.47	\$ 8,969,488.46	\$ 0.0956
Jan	115,215.3	130,408.9	198,873.2	444,497.4	\$ 42,647.97	8	415	\$ 221,758.44	\$ 9,012,136.43	\$ 0.0959
Feb	180,500.0	214,085.6	343,849.9	738,435.5	\$ 70,673.06	9	416	\$ 292,431.50	\$ 9,082,809.49	\$ 0.0957
Mar	228,557.2	265,473.5	412,331.2	906,361.9	\$ 70,797.29	10	417	\$ 363,228.79	\$ 9,153,606.78	\$ 0.0781
Apr	225,414.8	266,539.0	422,950.4	914,904.2	\$ 71,453.25	11	418	\$ 434,682.04	\$ 9,225,060.03	\$ 0.0781
May	84,193.8	93,770.3	150,906.1	328,870.3	\$ 25,887.78	12	418	\$ 460,569.82	\$ 9,250,947.81	\$ 0.0787

Hydro Production Payment - Beginning June 2018

2018/2019	Production KWH			Totals		REMAT #of Mos	Total No. of Months of	Cumulative REMAT Revenues	Grand Total Revenues to Date	Avg \$/Kwh REMAT
Month	Day	Shoulder	Night	Total KWH	Monthly Revenues					
June	65,605.4	77,313.5	122,281.8	265,200.7	\$ 20,713.83	13	420	\$ 481,283.65	\$ 9,271,661.64	\$ 0.0781
July	48,734.4	56,588.6	88,948.3	194,271.3	\$ 18,108.73	14	421	\$ 499,392.38	\$ 9,289,770.37	\$ 0.0932
Aug	41,358.7	47,879.0	76,043.6	165,281.3	\$ 15,414.28	15	422	\$ 514,806.66	\$ 9,305,184.65	\$ 0.0933
Sept	36,667.4	42,109.6	67,119.8	145,896.8	\$ 13,618.69	16	411	\$ 528,425.35	\$ 9,318,803.34	\$ 0.0933

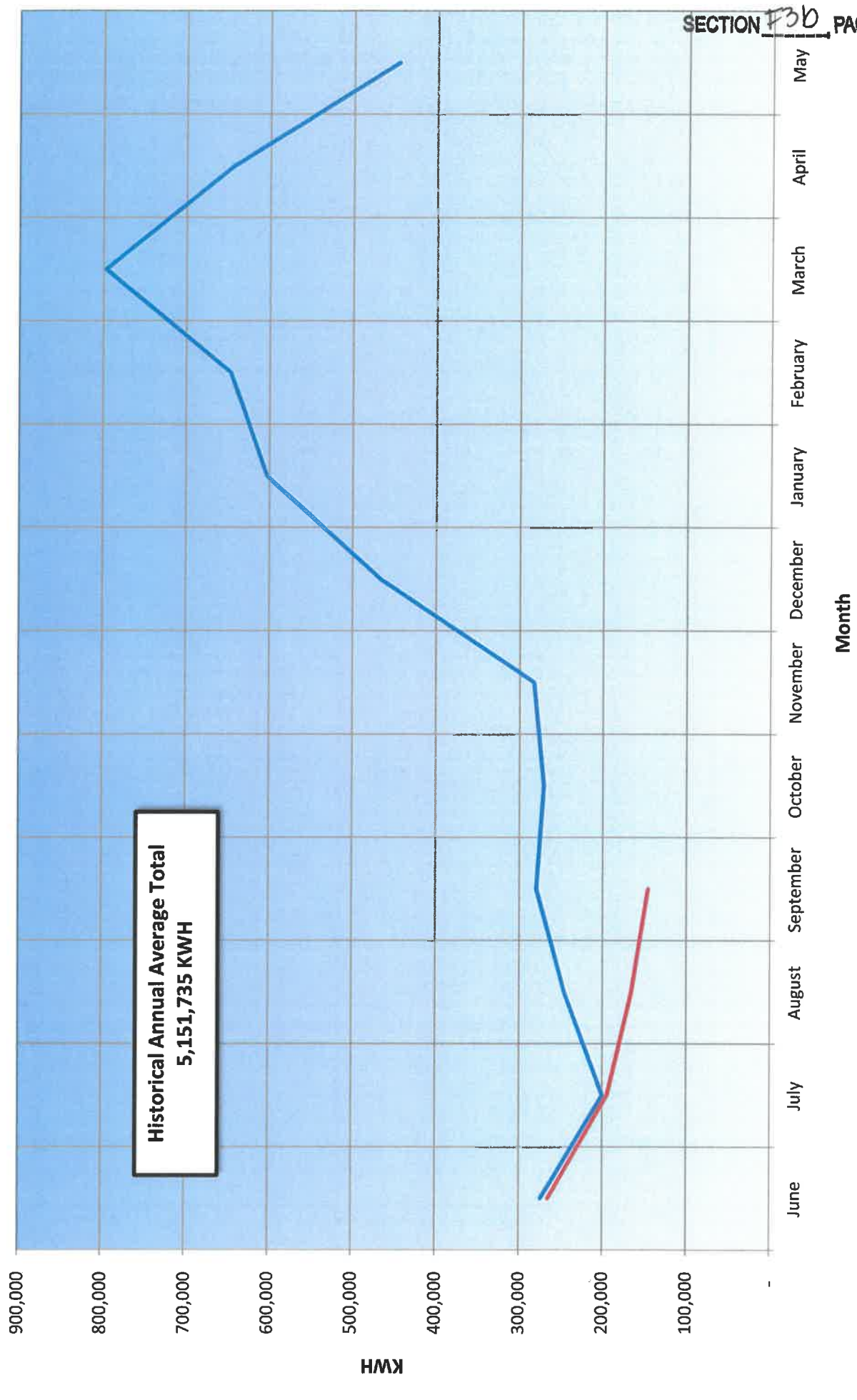
Calculation of PG&E ReMat & Muni Funds FY2018/19
 September 1-30, 2018

PERIOD	KWH	\$/KWH	ReMat Payment Received	Professional Services related to ReMat Contract \$0.0056 Contract is split 50/50*			Verify
				Muni PG&E Base Rate	Rebate To Muni's	JTN Energy	
DAY/PEAK	36,667.40	0.13197117	4,839.04				
SHOULDER/MID-DAY	42,109.60	0.05389492	2,269.49		Henwood Assoc., Inc.		
NIGHT	67,119.80	0.09699301	6,510.15	0.02943	408.51	408.51	
	145,896.80		\$ 13,618.68		\$ 408.51	\$ 408.51	Balance To ReMat Fund (County) \$ 8,507.92

Current Blended Rate Per Kwh \$ 0.09

*Separate checks are issued to JTN Energy & Henwood Associates, Inc. AFTER payment for month is received from PG & E G/Accounting/ReMat Analysis/ReMat Revenue & Payment

Historical vs. Actual Cumulative Production Gosselin Hydroelectric Plant at Ruth lake

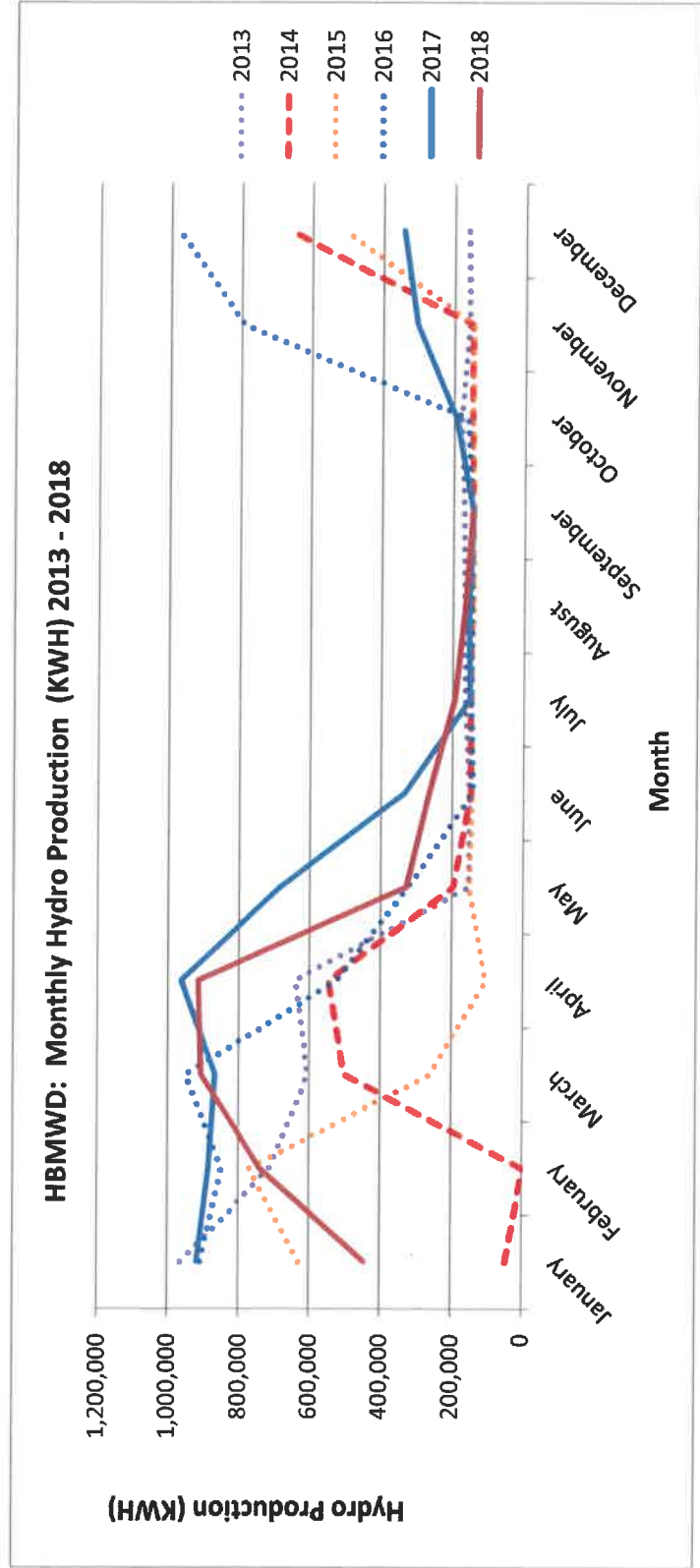


Historical Annual Average Total
5,151,735 KWH

— Historical PG&E Average Kwh
— Current FY Production REMAT

Humboldt Bay Municipal Water District
 Monthly Hydro Electric Production (KWH) for CY2013 - 2018

Month	2013	2014	2015	2016	2017	2018
January	962,724	47,002	632,611	907,103	916,562	444,497
February	713,055	0	769,170	848,575	884,477	738,436
March	605,327	501,812	261,555	950,250	866,400	906,362
April	642,402	545,893	106,258	523,573	962,033	914,904
May	152,795	196,968	151,803	323,636	682,547	328,870
June	152,044	147,630	143,055	142,248	334,185	265,201
July	164,775	149,503	150,599	147,564	151,745	194,271
August	168,428	148,220	140,977	147,531	156,034	165,281
September	169,768	145,020	145,468	148,770	144,809	145,897
October	178,812	148,715	147,574	159,930	192,743	
November	157,195	148,816	145,196	793,097	304,077	
December	160,936	665,823	510,915	978,889	342,718	
Total Annual	4,228,261	2,845,402	3,305,181	6,071,166	1,801,039	1,182,933



MANAGEMENT



SUMMARY OF CSDA 2017-18 LEGISLATIVE STATISTICS

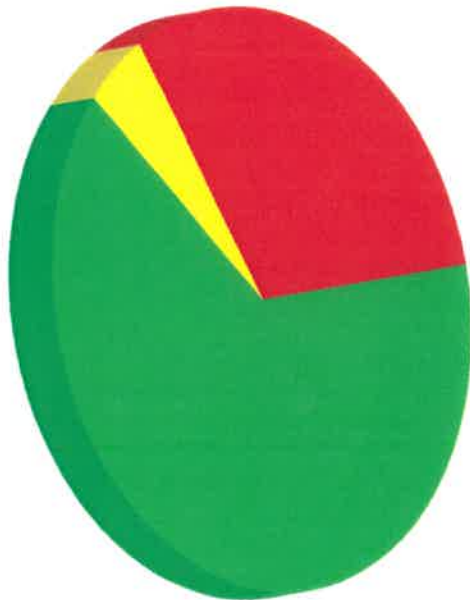
TOTAL NUMBER OF BILLS:

- Reviewed 5,617 bills
- Actively tracked 1,285 bills
- Directly lobbied on 238 bills

In the 2017-18 Legislative Session, 5617 legislative measures were introduced and CSDA was hard at work analyzing and monitoring many of these bills. Among the pieces of legislation worked this session, CSDA actively tracked 1285 bills and directly lobbied on 238 of those measures. Of the 105 bills opposed by CSDA, only 20 became law. The other 85 were killed or amended to remove CSDA's concerns. Of the 125 bills supported by CSDA, 80 became law; 6 bills were amended in a manner that changed the subject or otherwise removed our support. 39 bills CSDA supported failed passage or were vetoed. An additional 8 bills were actively tracked by CSDA, but did not receive a formal support or oppose position.

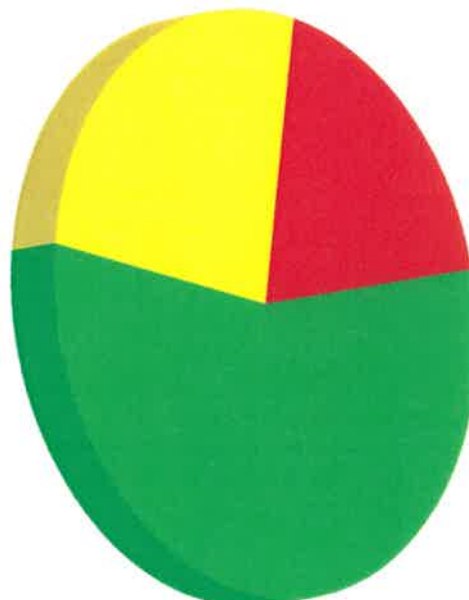
125 Bills Supported

- 80 – Signed into law
- 6 – Amended to remove support
- 39 – Failed passage



105 Bills Opposed

- 58 – Failed passage
- 27 – Amended to remove opposition
- 20 – Signed into law





2018 Year-End Legislative Report

October 30, 2018

BILL/ AUTHOR		ISSUE	ENVIRONMENT DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 327 (Gipson)	South Coast Air Quality Management District: Clean Car Fleet Mandate	As amended 6/4/18: Would have authorized the South Coast Air Quality Management District (SCAQMD) Board to adopt regulations requiring operators of public and commercial vehicle fleets of 15 or more vehicles to replace up to 15 percent of their vehicle each year with the cleanest commercially available vehicles.	Oppose	Dead	Substantial costs to districts' operating fleets in the SCAQMD	
AB 1000 (Friedman)	Water conveyance: Facility with Unused Capacity	As amended 7/3/17: Would have prohibited a transfer of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission and Department of Fish and Wildlife found that the transfer of the water would not adversely affect the natural or cultural resources of those federal and state lands.	Oppose	Dead	No direct fiscal impact	
AB 1288 (Eggman)	Public Workshops for Organic Waste Reduction Infrastructure	As amended 5/1/17: Would have required CalRecycle, when adopting regulations that go into effect in 2022 to achieve organic reduction targets, to hold at least one public workshop to discuss funding strategies for new and expanded organic waste reduction infrastructure. The bill also specified that CalRecycle would place the funds in the Integrated Waste Management Account (IWMA) for the administration and implementation of the Integrated Waste Management Act (Act), including requiring a prudent reserve.	Support	Dead	No direct fiscal impact	
AB 1608 (Kalra)	Vibrant Landscape Funding	As amended 5/1/17: Would have established the Vibrant Landscapes Program in the California Department of Conservation to provide assistance and incentives to local entities, including special districts, and nonprofits to manage and conserve natural and working lands to address climate change and achieve other public and environmental benefits.	Support	Dead	Potential new revenue opportunities	

BILL/ AUTHOR	ISSUE	ENVIRONMENT DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2267 (Wood)	California Environmental Quality Act (CEQA) Exemption for Sonoma County Renewal Enterprise District	As amended 8/22/18: Would have exempted from the requirements of CEQA actions and approvals taken between January 1, 2019, and January 1, 2024, for the adoption or approval of amendments to the Downtown Station Area Specific Plan for the City of Santa Rosa meeting certain requirements. The previous version of this bill was supported by CSDA and would have allowed an agency to repair property and facilities damaged or destroyed by natural disasters in which a state of emergency has been proclaimed by the Governor at a higher intensity of use without a CEQA review.	Neutral	Dead	No direct fiscal impact
AB 2447 (Reyes)	Additional CEQA Requirements for Projects in Disadvantaged Communities	As enrolled 9/4/18: Would have required a lead agency that is preparing an EIR or a negative declaration to provide mailed notices translated into threshold languages required by CEQA to owners and occupants of property located within 1/2 mile of any parcel or parcels, and to any schools located within one mile of any parcel or parcels, on which is located a project involving an industrial land use for projects for which environmental review commences on or after July 1, 2019. The bill would have required the lead agency to call at least one scoping meeting for those projects, as provided.	Oppose	Vetoed	Increased costs to agencies to prepare mailed notices and hold scoping meeting
AB 3020 (Flora)	CEQA Exemptions for Wildfire-related Projects	As amended 3/22/18: Would have expressly exempted from CEQA projects undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish, or replace properties or facilities damaged or destroyed as a result of fire or flood in a disaster-stricken area and would eliminate the requirement that a state of emergency has been declared for that area. The bill would have also exempted from CEQA specific actions necessary to reduce the threat or intensity of a wildfire.	Support	Dead	Cost savings from no longer having to carry out CEQA review
AB 3023 (Medina)	CEQA Postings on Internet Websites	As amended 3/19/18: Would have required lead agencies to post the notices required by CEQA and any environmental review document for a project on their Internet Web sites, if any, or to submit those notices and environmental review documents to the State Clearinghouse for inclusion in the database.	Concerns	Dead	Increased costs to post CEQA notices on agency website

BILL/ AUTHOR	ISSUE	ENVIRONMENT DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 3099 (Santiago)	Statute of Limitations for CEQA Challenges	As amended 3/22/18: CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA specifies time periods within which a person is required to bring an action or proceeding challenging a public agency's action on the grounds that the public agency violated the requirements of CEQA. This bill would have shortened those time periods to bring a challenge to an agency's action.	Support	Dead	Cost savings due to likely reduced litigation of CEQA reviews
SB 212 (Jackson)	Home-Generated Pharmaceutical Waste	As chaptered 9/30/18: Establishes a pharmaceutical and sharps waste stewardship program, under which each manufacturer of covered drugs or sharps in the state would be required to establish and implement, either on its own or as part of a group of covered manufacturers through membership in a pharmaceutical and sharps waste stewardship organization, a pharmaceutical and sharps waste stewardship program.	Support	Signed into Law	Potential cost savings due to potential increased participation in drug takeback programs
SB 265 (Berryhill)	Disaster Relief for Tree Mortality Crisis	As amended 6/29/17: Would have increased the state's share of the total costs for the removal of dead and dying trees due to the Governor's 2015 State of Emergency Declaration related to the tree mortality crisis to 90%.	Support	Dead	Costs savings for eligible districts
SB 771 (De León)	Continuing Education Requirement for CEQA Administrators	As amended 7/18/17: Would have required public agencies to ensure employees responsible for administering CEQA receive at least two hours every two years of related continuing education. CSDA originally had a <i>concerns</i> position on the bill due to a previous version that limited the type of training available and was unclear on which employees would be required to take the training. The current version of the bill modeled the training requirements for other mandatory public agency trainings.	Neutral	Dead	Potential increased costs due to new training requirements
SB 881 (Wickowski)	South San Francisco Bay Shoreline Project	As chaptered 9/22/18: Authorizes the state to provide subvention funds to the Santa Clara Valley Water District for the South San Francisco Bay Shoreline Project for flood control in areas along the south San Francisco Bay in the County of Santa Clara.	Support	Signed into Law	Additional funds for SCVWD

BILL/ AUTHOR	ISSUE	ENVIRONMENT DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 1015 (Allen)	California Climate Resiliency Program	As amended 8/6/18: Would have established the California Climate Resiliency Program to increase resiliency to climate change impacts in urban and rural communities throughout the state and to fund the planning and implementation of projects that improve and enhance the climate change resiliency of natural systems, natural and working lands, and developed areas.	Support	Dead	No direct fiscal impact
SB 1052 (Bates)	Identification of Parties and Contributors to a CEQA Challenge	As amended 3/21/18: Would have required disclosure of the identity of a person or entity that contributes in excess of \$100 dollars toward the plaintiffs or petitioner's costs of an action in a CEQA review. The bill would have provided that a failure to provide this disclosure shall be grounds for dismissal of the action by the court or, if the failure occurs during a postjudgment proceeding, the denial of attorneys' fees for a successful plaintiff or petitioner.	Support	Dead	No direct fiscal impact
SB 1301 (Beall)	State Permitting: Environment: Processing Procedures: Dam Safety or Flood Risk Reduction Project	As enrolled 8/31/18: Would have required the Office of Planning and Research to develop a joint multiagency preapplication for supplemental consultation and a model fee-for-service agreement, in consultation with a state agency with the power to issue a permit that would authorize a dam safety project or authorize a flood risk reduction project and any interested potential project applicants. The bill would have authorized a project applicant to complete a joint multiagency preapplication and submit the preapplication to each state agency named in the preapplication at any time.	Support	Vetoed	No direct fiscal impact
SB 1341 (Glazer)	Identification of Parties and Contributors to a CEQA Challenge	As amended 3/22/18: Would have required disclosure of the identity of a person or entity that contributes in excess of \$1,000 dollars toward the plaintiffs or petitioner's costs of an action in a CEQA review. The bill would have provided that a failure to provide this disclosure shall be grounds for dismissal of the action by the court or, if the failure occurs during a postjudgment proceeding, the denial of attorneys' fees for a successful plaintiff or petitioner.	Support	Dead	No direct fiscal impact
SB 1401 (Wickowski)	Climate Adaptation Information Clearinghouse	As introduced 2/16/18: Current law requires the Office of Planning and Research to coordinate with appropriate entities to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities. This bill would have required the office to seek feedback from entities that use the clearinghouse to maximize the efficacy and usefulness of the clearinghouse.	Support	Dead	No direct fiscal impact

BILL/ AUTHOR		ISSUE		FORMATION AND REORGANIZATION DESCRIPTION		CSDA POSITION	STATUS	COST/COST-SAVINGS
SB 1422 (Portantino)	California Safe Drinking Water Act: Microplastics	As chaptered 9/28/18: This bill requires the State Water Resources Control Board, on or before July 1, 2020, to adopt a definition of microplastics in drinking water, and on or before July 1, 2021, to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results.	Oppose	Signed into Law	No direct fiscal impact			
AB 2258 (Caballero)	Local Agency Formation Commission (LAFCo) Grant Program	As enrolled 9/4/18: Would have created a grant program for Local Agency Formation Commissions to perform studies and local government re-organization actions administered by the Strategic Growth Council. It would have been limited to actions in disadvantaged communities and would have been dependent on a budget appropriation and sunset in five years. CSDA worked with the sponsor of the bill to clarify protest threshold language in the bill which resulted in amendments that changed CSDA's position from oppose to support.	Support	Vetoed	No direct fiscal impact			
AB 2262 (Wood)	Coast Life Support District Act: Urgent Medical Care Services	As amended 4/16/18: Would have amended the non-codified enabling act (the act is not found in any code section, but instead the "statutes of 1986") of the Coast Life Support District to explicitly add the authority to provide urgent care services upon Location Agency Formation Commission approval and updates the enabling act to reference to the Cortese-Know-Hertzberg Act of 2000 rather than the Cortese-Knox Act of 1985.	Support	Dead	Potential single district, one-time minimal cost for activation of latent power			
AB 2600 (Flora)	Creation of Regional Park and Open Space Districts by Resolution	As chaptered 8/27/18: Streamlines applications for the creation of Regional Park and Open Space Districts by adding city or county resolutions to the existing petition gathering options to begin the process of formation.	Support	Signed into Law	No direct fiscal impact			
SB 519 (Beall)	Santa Clara Valley Water District (SCVWD)	As chaptered 9/17/18: Authorizes the Department of Transportation to offer leases to the Cities of Los Angeles and San Jose on a right of first refusal basis for any airspace under a freeway or certain real property acquired for highway purposes located in each city for purposes of an emergency shelter or feeding program. Previous versions of this bill would have required that any board vacancies at Santa Clara Valley Water District be filled by voters from the same district in which the vacancy occurred. However, that language was added to AB 1889 (Caballero) and this measure was gutted and amended.	Support	Signed into Law	No direct fiscal impact			

BILL/ AUTHOR	ISSUE	GOVERNANCE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 216 (Gonzalez Fletcher)	Prepaid Postage for Vote-by-Mail Ballots	As chaptered 7/18/18: Requires vote-by-mail identification envelopes to include prepaid postage and clarifies that elections officials are required to deliver to each vote-by-mail voter an identification envelope for the return of the vote-by-mail ballot.	Oppose unless Amended	Signed into Law	Potential increased elections costs
AB 668 (Gonzalez Fletcher)	Voting Modernization Bond Act of 2018	As amended 9/1/17: Would have enacted the Voting Modernization Bond Act of 2018 which would have authorized the issuance and sale of bonds in the amount of \$450,000,000 for purposes of assisting counties in the purchase of specified voting equipment and technology.	Support	Dead	No direct fiscal impact
AB 672 (Jones- Sawyer)	Damages for Diversion of Utility Services	As amended 1/3/18: Would have amended current law which authorizes an electrical, gas, or water corporation, or any electrical, gas, or water system operated by a public agency, to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts, among other things, the diversion of utility services by any means whatsoever. Existing law also authorizes the utility to recover as damages three times the amount of actual damages, plus the cost of the suit and reasonable attorney's fees. This bill would have reduced the possible damage recovery for utilities from three times the amount to actual damages for whoever the prevailing party is, plus the costs of the suit and reasonable attorney's fees.	Oppose	Dead	Costs to utilities resulting from reductions in fine recovery
AB 1333 (Dababneh)	Electronic Notices of Upcoming Tax/Bond Measures	As amended 5/18/17: Would have required every local government agency that maintains a website to prominently post on its website a notice of any upcoming election in which voters will vote on a tax measure or proposed bond issuance of the agency. The bill also had required every local government agency that publishes an electronic newsletter to include the notice in the electronic newsletter.	Oppose	Dead	Unknown, but minimal fiscal impact related to staff time for drafting notifications
AB 1603 (Ridley- Thomas)	Collective Bargaining Units: Temporary Employees	As amended 8/24/17: Would have allowed temporary workers at public agencies to join unions without the consent of the public agency or the temporary worker's employer (temp agency). This bill was amended to remove special districts from the requirements of the bill.	Neutral	Dead	Potentially significant additional labor costs
AB 1908 (Chávez)	Memorial Districts: Additional Funding Distribution Reporting Requirements	As chaptered 8/24/18: Clarifies that Veterans Memorial Districts are to prepare and keep a report of all financial transactions related to recently added powers to provide veterans services gained from 2017's AB 671 (Chávez), unless it is already required to be reported by existing law.	Support	Signed into Law	Unlikely to incur any additional costs

BILL/ AUTHOR		ISSUE	GOVERNANCE DESCRIPTION		CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2054 (Gonzalez Fletcher)	Restrictions on For-Profit Activity in Connection with State Parks	As enrolled 9/5/18: Would have prohibited any person or entity from using the state park reservation system for any for-profit activity without receiving prior approval from the Department of Parks and Recreation. Originally, this bill would have provided funding to combat the invasive shot hole borer.	Drop/Neutral???	Vetoed	No direct fiscal impact		
AB 2123 (Cervantes)	District-Based Elections	As chaptered 9/6/18: Permits a prospective plaintiff in a California Voting Rights Act case, and the political subdivision that would be subject to the lawsuit, to agree on up to a 90-day extension of the time for the political subdivision to transition from an at-large to a district-based elections system, where the political subdivision has passed a resolution indicating its intent to make such a transition.	Support	Signed into Law	Potential cost savings resulting from reduced litigation costs for districts changing from at-large to district-based elections		
AB 2137 (Mayes)	Regional Park and Open-Space Districts: General Manager: Powers	As chaptered 9/6/18: Increases the no-bid authority for the Riverside County Regional Park and Open Space District (RCRPOSD) to be consistent with the authority previously granted other districts by increasing the threshold from \$25,000 to \$50,000.	Support	Signed into Law	Cost savings for Riverside County Regional Park and Open Space District		
AB 2415 (Calderon)	Public Employees' Retirement System: Chief Operating Officer/Chief Health Director	As chaptered 9/29/18: Allows CalPERS to set the compensation for the chief operating officer and a chief health director, outside the tradition civil service employee compensation schedule in order to recruit and keep quality staff in those positions.	Support	Signed into Law	No direct fiscal impact		
AB 2432 (Oberholte)	California Voting Rights Act (CVRA)	As introduced 2/14/18: If a public agency with at-large elections is sued under the California Voting Rights Act, this bill would have prohibited a court from imposing district-based elections unless the plaintiff has established that district-based elections would alleviate the voting rights violations.	Support	Dead	No direct fiscal impact		
AB 2707 (Mullin)	Voter Information Internet Web Site	As chaptered 9/29/18: Requires the Secretary of State (SOS) to establish a voter information website that provides voters information on their elected federal, state, and local officials.	Support	Signed into Law	No direct fiscal impact		

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BILL/ AUTHOR	ISSUE	GOVERNANCE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2729 (Muratsuchi)	California State Auditor	As amended 6/19/18: Would have required the California State Auditor to notify the State Legislature's Joint Legislative Audit Committee in writing before beginning an initial assessment of a local agency as part of the High-Risk Local Agency Audit Program.	Oppose	Dead	No direct fiscal impact
AB 2822 (Oberholte)	California State Auditor: High-Risk Local Government Agency Audit Program	As chaptered 9/18/18: Increases the amount of information the State Auditor may use in assessing public agencies through the High-Risk Local Agency Audit Program by allowing the use of publicly available information.	Neutral	Signed into Law	No direct fiscal impact
AB 2880 (Harper)	Political Reform Act of 1974: Contracting with the Fair Political Practices Commission (FPPC)	As chaptered 9/14/18: This bill authorizes the Fair Political Practices Commission (FPPC) to administer and enforce a local campaign finance ordinance or government ethics law upon mutual agreement between the FPPC and a local agency with a population of less than 3 million people.	Support	Signed into Law	No direct fiscal impact
AB 2892 (Quirk)	California Mosquito Surveillance and Research Program	As amended 5/25/18: Would have established the California Mosquito Surveillance and Research Program to be administered by the Department of Public Health and outlines program duties.	Support	Dead	No direct fiscal impact
AB 2907 (Flora)	Labor Code Private Attorneys General Act of 2004: Itemized Wage Statements	As amended 3/22/18: Would have provided an employer a right to cure any specified wage statements related violations brought under the Private Attorney General Act of 2004 (PAGA) within a 33-day period after being notified of the violation.	Support	Dead	Potential cost savings resulting from reduced litigation costs
ACR 189 (Gallagher)	Civil Grand Jury Awareness Month	As chaptered 4/13/18: Proclaims the month of March 2018 to be Civil Grand Jury Awareness Month in California, recognizes those who volunteer to serve on civil grand juries, and encourages all Californians to learn about the role of civil grand juries in our government.	Support	Signed into Law	No fiscal impact
ACR 248 (E. Garcia)	Parks Make Life Better! Month	As chaptered 8/17/18: Declares the month of July 2018 as "Parks Make Life Better!" Month, recognizing the importance of access to local parks, trails, open space, and facilities for the health and development of all Californians.	Support	Signed into Law	No fiscal impact

GOVERNANCE				COST/COST-SAVINGS	
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION		STATUS
SB 25 (Portantino)	Elections: Ballot Order	As chaptered 9/29/18: Requires local offices and local initiatives and ballot measures to appear first on the ballot, instead of nominees for federal office, and to be listed under the new heading CITY/LOCAL. Originally special districts were left out of the bill; the bill has been amended to include special districts.	Support	Signed into Law	No direct fiscal impact
SB 348 (Leyva)	Taxpayer Notice of Upcoming Special Tax Measures	As amended 3/20/17: Would have required, if a local special tax measure is presented to the voters for approval, a notice regarding the process for initiating a validation action challenging the levy of a special tax be included in the county voter information guide for that election. The notice had needed to include language notifying taxpayers of the 60-day filing requirement for challenging a special tax.	Oppose	Dead	No significant direct fiscal impact
SB 657 (Bates)	Reverse Public Records Actions: Attorney's Fees	As introduced 2/17/17: Would have allowed an original requester of a public record, utilizing the California Public Records Act (CPRA), to participate in a reverse public records hearing and requires local agencies to pay for legal costs if they were found to have delayed providing records to the requester under the CPRA.	Oppose	Dead	Potentially significant fiscal impact on agencies that are found to have violated the CPRA
SB 929 (McGuire)	Special District Websites	As chaptered 9/14/18: Requires every independent special district to maintain a website. The bill includes the ability for districts to claim hardship exemptions that would need to be adopted as a resolution in a public meeting.	Sponsor	Signed into Law	Minor costs for districts that do not currently maintain a website
SB 946 (Lara)	Sidewalk Vendors	As chaptered 9/17/18: Decriminalizes sidewalk vending and establishes various requirements for local regulation of sidewalk vendors. This bill purposefully does not apply to special districts.	Neutral	Signed into Law	No direct fiscal impact
SB 978 (Bradford)	Commission on Peace Officer Standards and Training: Online Posting of Records	As chaptered 9/30/18: Requires the Commission on Peace Officer Standards and Training and each local law enforcement agency to conspicuously post on their internet websites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available if a request was made pursuant California Public Records.	Oppose	Signed into Law	Minimal costs for police protection districts related to administrative costs of posting existing documents

BILL/ AUTHOR	ISSUE	GOVERNANCE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 998 (Dodd)	Discontinuation of Residential Water Service: Urban and Community Water Systems	As chaptered 9/28/18: Requires an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board.	Oppose	Signed into Law	Substantial costs to comply with bill's mandates before water service can be discontinued
SB 1244 (Wieckowski)	California Public Records Act (CPRA) Fee-Shifting Provision	As chaptered 9/17/18: Clarifies that the California Public Records Act (CPRA) allows the award of attorney fees and costs to a "requester" of public records who prevails in litigation pursuant to the CPRA.	Neutral	Signed into Law	No direct fiscal impact
SB 1293 (Lara)	California State Auditor: High-Risk Local Government Agency Audit Program	As chaptered 9/18/18: Allows the State Auditor's High-Risk Local Agency Audit Program to continue as originally designed, which includes an initial assessment to determine if there is a need for a full audit.	Support	Signed into Law	No direct fiscal impact
SBs 1496, 1497, 1499 (Senate Committee on Governance and Finance)	Validation Acts	As chaptered 6/1/18: These measures enact the Validating Acts of 2018, which legally confirm the organization, boundaries, acts, proceedings, and bonds of government agencies, protecting investors from minor errors.	Support	Signed into Law	Protects special districts from potential litigation
SB 1498 (Senate Committee on Governance and Finance)	Local Government Omnibus Act of 2018	As chaptered 9/17/18: Combines several minor, noncontroversial statutory changes relating to the common theme, purpose, and subject of local government into a single measure. Includes one CSDA-sponsored provision to revise Mello-Roos debt reporting requirements to bring them into line with current reporting methods. A provision related to the test-claim filing period with the Commission on State Mandates that CSDA had submitted was removed because of Department of Finance opposition.	Support	Signed into Law	Potential cost savings by allowing more time to file accurate and up to date test to date test claims

GOVERNANCE				COST/COST-SAVINGS	
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION		STATUS
SCA 11 (Lara)	Elections: Nonpartisan Offices	As introduced 2/17/17: Would have placed on the ballot an amendment to the California Constitution requiring partisan elections at the local level. If this amendment had passed, the only nonpartisan offices in the state would have been judicial offices and the office of the Superintendent of Public Instruction. SB 691 (Lara) was previously a companion measure.	Oppose	Dead	No fiscal impact
SR 75 (Morrell)	First Responder Day	As adopted 5/17/18: This resolution declares September 23, 2018, as First Responder Day, in honor of the contributions and dedication of first responders.	Support	Adopted	No fiscal impact
SCR 149 (Hueso)	Green Port Month	As chaptered 9/11/18: Recognizes September 2018 as Green Port Month, specifically recognizing the efforts of the San Diego Unified Port District in environmental leadership.	Support	Adopted	No fiscal impact
HEALTH AND SAFETY				COST/COST-SAVINGS	
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION		STATUS
AB 1359 (Chau)	Critical Infrastructure Control Security Breach Notifications	As amended 4/27/17: Would have required a critical infrastructure business in California that has a breach of security of critical infrastructure information or controls, and is required by federal law to disclose that breach, to also disclose the breach to the Office of Emergency Services (OES). By expanding the entities required to receive this notification, AB 1359 proposed to significantly increase the exposure risk for this sensitive information.	Oppose	Dead	Potentially significant costs related to liability in the event of a security breach
AB 1776 (Steinorth)	Emergency Medical Transport of Police Dogs: Pilot Project	As chaptered 9/6/18: Permits the County of San Bernardino to conduct a three-year pilot project that will authorize emergency medical technicians to provide emergency transportation for a police dog injured in the line of duty to a veterinary medicine facility if there is not a person requiring medical attention or medical transportation at the time the decision is made to transport the police dog.	Support	Signed into Law	No fiscal impact
AB 1920 (Grayson)	Impersonating Search-and-Rescue Personnel	As chaptered 9/5/18: Makes it a misdemeanor to impersonate search-and-rescue personnel.	Support	Signed into Law	No fiscal impact

		HEALTH AND SAFETY					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS		
AB 1923 (Limón)	Residential Property Insurance: Wildfires: Consolidated Debris Removal	As amended 4/19/18: Would have established a statutory framework for creating consolidated debris removal programs after natural disasters that includes designations of payments from insurers to local government entities providing the debris removal.	Support	Dead	Unknown fiscal impact		
AB 1954 (Patterson)	Timber Harvest Plans: Exemption: Reducing Flammable Materials	As chaptered 8/27/18: Extends the sunset date for an exemption from timber harvest plan requirements for defensible space surrounding a habitable structure, as specified, from January 1, 2019, to January 1, 2022.	Support	Signed into Law	No fiscal impact		
AB 1956 (Limón)	Fire Prevention Activities: Local Assistance Grant Program	As chaptered 9/21/18: Existing law requires the director of the Department of Forestry and Fire Protection to establish a working group, consisting of specified members, to identify potential incentives for landowners to implement prefire activities, in state responsibility areas and urban wildland communities and to identify all federal, state, or local programs, private programs, and any other programs requiring a cost share that involves prefire activities. Included in the working group is four representatives from either state or local government, or both. This bill reconstitutes the working group and, among other changes, instead of four representatives from either state or local government, or both, this bill requires the working group include three representatives from local governments including from a county, a city, and a resource conservation district.	Support	Signed into Law	No fiscal impact		
AB 2115 (Santiago)	Vehicles: Passing and Overtaking: Waste Service Vehicles	As chaptered 9/23/18: Requires the driver of a vehicle on a public street or highway approaching or overtaking a stopped waste service vehicle, as defined, to make a lane change into an available lane adjacent to the waste service vehicle and pass at a safe distance without interfering with the safe operation of the waste service vehicle, with due regard for safety and traffic conditions. The bill would require that if that maneuver would be unsafe or impractical, the driver slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions.	Support	Signed into Law	No direct fiscal impact		

BILL/ AUTHOR	ISSUE	HEALTH AND SAFETY		CSDA POSITION	STATUS	COST/COST- SAVINGS
		DESCRIPTION				
AB 2470 (Grayson)	Invasive Species Council of California	As chaptered 9/28/18: Codifies the Invasive Species Council of California (ISCC) and the California Invasive Species Advisory Committee (CISAC) to assist in a comprehensive effort to suppress and eradicate invasive species in California. Additionally, the bill establishes the Invasive Species Fund and allocates money to the Noxious Weed Management Account and the University of California for invasive species management.	Support	Signed into Law	Potentially significant increase in state funds that would assist mosquito and vector control districts	
AB 2812 (Limón)	Office of Local Cloud Migration and Digital Innovation	As amended 5/9/18: Would have created the Office of Cloud Migration in the Department of Technology and required the office to promote cloud-based data storage as an efficient and cost-effective means of data storage and protection for local agencies and to assist local agencies in integrating cloud-based storage into their information technology systems.	Support	Dead	No direct fiscal impact	
ACR 228 (Limón)	California Wildfire Awareness Week and California Master Mutual Aid Awareness Day	As chaptered 6/13/18: This resolution proclaims the week of May 6 to 12, 2018, as California Wildfire Awareness Week, and May 7, 2018, as California Master Mutual Aid Awareness Day; commemorates the contributions of first responders to a series of natural disasters in 2017; and recognizes the contributions that California's mutual aid disaster response system made in reducing the loss of life and property from these disasters.	Support	Signed into Law	No fiscal impact	
HR 100 (Quirk)	Mosquito Awareness Week	As adopted 4/19/18: Designates April 15, 2018, to April 22, 2018, as Mosquito Awareness Week.	Support	Adopted	No fiscal impact	
SB 347 (Jackson)	Drone Regulations	As amended 6/21/17: Would have established a regulatory framework for drone technology and operations in California.	Support	Dead	No direct fiscal impact	
SB 531 (Galgiani)	Definition of "Local Emergency"	As enrolled 8/23/18: Would have authorized a port district to proclaim a local emergency. The bill would have also revised the definition of a local emergency to include conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of that district.	Support	Vetoed	Provides a greater opportunity for port districts to receive state funds in the event of a declared emergency	

BILL/ AUTHOR	ISSUE	HEALTH AND SAFETY DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 901 (Dodd)	Wildfires	As chaptered 9/21/18: Addresses numerous issues concerning wildfire prevention, response and recovery, including funding for mutual aid, fuel reduction and forestry policies, wildfire mitigation plans by electric utilities, and cost recovery by electric corporations of wildfire-related damages.	Support	Signed into Law	Provides significant funding for mutual aid
HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 5 (Gonzalez Fletcher)	Opportunity to Work Requirements	As introduced 12/5/16: Would have mandated both private and public employers, with 10 or more employees, to offer additional work to existing part-time employees before hiring a new employee, temporary employee, or contractor.	Oppose	Dead	Increased costs associated with limiting the ability for an employer to contract out for work
AB 52 (Cooper)	Mandatory Union Orientation	As introduced 12/5/16: Would have required public employers to provide orientations to all new employees and allow applicable unions to participate in those orientations. CSDA's support position was based on the flexibility within the bill language as introduced, which was a significant improvement from previous versions in the prior year opposed by CSDA. Ultimately, this issue was negotiated through a budget trailer bill, AB 119 (Assembly Committee on Budget).	Support	Dead	Significant costs associated with providing unions with access to employees during the workday on paid time
AB 161 (Levine)	Public Employees' Retirement: Pension Fund Management	As amended 8/6/18: Would have required CalPERS and CalSTRS to work with various state agencies to produce an annual list, that may be provided to each board, of priority infrastructure projects most suitable for funding. CSDA previously supported a different version of the bill, which would have authorized the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return for an investment made by the California Public Employees' Retirement System (CalPERS) in order to encourage such investments.	Neutral	Dead	Previous version may have provided cost savings to districts contracting with CalPERS, related to increased investment returns

HUMAN RESOURCES AND PERSONNEL				COST/COST- SAVINGS	
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	
AB 182 (Waldron)	Heroin and Opioid Public Education (HOPE) Act	As amended 5/26/17: Would have required the Department of Health Care Services to develop, coordinate, implement, and oversee a comprehensive multicultural public awareness campaign, to be known as "Heroin and Opioid Public Education (HOPE)." The purpose of this legislation was to better enable members of the public to determine when help is needed and identify the pathways that are available for individuals to seek help.	Support	Dead	No significant fiscal impact
AB 479 (Gonzalez Fletcher)	Workers' Compensation: Permanent Disability Apportionment: Breast Cancer	As enrolled 8/22/18: Would have altered the apportionment guidelines for apportioning breast cancer, no longer conforming with AMA guidelines.	Oppose	Vetoed	Potentially significant increase in workers' compensation costs
AB 680 (McCarthy)	Workers' Compensation: Studies	As introduced 2/15/17: Would have prohibited the Commission on Workers' Compensation from funding or conducting, or contracting for, a study prior to a public hearing on the purpose and design of the study, the sources from which the required data will be obtained, and the proposed researcher or entity.	Oppose	Dead	No direct fiscal impact
AB 946 (Ting)	CalPERS Divestment from Border Wall Construction Companies	As amended 3/28/17: Would have required CalPERS and CalSTRS to divest from any company assisting in the construction of a border wall between the United States and Mexico.	Oppose	Dead	Increased costs to districts contracting with CalPERS resulting from fund losses
AB 1017 (Santiago)	Collective Bargaining Agreements (CBAs): Attorney's Fees	As amended 7/15/17: Would have brought public sector arbitration disputes under the private employment Labor Code provision. These provisions require a court to award attorney's fees to a prevailing party in an action to compel arbitration of the disputes, unless the other party has raised substantial and credible issues involving complex or significant questions of law or fact regarding whether or not the dispute is arbitrable.	Oppose	Dead	Unknown, but likely minimal costs - magnitude would depend on the number of cases

HUMAN RESOURCES AND PERSONNEL		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 1429 (Fong)	Labor Code Private Attorneys General Act of 2004	As amended 3/22/17: Would have limited the violations for which an aggrieved employee is authorized to bring a civil action under the Private Attorneys General Act of 2004 and requires the employee to follow specified procedures before bringing an action. This bill would have capped the civil penalties recoverable under these provisions at \$10,000 per claimant and excludes the recovery of filing fees by a successful claimant. This bill also would have required a superior court to review any penalties sought as part of a settlement agreement under these provisions.	Support	Dead	<i>Potential significant cost savings due to reduced civil judgments for labor violations</i>	
AB 1430 (Fong)	Labor Code Private Attorneys General Act of 2004	As introduced 2/17/17: Would have revised current law to require the Labor and Workforce Development Agency, after receiving notification of an alleged workplace violation, to investigate the alleged violation and either issue a citation or determine if there was a reasonable basis for a civil action.	Support	Dead	<i>Potential significant savings by allowing an opportunity to cure and correct prior to litigation</i>	
AB 1548 (Fong)	Occupational Safety and Health: Penalties	As introduced 2/17/17: Would have required any civil or administrative penalty assessed pursuant to the California Occupational Safety and Health Act of 1973 against a public entity to be deposited with the Workplace Health and Safety Revolving Fund. Current law authorizes these entities to apply for a refund of the civil penalties assessed against them if specified conditions are met.	Support	Dead	<i>Potential significant cost savings by allowing for cost recovery of civil liabilities</i>	
AB 1597 (Nazarian)	CalPERS Divestment from Turkey	As enrolled 9/5/18: Would have required CalPERS to divest from Turkey if the CalPERS Board approved and if the United States Government imposed financial sanctions on Turkey.	Oppose	Vetoed	<i>Increased costs to districts contracting with CalPERS resulting from fund losses</i>	
AB 1749 (Daly)	Workers' Compensation: Off-Duty Peace Officer	As chaptered 9/23/18: Grants an off-duty peace officer that is injured, dies, or is disabled from performing their duties as a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators within or out of the state, or providing protection or preservation of life or property within or out of the state, or effecting the preservation of the peace anywhere in this state, the ability to qualify for workers' compensation benefits in California.	Neutral	Signed into Law	<i>Potentially significant fiscal impact for police protection districts for increased workers' compensation costs</i>	

HUMAN RESOURCES AND PERSONNEL		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 1750 (McCarthy)	Elected Officials: Sexual Harassment Settlement Agreements: Liability	As introduced 1/3/18: Would have required an elected official to reimburse a public entity that pays any compromise or settlement of a claim or action involving conduct that constitutes sexual harassment, if an investigation reveals evidence supporting the claim of sexual harassment against the elected official.	Oppose	Dead	Potential cost savings to districts that pay settlement agreements for elected board members	
AB 1870 (Reyes)	Extension of Filing Period for California Fair Employment and Housing Act (FEHA) Complaints	As enrolled 8/31/18: Would have extended the statute of limitations for filing a Fair Employment and Housing Act (FEHA) claim with an employer from one to three years.	Oppose	Vetoed	Potential cost increases resulting from additional FEHA claims filed	
AB 1912 (Rodriguez)	CalPERS Joint Powers Authority (JPA) Joint and Severable Liability	As chartered 9/29/18: Requires member agencies of a JPA to take on apportioned liability for the JPA's pension liabilities, should the JPA dissolve or fail. CSDA was opposed to previous versions of the bill but moved to a neutral position when member agency liabilities were amended from being joint a several liabilities to proportional liabilities as determined by the member agencies.	Neutral	Signed into Law	Potentially significant cost increases for JPA member agencies	
AB 1937 (Santiago)	Public Employment: Payroll Deductions	As amended 5/10/18: Would have required public agencies to perform automatic payroll deductions of union dues on behalf of the unions representing the employees. The contents of this measure were passed in budget trailer bill SB 866 (Senate Committee on Budget and Fiscal Review).	Oppose	Dead	Minimal cost increase for district not already providing union payroll deductions	
AB 1963 (Waldron)	Medi-Cal: Reimbursement: Opioid Addiction Treatment	As amended 2/20/18: Would have increased the Medi-Cal provider reimbursement rates for medication-assisted treatments (MAT), buprenorphine/naloxone combination treatment, methadone treatment, and naltrexone treatments provided by certified providers for opioid addiction.	Support	Dead	No direct fiscal impact	
AB 1976 (Limón)	Employment: Lactation Accommodation	As chartered 9/30/18: Requires an employer to make reasonable efforts to provide an employee with use of a room or other location, other than a bathroom, for the purpose of lactation. CSDA's position changed from oppose to neutral following amendments to the bill that included a hardship exemption for employers. These amendments took into consideration the vast array of facilities that conduct business in California while creating a narrow exemption for employers that simply cannot provide a private, safe location for employees to express breastmilk other than a bathroom.	Neutral	Signed into Law	Minimal cost increase for districts with very limited physical office space	

HUMAN RESOURCES AND PERSONNEL		COST/COST-SAVINGS		
BILL/AUTHOR	ISSUE	DESCRIPTION	STATUS	
		CSDA POSITION		
AB 2016 (Fong)	Labor Code Private Attorneys General Act of 2004: Civil Actions	As introduced 2/5/18: Would have revised current law to require the Labor and Workforce Development Agency, after receiving notification of an alleged workplace violation, to investigate the alleged violation and either issue a citation or determine if there is a reasonable basis for a civil action.	Dead	Potential significant savings by allowing an opportunity to cure and correct prior to litigation
AB 2017 (Chiu)	Definition of "Public Employer"	As amended 4/11/18: Would have amended existing law by also prohibiting public employers from deterring or discouraging prospective public employees from becoming or remaining members of an employee organization.	Dead	No direct fiscal impact
AB 2069 (Bonta)	Medicinal Cannabis: Employment Discrimination	As amended 4/16/18: Would have made it a violation of law for an employer to take an adverse action against an employee or candidate for employment that tests positive for marijuana if the employee has a medical license for the marijuana. An employer would have been able to take adverse action against the employee if they were under the influence at work, or if hiring or failing to discharge an employee would cause the employer to lose a monetary or licensing-related benefit under federal law.	Dead	No direct fiscal impact
AB 2089 (Mathis)	Volunteer Firefighters: Background Checks	As amended 4/26/18: Would have required background checks on volunteer firefighters and would prohibit a violent sex offender from serving as a volunteer firefighter.	Dead	Minimal cost increase for volunteer fire districts
AB 2154 (Bonta)	Public Employment: Labor Relations: Release Time	As amended 4/2/18: Rather than go through the MOU process at the local level, this bill would have provided employee union representatives with paid release time to investigate potential or existing grievances, attend employee orientations, and testify before the governing body of the local agency.	Dead	Potentially significant cost increase for districts with union employees
AB 2174 (Waldron)	Heroin and Opioid Public Education (HOPE) Act	As amended 3/15/18: Would have required the Department of Health Care Services to develop, coordinate, implement, and oversee a comprehensive multicultural public awareness campaign, to be known as "Heroin and Opioid Public Education (HOPE)." The purpose of this legislation was to better enable members of the public to determine when help is needed and identify the pathways that are available for individuals to seek help.	Dead	No significant fiscal impact

HUMAN RESOURCES AND PERSONNEL		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 2317 (Eggman)	Whistleblower Protection: County Patients' Rights Advocates	As enrolled 8/27/18: Would have extended whistleblower protections afforded to employees to independent contractors and contracted entities working for state and local government who are tasked with receiving and investigating complaints from, facilities, services, and programs operated by state and local government.	Oppose	Vetoed	No direct fiscal impact	
AB 2329 (Oberholte)	Public Cemetery Districts: Board Member Compensation	As chaptered 8/20/18: Expands the number of meetings a number of district types board of directors may be compensated for. Each district type receives \$100 per meeting and some can increase that by five percent annually. The bill brings a level of uniformity to a number of special district types by explicitly authorizing cemetery, healthcare, fire protection, recreation and park, resource conservation, and airport districts to compensate their members for no more than six meetings in a calendar month. Additionally, the bill requires those previously listed district types that choose to compensate their board members for more than four meetings in a month to annually adopt a written policy describing, based on a finding supported by substantial evidence, why more than four meetings per calendar month are necessary for the effective operation of the district.	Support	Signed into Law	No required fiscal impact	
AB 2366 (Bonta)	Employment: Victims of Sexual Harassment: Protections	As amended 4/25/18: Current law allows employees that are victims of domestic violence, sexual assault, or stalking to take time off to access related services or counseling, without fear of retaliation from their employers (of 25 or more employees). This bill would have allowed this time off for victims of sexual harassment and immediate family members of victims of sexual harassment. The contents of this bill were amended into AB 3081 (Gonzalez Fletcher).	Oppose	Dead	Minor costs associated with a limited number of employees utilizing new leave rights	
AB 2482 (Voepel)	Employment: Flexible Work Schedules	As introduced 2/14/18: Would have permitted an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to ten hours per day within a 40-hour workweek and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday.	Support	Dead	No direct fiscal impact	
AB 2571 (Gonzalez Fletcher)	Public Employee Retirement Systems: Investments: Race and Gender Pay Equity	As amended 4/11/18: Would have required a public investment fund to require an alternative investment vehicle (AIV) to, at least annually, report specified information relating to hospitality employers pertaining to race and gender pay equity, and sexual harassment, among other provisions.	Oppose	Dead	Potential cost increase related to CalPERS rate of increase to cover losses from divestment	

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HUMAN RESOURCES AND PERSONNEL		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 2587 (Levine)	Disability Compensation: Paid Family Leave	As chaptered 7/9/18: Eliminates the ability of an employer to require an employee to take up to 2 weeks of earned but unused vacation before, and as a condition of, the employee taking Paid Family Leave, which is paid for through the family temporary disability program.	Oppose	Signed into Law	No direct fiscal impact	
AB 2613 (Reyes)	Failure to Pay Wages: Penalties	As amended 5/29/18: Would have made an employer or other person acting individually or as an officer, agent, or employee of another person who fails to pay or causes a failure to pay wages of each employee subject to a penalty of \$200, payable to each affected employee, per pay period where the wages due are not paid on time. Would have imposed Labor Code penalties for wage statement violations in addition to the penalties already available under the Private Attorneys General Act.	Oppose	Dead	Potentially significant costs for violation of wage laws	
AB 2732 (Gonzalez Fletcher)	Employment: Unfair Immigration-Related Practices: Janitorial Workers: Sexual Violence and Harassment Prevention Training	As amended 9/5/18: Would have required employers to provide all new hires with a copy of the "workers' bill of rights," which would have been created by the Department of Industrial Relations, that must be signed by the employee, a copy of the signed document provided to the employee, with a copy of the signed document retained by the employer for three years.	Oppose unless Amended	Vetoed	Significant record retention costs	
AB 2770 (Irwin)	Communications by Former Employer: Sexual Harassment	As chaptered 7/9/18: Allows an employer to share with another employer who is doing a background investigation on a potential hire, whether the potential hire was the subject of complaints of sexual harassment, and that the discussion would not constitute malice.	Support	Signed into Law	No direct fiscal impact	
AB 2841 (Gonzalez Fletcher)	Sick Leave: Accrual and Use	As introduced 2/16/18: Would have increased the minimum amount of sick leave an employee is entitled to accrue to 40 hours by the 200th calendar day of employment, and allows an employer to limit an employee's use of this leave to 40 hours, or five days, in each year of employment.	Oppose	Dead	Potentially significant fiscal costs by providing every employee two additional sick days (for those districts not already providing five or more)	

HUMAN RESOURCES AND PERSONNEL		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 2946 (Kaira)	Division of Labor Standards Enforcement: Filing Period for Complaints	As introduced 2/16/18: Current law allows any person who believes that he or she has been discharged or otherwise discriminated against in violation of any law under the jurisdiction of the Labor Commissioner may file a complaint with the Labor Commissioner's office within six months after the occurrence of the violation. This bill would have extended the statute of limitations to three years to file a claim instead of six months.	As amended 5/3/18: Would have made the date, time, and place of employee orientations confidential and not allow them to be shared with anyone other than employees or the exclusive representative. The contents of this measure were passed in budget trailer bill SB 866 (Senate Committee on Budget and Fiscal Review).	Oppose	Dead	Potentially significant litigation costs resulting from the additional filing time
AB 2970 (Cooper)	Public Employees: New Employee Orientations	As enrolled 8/23/18: Would have prohibited a person from conditioning employment, continued employment, or the receipt of any employment-related benefit on the applicant for employment, the employee or independent contractor waiving certain rights and/or not disclosing sexual harassment.	As amended 5/3/18: Would have made the date, time, and place of employee orientations confidential and not allow them to be shared with anyone other than employees or the exclusive representative. The contents of this measure were passed in budget trailer bill SB 866 (Senate Committee on Budget and Fiscal Review).	Oppose	Dead	No direct fiscal impact
AB 3080 (Gonzalez Fletcher)	Sexual Harassment: Whistleblower Protections	As enrolled 8/23/18: Would have prohibited a person from conditioning employment, continued employment, or the receipt of any employment-related benefit on the applicant for employment, the employee or independent contractor waiving certain rights and/or not disclosing sexual harassment.	As enrolled 8/23/18: Would have prohibited a person from conditioning employment, continued employment, or the receipt of any employment-related benefit on the applicant for employment, the employee or independent contractor waiving certain rights and/or not disclosing sexual harassment.	Oppose	Vetoed	No direct fiscal impact
AB 3081 (Gonzalez Fletcher)	Protected Time Off in Response to Sexual Harassment	As enrolled 9/4/18: Would have prohibited an employer from discharging or in any manner discriminating or retaliating against an employee because the employee is a victim of sexual harassment or is a family member of a victim of domestic violence, sexual assault or stalking for taking time off work to assist and support the victim. Additionally, the bill would have created a rebuttable presumption of unlawful retaliation if the employer discharges or takes any other adverse action against the employee within 90 days after the employee files a sexual harassment claim. The bill also would have extended the timeframe that an employee who is a victim of an unlawful discharge, discrimination or retaliation, per the above prohibitions, has to file a claim with the Division of Labor Enforcement Standards from the current one year to three years from the date of the occurrence of the violation.	As enrolled 9/4/18: Would have prohibited an employer from discharging or in any manner discriminating or retaliating against an employee because the employee is a victim of sexual harassment or is a family member of a victim of domestic violence, sexual assault or stalking for taking time off work to assist and support the victim. Additionally, the bill would have created a rebuttable presumption of unlawful retaliation if the employer discharges or takes any other adverse action against the employee within 90 days after the employee files a sexual harassment claim. The bill also would have extended the timeframe that an employee who is a victim of an unlawful discharge, discrimination or retaliation, per the above prohibitions, has to file a claim with the Division of Labor Enforcement Standards from the current one year to three years from the date of the occurrence of the violation.	Oppose	Vetoed	Potentially significant costs related to increased volume of sexual harassment claims and minor costs associated with a limited number of employees utilizing new leave rights
AB 3087 (Kaira)	California Health Care Cost, Quality, and Equity Commission	As amended 5/2/18: Would have established the Health Care Cost, Quality, and Equity Commission, to among other functions, control in-state health care costs and set the amounts accepted as payment by health plans, hospitals, physicians, physician groups, and other healthcare providers.	As amended 5/2/18: Would have established the Health Care Cost, Quality, and Equity Commission, to among other functions, control in-state health care costs and set the amounts accepted as payment by health plans, hospitals, physicians, physician groups, and other healthcare providers.	Oppose	Dead	Potentially significant costs for healthcare districts

HUMAN RESOURCES AND PERSONNEL		DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
BILL/AUTHOR	ISSUE				
AB 3121 (Kaira)	Evidentiary Privileges: Union Agent-Represented Worker Privilege	As amended 3/22/18: Would have expanded the current evidentiary privilege against disclosure of communications to also include union agent-represented worker communications. The evidentiary privilege is by design narrow in scope to protect the confidentiality and integrity of relationships, both professional and familiar in nature, where highly sensitive and deeply personal information is exchanged. Examples include spousal privilege, confidential marital communications privilege, physician-patient privilege, psychotherapist-patient privilege, clergyman-penitent privilege, sexual assault counselor-victim privilege, domestic violence counselor-victim privilege, and human trafficking caseworker-victim privilege as well as attorney-client privilege.	Oppose	Dead	No direct fiscal impact
ACA 15 (Brough)	Voter Approval of Public Employee Retirement Benefits	As introduced 5/9/17: Would have prohibited a government employer from enhancing employee pension benefits without approval by the voters of the jurisdiction and would prohibit a government employer from enrolling a new government employee in a defined benefit pension plan without approval by the voters of the jurisdiction. The measure also would have prohibited a government employer from paying more than 1/2 of the total cost of retirement benefits for new government employees without approval by the voters of the jurisdiction.	Oppose	Dead	Significant costs related to closing CalPERS contracts, managing multiple retirement systems, and increased elections costs
ACA 31 (Cervantes)	Public Employee Salaries: Limit	As introduced 5/23/18: Would have capped public employees' base pay at a rate equal to the Governor's rate of pay.	Oppose	Dead	Cost savings with regards to pay liability, but significant costs with the inability to fill key positions
SB 224 (Jackson)	Personal Rights: Harassment	As chaptered 9/30/18: Gives additional examples of the types of business, professional, and service relationships that may give rise to liability under for sexual harassment (elected official, lobbyist, investor, and director or producer) and facilitates the ability of victims of sexual harassment to bring civil claims for sexual harassment that occurs in the context of such a business, professional, or service relationship. Prior to the amendments, CSDA was opposed to SB 224 because it changed a lead agency's evaluation of baseline conditions related to CEQA analysis. However, CSDA moved to a neutral position after the bill was gutted and amended and became a bill related to sexual harassment in the venture capital industry.	Neutral	Signed into Law	No direct fiscal impact

HUMAN RESOURCES AND PERSONNEL		ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
SB 459 (Portantino)	CalPERS Divestment Study: Prohibited Weapons	As amended 6/12/18: Would have prohibited CalPERS and CalSTRS from investing in companies that sell weapons that are banned in California.	Oppose	Dead	Potential cost increase related to CalPERS rate increase to cover losses from divestment	
SB 617 (Bradford)	Workers' Compensation: Heredity	As amended 8/21/17: This bill was going to be used as a vehicle to address issues related to heredity and genetics being excluded as a bases of causation for purposes of determining the apportionment of permanent disability in the workers' compensation system. CSDA moved from a support position to a neutral position when the bill was amended from being a study bill related to the "fee-for-service" payment system used to compensate physicians who provide services to workers' compensation claimants, into its current form.	Neutral	Dead	Unknown fiscal impact to the workers' compensation system	
SB 783 (Pan)	Pension Divestment Review Program	As amended 6/14/18: Would have requested that the University of California establish the Pension Divestment Review Program to review, analyze and report back to the Legislature the impacts of divestment proposals.	Concerns	Dead	No direct fiscal impact	
SB 820 (Leyva)	Settlement Agreements: Confidentiality	As chaptered 9/30/18: Prevents confidentiality agreements to be included in the settlements of claims of sexual assault, sexual harassment, or harassment or discrimination based on sex, unless it was requested by the victim.	Oppose	Signed into Law	No direct fiscal impact	
SB 899 (Pan)	Workers' Compensation	As enrolled 8/23/18: Would have excluded race, gender, and national origin as factors that can be used in an apportionment determination.	Support	Vetoed	Moderate increased Workers' Compensation costs	
SB 937 (Wiener)	Lactation Accommodation	As enrolled 9/4/18: Would have mandated that all employers provide a space that meets certain specifications for employees with a desire to breastfeed in private. The mandates include requirements on tenant improvements, new construction, as well as specific requirements of what must be included within the lactation spaces.	Oppose unless Amended	Vetoed	Moderate increased costs for new construction	

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BILL/ AUTHOR	ISSUE	HUMAN RESOURCES AND PERSONNEL DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 1021 (Wiener)	Prescription Drugs	As chaptered 9/26/18: Current law, until January 1, 2020, provides that the copayment, coinsurance, or any other form of cost sharing for a covered outpatient prescription drug for an individual prescription shall not exceed \$250 for a supply of up to 30 days. This bill extends the sunset date to 2024. CSDA had previously been opposed to the bill because, prior to being amended, instead of extending the sunset date to allow more time to study the issue, the bill eliminated the sunset date.	Neutral	Signed into Law	No fiscal impact
SB 1033 (Moorlach)	Public Employees' Retirement: Reciprocal Benefits: Actuarial Liability	As amended 4/5/18: Would have assigned proportional liability for employers with regards to an employee's retirement benefits, whereby, if an employee received a substantial raise going from one public employer with CalPERS to another, the original employer would not be on the hook for the pension liabilities that resulted from the substantial raise at the second employer.	Support	Dead	Unknown costs and cost savings - some winners, some loser
SB 1038 (Leyva)	California Fair Employment and Housing Act: Violations: Personal Liability	As amended 6/25/18: Would have provided that an employee is personally liable for an act of retaliation, as provided in the Fair Employment and Housing Act, in connection with an act of harassment that is perpetrated by the same employee. CSDA had previously been opposed to SB 1038 because the bill would have prevented supervisors from doing their job out of fear of litigation and personal liability. However, the bill was amended removing a line in the bill that said: "an employee of an entity subject to this subdivision is jointly and severally liable for any action prohibited by paragraph (1) that is perpetrated by the employee with the intent to retaliate, regardless of whether the employer or covered entity knows or should have known of the conduct and fails to take immediate and appropriate corrective action." As amended, an employee would have only been personally liable if they committed the sexual harassment.	Neutral	Dead	No direct fiscal impact
SB 1085 (Skinner)	Public Employees: Leaves of Absence: Exclusive Bargaining Representative Service	As chaptered 9/28/18: Requires public agencies with union represented employees, to allow a reasonable number of public agency employee representatives of recognized unions reasonable time off without loss of compensation or other benefits when they are participating in employee representation activities.	Oppose	Signed into Law	Potentially significant cost increases for districts with union employees

HUMAN RESOURCES AND PERSONNEL				COST/COST-SAVINGS	
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	
SB 1086 (Atkins)	Workers' Compensation: Firefighters and Peace Officers	As chaptered 9/23/18: Permanently extends the sunset date for the time frame for dependents to request death benefits for firefighters and peace officers, from 240 weeks to 420 weeks from the date of injury (but no more than one year from the date of death).	Oppose unless Amended	Signed into Law	Unknown fiscal impact
SB 1166 (Pan)	Public Employees' Retirement System: Contracting Agency: Notification of Delinquent Contributions	As amended 6/18/18: Would have required a public agency that is delinquent in its CalPERS payments to notify its employees and retirees of the delinquency.	Oppose	Dead	No fiscal impact
SB 1300 (Jackson)	Unlawful Employment Practices: Discrimination and Harassment	As chaptered 9/30/18: Limits the circumstances under which employers can require employees to sign releases and non-disparagement agreements. Expands harassment liability for acts of non-employees, which used to be limited to sexual harassment. Prohibits a prevailing defendant from being awarded attorney's fees and costs unless the court finds the action was frivolous, unreasonable, or groundless when brought or that the plaintiff continued to litigate after it clearly became so. Authorizes (but does not require) employers to provide bystander intervention training to its employees.	Oppose	Signed into Law	Potentially significant cost increase resulting from increased litigation
SB 1343 (Mitchell)	Employers: Sexual Harassment Training: Requirements	As chaptered 9/30/18: Requires every employer with five or more employees to provide their employees with two-hours of sexual harassment prevention training once every two years. Additionally, the bill would require the Department of Fair Employment and Housing to develop a training video that employers could use to provide the training.	Support	Signed into Law	Minimal cost increase associated with tracking compliance
SB 1373 (Stone)	General Acute Care Hospitals: Minimum Levels of Pharmaceutical Staff	As introduced 2/16/18: Would have required a general acute care hospital to employ, at a minimum, one full-time pharmacist for every 100 licensed beds. The bill would have required a general acute care hospital that is licensed for less than 100 beds to employ one pharmacist on at least a part-time basis. Current law requires a hospital licensed for 100 beds or more to have a pharmacist on premises.	Oppose	Dead	Potentially significant cost increase for general acute care hospitals

HUMAN RESOURCES AND PERSONNEL		COST/COST-SAVINGS	
BILL/AUTHOR	ISSUE	DESCRIPTION	STATUS
SB 1412 (Bradford)	Applicants for Employment: Criminal History	As chaptered 9/30/18: Prevents an employer from disqualifying an employee for employment based on their criminal record if the position they are applying for requires a state license and the criminal conviction doesn't disqualify them for the license. The bill exempts positions that currently are required by state or federal law to have background checks.	Signed into Law
			Oppose
			No direct fiscal impact
SB 1413 (Nielsen)	California Employers' Pension Prefunding Trust Program	As chaptered 9/21/18: Enacts the California Employers' Pension Prefunding Trust Program and establishes the California Employers' Pension Prefunding Trust Fund to allow state and local public agency employers that provide a defined benefit pension plan to their employees.	Signed into Law
			Support
			Potentially significant cost savings for those districts able to utilize the new program
PARKS, CEMETERIES, AND COMMUNITY ENRICHMENT		COST/COST-SAVINGS	
BILL/AUTHOR	ISSUE	DESCRIPTION	STATUS
AB 1276 (Limón)	United Water Conservation District: Park Rangers	As introduced 2/17/17: Would have authorized the United Water Conservation District in Ventura County to employ park rangers who would be peace officers if the primary duty of the park ranger was the protection of the properties of the district and the protection of the persons on those properties.	Dead
			Support
			No direct fiscal impact
AB 1999 (Chau)	Local Government Broadband	As chaptered 9/30/18: Expands certain local agencies, including Community Service Districts' ability to provide Broadband Internet infrastructure and services to their constituents, provided they conform to net neutral policies included in the measure.	Chaptered
			Support
			Potential one-time minimal costs for application of activation of latent powers
AB 2801 (Salas)	Defacement of Veteran Memorials	As chaptered 9/19/18: Clarifies existing provisions in California's penal code, specifying that existing laws concerning the defacement of memorials do not preclude prosecution under any other provision of law, including those regarding veterans' memorials.	Signed into Law
			Support
			No direct fiscal impact

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		PARKS, CEMETERIES, AND COMMUNITY ENRICHMENT			
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
SCR 134 (Galgiani)	California Peace Officers' Memorial Day	As chaptered 5/10/18: Designates Monday, May 7, 2018, as California Peace Officers' Memorial Day, urging all Californians to use that day to honor California peace officers, and recognize specified California peace officers who were killed in defense of their communities.	Support	Chaptered	No fiscal impact
SCR 136 (Newman)	Infrastructure Week	As chaptered 6/5/18: Recognizes the week of May 14, 2018, to May 20, 2018 as Infrastructure Week, and would urge the citizens of California to join in this special observance with appropriate events and commemorations.	Support	Chaptered	No direct fiscal impact
		PUBLIC WORKS AND FACILITIES			
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST-SAVINGS
AB 408 (Chau)	Eminent Domain: Final Offer of Compensation	As introduced 2/9/17: Would have provided that if a court found in an eminent domain proceeding, on motion of the defendant, that the offer of the plaintiff was lower than 90% of the compensation awarded in the proceeding, then the court would have been required to include the defendant's litigation costs in the costs allowed. If the court found that the offer of the plaintiff was at least 90% and less than 100% of the compensation awarded in the proceeding, the court would have been authorized to include the defendant's litigation costs in the costs allowed.	Oppose	Dead	Substantially increased litigation costs in eminent domain proceedings
AB 1489 (Brough)	Architects Practice Act	As introduced 2/17/17: Would have provided that a licensed architect is not responsible for damage caused by construction deviating from a permitted set of plans, specifications, reports, or documents.	Oppose	Dead	Substantially increased litigation costs
AB 1654 (Rubio)	Labor Code Private Attorneys General Act of 2004: Construction Industry	As chaptered 9/19/18: Exempts from the Labor Code Private Attorneys General Act of 2004 an employee in the construction industry, as defined, with respect to work performed under a valid collective bargaining agreement, if the agreement provides for certain terms of employment, prohibits violations otherwise redressable pursuant to the act, provides a grievance and binding arbitration procedure to redress violations, expressly and unambiguously waives the act, and authorizes the arbitrator to award otherwise available remedies. A prior version of this bill would have required urban retail water suppliers to report on the status of their urban water management plans.	Support	Signed into Law	No direct fiscal impact

PUBLIC WORKS AND FACILITIES				COST/COST-SAVINGS	
BILL/AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	
AB 2003 (Daly)	Public Contracts: Sanitation Districts: Notice	As introduced 2/1/18: Would have required the notice of a public works contract made by a sanitation district to be published in a manner that the district board determines to be reasonable, which may include, but is not limited to: newspapers, Internet Web sites, radio, television, or other means of mass communication.	Support	Dead	No direct fiscal impact
AB 2065 (Ting)	Local Agencies: Disposal of Surplus Land	As amended 4/16/18: Would have required special districts and other local agencies to first offer land being leased or sold for use for affordable housing, park and recreational facilities, and school construction.	Oppose unless Amended	Dead	Reduced potential revenue from agencies being unable to lease or sale to the highest bidder
AB 2249 (Cooley)	Public Contracts: Local Agencies: Alternative Procedure	As chaptered 8/20/18: Adjusts bid thresholds for public contracts under the Uniform Public Construction Cost Accounting Act for inflation.	Support	Signed into Law	Cost savings from not having to follow formal bid letting procedures for contracts under new threshold
AB 2345 (Reyes)	Renewable Energy: Shared Renewable Energy Tariffs	As amended 8/6/18: Would have allowed public agencies to establish solar energy projects in locations without an on-site need for electricity in investor owned utility territory.	Support	Dead	Additional opportunity for revenue generating projects
AB 2353 (Frazier)	Construction Defects: Actions	As amended 5/10/18: Would have required pre-litigation inspectors of construction defects to be licensed experts in the relevant field of study, consistent with existing practice. A prior version would have shortened the statute of limitations for construction defects from 10 years to 5 years.	Neutral	Dead	No direct fiscal impact
AB 2439 (E. Garcia)	Official State LGBTQ Veterans Memorial	As chaptered 8/20/18: Designates the LGBTQ Veterans Memorial at the Desert Memorial Park in Cathedral City as the official state LGBTQ veterans memorial. Desert Memorial Park is operated by the Palm Springs Cemetery District.	Support	Signed into Law	

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PUBLIC WORKS AND FACILITIES		REVENUE	
BILL/ AUTHOR	ISSUE	DESCRIPTION	STATUS
AB 3155 (Cooper)	Expanded Definition of "Public Works"	As introduced 2/16/18: Would have revised the definition of "public works" to include warranty work, thereby requiring prevailing wage for warranty work.	Dead
SB 1077 (Wilk)	Construction Contracts: Wrap-Up Insurance and Indemnification	As amended 8/24/18: Would have voided a provision of a wrap-up insurance policy or other consolidated insurance program that requires a general contractor or subcontractor to indemnify, hold harmless, or defend another for any claim or action covered by the policy or program.	Dead
SB 1399 (Wiener)	Renewable Energy: Shared Renewable Energy Tariffs	As amended 5/1/18: Would have required the California Public Utilities Commission (CPUC) to require Investor Owned Utilities to create a tariff or multiple tariffs enabling commercial and industrial customers to obtain bill credits generated by an eligible renewable generating facility and apply those credits to a benefiting account.	Dead
REVENUE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	STATUS
AB 71 (Chiu)	Taxes: credits: low-income housing: allocation increase.	As amended 5/18/17: Would have increased tax credits for low-income housing projects by \$300 million. The bill was similar to bills CSDA supported in 2015 and 2016. This year's version included a funding source by prohibiting homeowners from deducting the interest from the mortgage on their second home from their state taxes. That amount is estimated to be about \$300 million.	Dead
AB 171 (Lackey)	Airport districts: temporary negotiable notes.	As amended 7/10/17: Would have repealed provisions that require certain notes be treated as general obligation bonds, the manner in which they are paid, from what sources, maximum maturity dates and what percentage of the assessed value of the district may be borrowed against. Sponsored by the Mojave Air and Space Port airport district.	Dead
		CSDA POSITION	COST/COST-SAVINGS
		Oppose	Increased costs from having to pay prevailing wage for warranty work
		Oppose unless Amended	Increased liability on large public works projects
		Support	Potential cost savings for qualifying entities operating eligible renewable generating facilities
		Support	Provides a revenue stream for affordable housing while not undermining existing essential local services
		Support	Potential revenue increase via bonds for airport district

BILL/ AUTHOR	ISSUE	REVENUE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 448 (Daly)	Joint Powers Authorities: Orange County Housing Finance Trust	As chaptered 9/11/18: This formerly dealt with Parcel Taxes. It now establishes a Housing Trust Joint Powers Authority in Orange County made up of the county and interested cities. As this measure was gutted and amended, it no longer required a position from CSDA.	Neutral	Signed into Law	No direct fiscal impact
AB 898 (Frazier)	Property taxation: revenue allocations: East Contra Costa Fire Protection District	As amended 4/4/2017: Would have reallocated ad valorem property tax revenues from the East Bay Regional Park District to the East Contra Costa Fire Protection District. This would have set a bad precedent of the Legislature reallocating property tax revenue.	Concerns	Dead	Significant revenue loss to East Bay Regional Park District; significant revenue increase for East Contra Costa Fire District
AB 1232 (Fong)	Funding for Agricultural Pest Control	As introduced 2/17/17: Would have appropriated \$10 million from the State General Fund to the Citrus Disease Management Account (CDMA) in the California Department of Food and Agriculture (CDFA) for the purpose of citrus disease prevention.	Support	Dead	Potential funding opportunities for mosquito and vector control districts to combat citrus disease
AB 1322 (Bocanegra)	Property Taxation: Intercounty Base Year Value Transfers	As introduced 2/17/2017: Would have allowed any person over 55 years of age or any severely and permanently disabled person to transfer the base year value of an original property to a replacement dwelling to any county, regardless if that county has passed an ordinance to allow for it. This bill would have only become operative if ACA 7 (Bocanegra) was passed by the voters.	Oppose	Dead	Likely significant revenue reductions and/or instability to local governments
AB 1748 (Steinorth)	Property Taxation: Base Year Value Transfer	As amended 4/24/18: Would have allowed any person to transfer the base year property value of their property regardless of age or disability, to be transferred to any replacement dwelling, regardless of the value of the replacement property or whether the replacement property is located within the same county. It provided for a blended base for purchasing a more expensive home. Allows those under 55 years old to do one such transfer and those over 55 unlimited transfers. This measure would only be implemented upon passage of ACA 20 (Steinorth) and its approval by the voters.	Oppose	Dead	Significant revenue reductions and/or instability to local governments

BILL/ AUTHOR	ISSUE	REVENUE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 1778 (Holden)	Transit-Oriented Redevelopment Law of 2018	As amended 4/10/18: The March 22, 2018 version would have reinstated Redevelopment Agencies (RDAs), including compulsory tax increment investment in redevelopment for special districts. It was amended to be specific to transit-oriented redevelopment but was never heard in committee.	Oppose unless Amended	Dead	Very significant long-term revenue losses due to tax increment diversion
AB 1843 (Assembly Budget Committee)	State Government	As amended 8/23/18: Would have provided a 30-day grace period for public agencies to file notice of an emergency public works contract with the Department of the Industrial Relations.	Support	Dead	Potential savings related to avoiding litigation/ Penalties
AB 1889 (Caballero)	Santa Clara Valley Water District	As chaptered 9/5/18: This measure does three things specific to the Santa Clara Valley Water District (SCVWD): 1) makes it easier for taxpayers in to remain qualified for certain tax exemptions, 2) requires any director appointed or elected to fill a vacancy to represent, and be a voter in, the electoral district in which the vacancy occurred, and 3) until December 31, 2023, would expand the number of days per month that a director can be compensated for from 10 to 15 days, provided that the board of directors annually adopts a written policy describing why more than 10 meetings per month are necessary.	Support	Signed into Law	Potential minor costs to this one district for board member compensation and increased participation in tax exemption program
AB 1922 (Fong)	California Competitiveness and Innovation Act	As amended 3/1/18: Would have increased the existing homeowners' property tax exemption from \$7,000 to \$14,000 of the full value of a dwelling and then adjusted the exemption by the House Price Index thereafter.	Oppose	Dead	Modest but ever-increasing revenue losses to those districts that receive ad valorem property tax revenue
AB 2283 (Holden)	Turf Removal Water Conservation Program: Income Tax Exclusion Sunset Extension	As introduced 2/13/18: Would have extended an existing temporary tax deduction for incentives received from water agencies for turf removal for water conservation. This measure was held under submission in the Assembly Appropriations Committee.	Support	Dead	No direct fiscal impact

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BILL/ AUTHOR	ISSUE	REVENUE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2811 (Flora)	SMART Firefighting for the 21st Century	As amended 3/22/18: Would have renamed the Fire Fighting Thermal Imaging Equipment Act of 2001 to the Firefighting for the 21st Century Act of 2018 and created the SMART Firefighting for the 21st Century Pilot Program, with five pilot locations, for the purpose of providing grants to local and state agencies to acquire and utilize SMART firefighting equipment. The pilot locations would have been in at least one in a rural area, one in a suburban area, and one in an urban area, and a fire department selected in each location. A task force would have been appointed to determine the effectiveness of the program and include, amongst others, one member from the county or city government most closely aligned with the jurisdiction of the fire department in a pilot program location chosen by that county or city.	Support if Amended	Dead	No direct fiscal impact
AB 2890 (Ting)	Land Use: Accessory Dwelling Units (ADUs)	As amended 7/3/18: As introduced, would have eliminated all fees charged by a local agency, school district, special district, and water corporation for accessory dwelling units (ADUs). These one-time fees are paid by developers to local agencies to account for the cost of installing water and sewer connections, impact on the capacity of the local water systems, as well as impacts on the usage of local parks, fire station services, and other public services that will be used by the new residents. This bill was substantially similar to SB 831 (Wieckowski). Amendments taken in committee addressed local agencies' concerns.	Concerns	Dead	No direct fiscal impact
AB 2916 (Grayson)	Property Tax Revenue Allocations: Qualified Fire Protection Districts	As amended 3/22/18: Would, for seven years, have required county auditors to increase ad valorem revenue to certain fire districts that are found to be underfunded by subtracting the same amount from all other types of districts proportionately.	Oppose	Dead	Significant costs to all special districts that are not fire districts
AB 3037 (Chiu)	Community Redevelopment Law of 2018	As amended 4/30/18: Sought to recreate redevelopment agencies (RDAs). It took dramatic amendments to make special districts fiscally whole by providing a "passthrough provision" for any tax increment diverted to an RDA. More amendments were planned to clarify this and other provisions, which would have moved CSDA's position from oppose unless amended to at least neutral. The measure was held under submission in the Assembly Appropriations Committee.	Oppose unless Amended	Dead	Unknown, but potentially significant revenue losses to special districts
AB 3147 (Caballero)	Fee Mitigation Act: Housing Developments	As amended 4/30/18: This measure attempted to lock in development impact fees at the point of project application. This measure was held under submission the Assembly Appropriations Committee.	Oppose	Dead	Significant potential revenue losses to many types of districts

BILL/ AUTHOR	ISSUE	REVENUE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
ACA 4 (Aguiar-Curry)	55% Vote Threshold for Affordable Housing or Public Infrastructure Bonds and Special Taxes	As introduced 2/17/17: Would have lowered the vote threshold to pass special taxes from two-thirds to 55% for public infrastructure and affordable housing projects, provided a number of conditions are met. CSDA would have outright supported the bill if it was amended to apply to all types of special districts.	Support if Amended	Dead	Potential new revenue opportunities
ACA 7 (Bocanegra)	Property Taxation: Intercountry Base Year Value Transfers	As introduced 2/17/17: Would have allowed any person over 55, or any severely and permanently disabled person, to transfer the base year value of their home to one located in a different county without the adoption of a county ordinance so providing.	Oppose	Dead	Loss of ad valorem revenues of over \$1 billion for local governments
ACA 20 (Steinorth)	Property Taxation: Base Year Value Transfer	As introduced 1/3/18: Would have allowed the base year value of property eligible for the homeowner's exemption of any person aged 55 years or older or who is severely disabled to be transferred to any replacement dwelling, regardless of its value or whether it is located within the same county. Would also have allowed for a one-time transfer of base year value of property eligible for the homeowner's exemption of any person younger than 55 years of age. This Constitutional Amendment would have had to be approved by the voters.	Oppose	Dead	Loss of ad valorem revenues of over \$1 billion for local governments
SB 58 (McGuire)	Wildlife Management Areas: Payment of Taxes and Assessments	As introduced 12/12/16: Would have required the state to pay annual payments in lieu of taxes (PILT) to counties for the property tax revenue lost when the state purchases private property to operate as a wildlife management area and requires the state to pay the assessments levied on property by any irrigation, drainage, or reclamation district.	Support	Dead	Potential reimbursements to affected irrigation, drainage, and reclamation districts
SB 151 (Nguyen)	Property Tax Postponement	As introduced 1/18/17: Would have increased the sustainability of the Property Tax Postponement (PTP) Program by making numerous technical and clarifying changes to increase program efficiency.	Support	Dead	Helps ensure special districts receive property tax revenue by increasing the sustainability of the PTP Program

BILL/ AUTHOR	ISSUE	REVENUE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 382 (Pan)	California Mosquito Surveillance and Research Program Funding	As amended 3/20/17: Would have appropriated \$2 million from the General Fund to fund the California Vector-borne Disease Surveillance program and to fund research grants.	Support	Dead	No direct fiscal impact; potential new funding opportunities for state vector-borne disease research
SB 475 (Galgiani)	Citrus Disease Management Funding	As introduced 2/16/17: Would have continuously appropriated funding to combat citrus specific pests, diseases, and their vectors. Existing law creates the Citrus Disease Management Account in the Department of Food and Agriculture Fund, consisting of money from federal, industry, and other non-General Fund sources, to be available upon appropriation by the Legislature for the purpose of combating citrus specific pests, diseases, and their vectors.	Support	Dead	Stabilizes a potential funding source
SB 608 (Hernandez)	Direct Grant Funding for Public Hospitals	As amended 3/28/17: Would have allocated direct grant funding of about \$155 million to designated public hospitals and about \$112 million to non-designated public hospitals from the existing hospital quality assurance fee (QAF), over the last two quarters of the 2016-17 fiscal year, as well as the 2017-18 and 2018-19 fiscal years.	Support	Dead	Increases grant funding available for healthcare districts
SB 623 (Monning)	Safe and Affordable Drinking Water Fund	As amended 8/21/17: Would have established the Safe and Affordable Drinking Water Fund and would have provided that moneys in the fund are continuously appropriated to the State Water Resources Control Board to secure access to safe drinking water for all Californians. CSDA sought amendments to appropriate money from the General Fund instead of a tax on water customers.	Oppose unless Amended	Dead	Increased costs to water agencies to pay into the fund

BILL/ AUTHOR	ISSUE	REVENUE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 831 (Wieckowski)	Land Use: ADUs	As amended 6/21/18: Would have eliminated all fees charged by a local agency, school district, special district, and water corporation for accessory dwelling units (ADUs). These one-time fees are paid by developers to local agencies to account for the cost of installing water and sewer connections, impact on the capacity of the local water systems, as well as impacts on the usage of local parks, fire station services, and other public services that will be used by the new residents. This bill was substantially similar to AB 2890 (Ting). Amendments taken in committee were intended to remove local agencies' concerns, but due to a drafting error, the bill continues to inhibit local agencies from collecting capacity and connection fees. The bill further would have limited the ability to impose connection fees and capacity charges, extending the limitation to new detached ADU's as well as ADU's within, or on lots with, multi-family residences (MFR). With regard to MFR, the bill would have altered the fee/charge exemption to MFR go beyond the original intent to encourage ADU development within or at single-family residences.	Concerns	Dead	Substantial costs due to inability to collect fees on accessory dwelling units
SB 845 (Monning)	Safe and Affordable Drinking Water Fund	As amended 8/22/18: Would have required community water systems to implement a voluntary tax on customer's regular water bill to fund projects to secure access to safe drinking water in a community with water safety issues.	Oppose	Dead	Potential new revenue from ratepayers who did not opt out from the voluntary program
SB 877 (Senate Budget and Fiscal Review Committee)	State Government	As chaptered 9/17/18: This budget trailer bill dealing with state government contains, among other provisions, a 30-day grace period for public agencies to file notice of an emergency public works contract with the Department of the Industrial Relations. This proposal was sponsored by CSDA.	Support	Signed into Law	
SB 1079 (Monning)	Forest Resources: Fire Prevention Grants: Advance Payments	As chaptered 9/21/18: Allows the Director of Forestry and Fire Protection to authorize advance payments to a nonprofit organization, a local agency, a special district, a private forest landowner, or a Native American tribe from grants for the implementation and administration of projects and programs to improve forest health and reduce greenhouse gas emissions.	Support	Signed into Law	Potential cost savings for special districts due to earlier access to grant funding

BILL/ AUTHOR	ISSUE	REVENUE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 1202 (Stone)	Land Use: Development Fees	As chaptered 9/11/18: This measure was dramatically amended from what was a very challenging and more punitive measure, to now reflect that 3 years of non-compliance of the public availability of the accounting of development fees as mandated by existing Government Code 66006(b) can result in an audit - the cost of which is borne by the offending agency.	Neutral	Signed into Law	Potential costs to those districts who are out of compliance for over 3 years
SB 1296 (Glazer)	Database of Local Fees	As amended 4/5/18: Would have created a statewide database of developer fees, in addition to a mandate that all special districts send a new report to the Housing and Community Development Agency annually.	Oppose	Dead	Potential costs for compliance with new mandates
SB 1380 (Stern)	Climate Adaptation Information Clearinghouse	As amended 4/23/18: Would have authorized the Office of Planning and Research to include in the State Adaptation Clearinghouse information concerning funding and financing opportunities relating to clean energy projects.	Support	Dead	No direct fiscal impact
SB 1469 (Skinner)	Land Use: ADUs	As amended 5/1/18: As introduced, would have eliminated impact fees charged by a local agency, school district, special district, and water corporation for accessory dwelling units (ADUs). These one-time fees are paid by developers to local agencies to account for impacts on the usage of local parks, fire station services, and other public services that will be used by the new residents. This language was removed in committee.	Neutral	Dead	Substantial costs due to inability to collect fees on accessory dwelling units
SCA 3 (Dodd)	55% Vote Threshold for Public Library Bonds	As amended 3/6/17: Would have lowered the vote threshold for library bonds from two-thirds to 55 percent. CSDA would have supported the bill if it had been amended to apply to all types of special districts.	Support if Amended	Inactive File	Potential new revenues for library districts
SCA 6 (Wiener)	55% Vote Threshold for Transportation Special Taxes	As amended 5/1/17: Would have lowered the vote threshold to pass special taxes from two-thirds to 55% for transportation purposes. CSDA would have supported the bill if it had been amended to apply to all types of special districts.	Support if Amended	Dead	Potential new revenues for special districts
SCA 24 (Galgiani)	Property Taxation: Change in Ownership: Base Year Value Transfer	As introduced 8/29/18: Would have limited the exceptions for base year value property tax reassessments for inherited property while also allowing for unlimited base year value transfers for those over 55 years of age, regardless of location, frequency or market price.	Oppose	Dead	Potentially significant loss of ad valorem revenues

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 594 (Irwin)	Solar and Wind Project Water Supply Assessments	As introduced 2/14/17: Would have exempted proposed solar or wind energy projects that used no more than 50 acre-feet of water annually from conducting a Water Supply Assessment. Current law, until January 1, 2018, exempts solar and wind projects that use up to 75 acre-feet of water annually from requiring a Water Supply Assessment.	Oppose	Dead	Major potential impact on water supplies
AB 885 (Rubio)	Lead Level Monitoring for School Sites	As amended 4/27/17: Would have required each public school to develop and adopt a plan of action to prevent elevated lead levels in all water used for drinking or cooking at the school, and required a community water system to test schools annually for presence of lead.	Oppose unless Amended	Dead	Increased costs to districts to test schools annually for lead
AB 968 (Rubio)	Urban Water Use: Water Efficiency	As amended 4/17/17: Would have established a new water use efficiency requirement for urban retail water suppliers, to be met by December 31, 2025. This bill defined "water efficiency target" as a target developed by an urban retail water supplier for 2025 water efficiency in its 2020 urban water management plan (UWMP).	Support	Dead	Potential increased costs to urban water suppliers to adopt efficiency requirements and revise urban water management plans
AB 1000 (Friedman)	Water Conveyance: Facility with Unused Capacity	As amended 7/3/17: Would have prohibited a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission and Department of Fish and Wildlife found that the transfer of the water would not have adversely affected the natural or cultural resources of those federal and state lands.	Oppose	Dead	No direct fiscal impact

BILL/ AUTHOR	ISSUE	WATER, CONSERVATION, AND OPEN SPACE DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 1667 (Friedman)	Water Management Planning	As amended 7/3/17: Would have required several changes to agricultural water management plans (AWMP) to include an annual water budget, identify water management objectives that improve water system efficiency, and quantify the efficiency of agricultural water use. The bill also required AWMPs to have a drought plan.	Oppose	Dead	Increased costs to agricultural water suppliers to adopt efficiency requirements and revise agricultural water management plans
AB 1668 (Friedman)	Water Management Planning	As chaptered 5/31/18: Requires several changes to agricultural water management plans (AWMP) to quantify measures to increase the efficiency of agricultural water use efficiency, include an annual water budget, describe the agricultural water supplier's water management strategy with specified elements, and include a drought plan describing the actions of the agricultural water supplier for drought preparedness and management of water supplies and allocations during drought conditions. This bill also requires the Department of Water Resources to take a number of actions related to water efficiency, and in consultation with the state board and other relevant state and local agencies and stakeholders, to identify small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability. The author worked with the water community throughout this session and took amendments that addressed CSDA's concerns. Legislation retains the Legislature's authority to set water use efficiency standards and give due credit to agencies that have been proactively investing in water conservation.	Neutral	Signed into Law	Potential increased costs to urban water suppliers to adopt efficiency requirements and revise urban water management plans
AB 1669 (Friedman)	Urban Water Conservation and Use Reporting	As amended 4/18/17: Would have required the State Water Resources Control Board, in consultation with the Department of Water Resources, to adopt long-term standards for urban water conservation and water use by May 20, 2021.	Oppose unless Amended	Dead	Increased costs to water suppliers to adopt long-term standards for urban water conservation
AB 2050 (Caballero)	Small System Water Authority Act of 2018	As enrolled 8/29/18: Would have created the Small System Water Authority Act of 2018 and authorized the creation of small system water authorities that would have had powers to absorb, improve, and competently operate noncompliant public water systems.	Support	Vetoed	No direct fiscal impact

BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2501 (Chu)	Drinking Water: Consolidation and Extension of Service	As chaptered 9/28/18: The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order extension of service to an area within a disadvantaged community that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation of consolidation. This bill clarifies the circumstances under which SWRCB can order forced consolidation and extension of service.	Oppose	Signed into Law	Unknown, but potentially significant fiscal impact to water agencies
SB 606 (Hertzberg)	Water Management Planning	As chaptered 5/31/18: Establishes urban water use objectives and water use reporting requirements; requires several changes to agricultural water management plans (AWMP) to respond to a drought emergency and the associated water shortage risks. This bill is the companion measure to AB 1668 (Friedman), and its passage was contingent on both bills becoming law. The author worked with the water community throughout this session and took amendments that addressed CSDA's concerns. Legislation retains the Legislature's authority to set water use efficiency standards and give due credit to agencies that have been proactively investing in water conservation.	Neutral	Signed into Law	Increased costs to water suppliers to adopt long-term standards for urban water conservation
SB 1215 (Hertzberg)	Provision of Sewer Service: Disadvantaged Communities	As chaptered 9/30/18: The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order extension of service to an area within a disadvantaged community that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation of consolidation. The act defines "disadvantaged community" for these purposes to mean a disadvantaged community that is in an unincorporated area, is in a mobilehome park, or is served by a mutual water company or small public water system. SB 1215 grants new authority to Regional Water Quality Control Boards to order local governments to extend sewer service to septic users in disadvantaged communities. This bill expands the definition of "disadvantaged community," for purposes of these consolidation and extension of service provisions, to also include a defined disadvantaged community that is in an incorporated area but not served by a public water system or wastewater system.	Oppose unless Amended	Signed into Law	Unknown, but potentially significant fiscal impact to water agencies

HUMBOLDT BAY MUNICIPAL WATER DISTRICT

To: Board of Directors

From: John Friedenbach

Date: October 31, 2018

Subject: Professional Services – Engineering Services Contract for 12kV Replacement Project

The purpose of this memo is to recommend retaining GHD, Inc. for Engineering Services for the 12kV Replacement project, and to discuss the engineering services budget.

Background Information**Request for Qualification Process:**

In accordance with our procurement policy, the District issued Request for Qualifications (RFQ) for engineering, design, environmental, permitting, construction management, and grant administration services for the 12kV Replacement project funded by FEMA Hazard Mitigation Program.

The District sent the RFQ to fifteen engineering and planning firms, posted on our District website and advertised in the California Special District Association's online RFP Clearinghouse.

The District received two Statement of Qualifications (SOQ): one from GHD; and one from Whitchurch Engineering Inc. (WEI). All firms submitted an SOQ for all engineering and environmental services the District is seeking for this project in accordance with the RFQ request.

Evaluation Process:

The District established a Review/Selection team to evaluate the SOQs for each project. Members of the Review/Selection team were: Brian Gerving, City of Eureka Public Works Director; Troy Nicolini, Samoa Peninsula Fire Protection District Board member and NWS Meteorologist In Charge; Dale Davidsen, HBMWD Superintendent; and John Friedenbach, HBMWD General Manager and Chris Harris, HBMWD Business Manager.

The evaluation was qualification-based. The team considered and rated the SOQs in nine areas as follows:

- Qualification and Experience on similar projects, especially demolition and water appurtenances projects, in engineering/design, environmental, permitting, construction management
- Qualification and experience of personnel
- Understanding of the project and conceptual approach

- Experience with FEMA Hazard Mitigation Grant Program
- Consultant/Team staff availability
- Consultant/Team ability to meet project schedule
- References for prime and sub-consultants
- Identified conflict of interest
- Overall Quality of Proposal

The team arrived at a unanimous recommendation:

Engaging GHD for engineering, environmental, and permitting services.

Request for Proposal

Our Procurement policy for Federally-funded Projects requires that once the most-qualified firm is identified, that firm is asked for a price proposal that is subject to negotiation of a fair and reasonable price. If negotiations with the selected firm are unsuccessful, this process is repeated with the next highest-ranked firm, until a fair and reasonably priced contract can be awarded.

The 12kV Replacement budget developed for the FEMA Hazard Mitigation Grant was \$357,000. The price negotiated with GHD for engineering services is \$331,000, which is \$26,000 less than the FEMA grant budget.

Recommendation

Approve entering into an agreement with GHD, Inc. for environmental, design plans and specifications, permitting, surveying, and construction management services for the 12kV Replacement Removal and Replacement project in accordance with the attached Scope of Work at an estimated cost of \$331,000 per the attached REVISED scope of work dated October 22, 2018. Their proposal contained fair and reasonable prices.

The agreement will only authorize the work under Phase One of the grant in the amount of \$59,000. The remaining services in the amount of \$272,000 will be authorized once the full grant is approved by FEMA.

Attachments

- 1) GHD's Scope of Work (page 318)
- 2) GHD's budget estimate (page 18)
- 3) District letter requesting a request for proposals for engineering services (page 13-18)
- 4) List of Firms RFP were sent to (page 19)



October 22, 2018

Mr. John Friedenbach
Humboldt Bay Municipal Water District
828 Seventh Street
Eureka, CA 95501

Re: Scope and Budget for Environmental Permitting, Engineering Design, Bidding and Construction Management for the 12kV Switchgear Replacement Project

Dear John,

GHD greatly appreciates the District's selection of GHD to assist you with the execution of the 12kV Switchgear Replacement Project. We value our long-term relationship and look forward to working with you to complete this project to further hardening your critical infrastructure against disasters. The following is a scope and cost estimate for the preparation of the CEQA documents, necessary permits, biological survey, preparation of the engineering design and contract bid documents for the project, as well as bid assistance and construction observation required for the replacement of the main 12kV Switchgear at the District's Essex Control Facility. This Scope of Work has been divided up into the Tasks as detailed in the Hazard Mitigation Grant (HMG) application for this project. We understand that the Federal Emergency Management Agency (FEMA) has completed their National Environmental Policy Act (NEPA) review for the project and provided the grant agreement to the District to proceed on the project.

The proposed retrofit of the existing Essex switchgear would consist of installing new switchgear approximately 80 feet to the southeast of the existing switchgear, within the old North Coast Railroad Authority railroad bed, to move it out of the Mad River floodplain and outside the dam break inundation zone. The GHD scope of work for this project would include the project management, permitting, design, preparation of Bid and construction documents, and construction management associated with the project. Permits that will likely be required for this project include the lease with the North Coast Railroad Authority and a PG&E connection permit. Construction documents will detail the site grading work, fencing, installation of a new concrete slab and switchgear enclosure, a new service drop from the existing 12-kV utility line, new switchgear, installation of new wire, conduit, and handholes for the electrical connections required to connect to the existing power for the Essex facility gear, and the final testing and commissioning requirements for the new switchgear.



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The scope of work for this project will consist of the following tasks:

Professional Services:

Task 1 – Environmental Special Studies, CEQA and Permitting

FEMA has completed the NEPA analysis required for this project and have completed the necessary studies to issue a Findings of No Significant Impacts (FONSI). We are uncertain whether we/the District can get copies of these studies to allow us to complete the required CEQA analysis. GHD will contact CalOES and FEMA staff to determine whether this is possible. If possible and we obtain the studies, we will review them to determine whether they are sufficient to support the CEQA analysis for this project. If so, we will utilize them to complete the CEQA permitting for this project, and the cost estimate provide for Task 1.1 will be reduced to approximately \$5,000. However, if we cannot obtain copies of the reports or deem them insufficient, GHD will conduct the studies outlined under Task 1.1 below.

Task 1.1 – Environmental Special Studies

GHD will conduct a site specific rare plant survey, wetlands delineation, sensitive habitat survey, and a cultural resource study of the project area in support of the CEQA permitting for the project. It is anticipated that a Categorical Exemption will be submitted for the project as it appears to meet the exemption criteria as detailed in Section 15302-Replacement or Reconstruction, Title 14, Chapter 3, Article 19 of the California Code of Regulations. There are no known sensitive species, wetlands, water, or other items of environmental concern near the project area as supported by FEMA's Finding of No Significant Impact in their NEPA analysis. However, to document the lack of impacts, a wetlands, biological and cultural resource survey will be conducted as required of the Area of Potential Impact (APE). The APE/survey area will consist of the area for the Alternative 1 location on the railroad bed shown on Figure 3 of the Hazard Mitigation Grant application including the access route along the railroad grade, as well as the area required for the trenching for the power lines down to the existing switchgear. This site has been previously disturbed with construction of the railroad and construction of HBMWD's Essex facility. Most of the adjacent land is owned by HBMWD, with the exception of the strip that is owned by the North Coast Railroad Authority (see Figures 2 & 3 in Attachment C of the HMG application).

Wetlands Delineation

A wetlands delineation will be completed for the APE as outlined in Alternative 1 on Figure 3 of the HMG application. The delineation will comply with various wetlands definitions of the jurisdictional agency(ies) depending on site-specific oversights (one, two, and/or three-parameter approaches). GHD will attempt to reconcile the various wetlands definitions and map one single wetland boundary line that complies with agency definitions if possible. Note that in some cases the application of varying wetlands definitions could result in multiple wetlands boundary lines (which would be identified on the map).



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The wetlands delineation will follow the U.S. Army Corps of Engineers (COE) criteria from the *Corps of Engineers Wetlands Delineation Manual* (COE, 1987) and *Draft Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coast Region* (Army Engineer Research and Development Center, COE, 2010). For the portions of the project site that fall within the Coastal Zone, the wetlands delineation will also follow the California Coastal Commission one-parameter approach (relying on COE manuals for reference and procedures). Vegetation and soil data will be collected at transects across the wetlands boundary with two plots (upland/wetland) per transect (intermediate plots may be placed without collection of data as appropriate). Soil pits will be excavated to a maximum depth of 18 inches below ground surface. Data on soil color, texture and redoximorphic features will be collected. Data on hydrologic conditions will be collected if observed.

Vegetation data collection will consist of listing the five dominant species at each plot. The species will then be classified as to whether or not they are a wetlands indicator, using the standard reference for plant wetlands indicators: National List of Plant Species that Occur in Wetlands: California (Region WMVC) (2016). That document classifies plants based on the probability that they would be found in wetlands, ranging from Obligate (almost always in wetlands), Facultative/wet (67% to 99% in wetlands), Facultative (34% to 66% in wetlands), Facultative/up (1% to 33% in wetlands) to Uplands (less than 1% in wetlands). Plants not listed are included in the uplands category. If 50% or greater of the dominant plant species at each plot are classified either Obligate (OBL), Facultative/wet (FACW), or Facultative (FAC), the vegetative mix is determined to be hydrophytic (wetland plants).

A determination of the wetland boundary will be made based on soil, hydrology (if present), and vegetative parameters (three parameter approach).

GHD will record the horizontal location of each wetland boundary point using a Trimble handheld GPS unit. The Trimble® 2008 series GeoXH™ handheld is an integrated solution for high-accuracy (sub-meter) GIS data collection and asset relocation. GHD will download survey data and produce a map of the wetlands boundary on topographic map base (using DTM data layers) according to Army Corp mapping requirements, which will also be satisfactory for the other permitting agencies.

The final wetland delineation map will be included in the wetland delineation report. GHD's wetlands report will include analysis of project impacts to wetlands, setbacks from identified wetlands, and proposed methods to avoid or minimize potential impacts.

Deliverables:

- 1 electronic copy, draft Wetlands Delineation Map
- 1 electronic copy, final Wetlands Delineation Map
- 2 hard copies, final Wetlands Delineation Map



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Biological Evaluation

GHD will perform a biological evaluation and perform a database search, reconnaissance survey, and habitat mapping to evaluate special-status plant and wildlife species that may occur in the project APE according to the California Department of Fish and Game's Natural Diversity Database (CNDDDB), the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants, and lists provided by the U.S. Fish and Wildlife Service and National Marine Fisheries Service. The biological evaluation will focus on potential impacts to wildlife as well as the following key topics:

Sensitive Habitats Mapping

GHD will consult the most recent version of the California Natural Diversity Database (CNDDDB) for a list of sensitive habitat types/natural communities that may occur in the project area as provided by the California Department of Fish and Wildlife (CDFW).

GHD will further evaluate potential sensitive habitat types within the project vicinity and map potential sensitive habitats using GPS Trimble unit or tablet PC. These communities will be classified using A Manual of California Vegetation, by Sawyer, Keeler-Wolf, and Evens (2009). The mapped sensitive habitats can be used for basis of decision making in regards to potential impacts associated with the project construction and possible construction alternatives that would reduce or avoid sensitive habitats. This reconnaissance level habitat mapping is key for future phases of work to evaluate potential environmental impacts associated with the project construction and mitigation.

Sensitive Plant Survey

A botanical survey will be conducted in the spring (March, April and June) by a qualified GHD botanist. The survey will entail an intensive botanical site inventory of all vascular plant species. The species inventory will be conducted by walking the site and recording plant species. The site visits will be conducted at an appropriate season to locate flowering individuals.

Biology, Botany, and Sensitive Habitat Mapping

GHD will complete the following tasks:

- Prepare a written evaluation of potential plant and animal species within and adjacent to the project footprint based on the habitat mapping.
- Review documentation of observed listed plant species if identified during the habitat mapping. Seasonally appropriate protocol level surveys per agency requirements will be performed if at all possible; however, depending on the project schedule, this may not always be possible. Documentation of non-presence at the time of habitat mapping does not necessarily indicate absence of a species.
- In some cases, assumed presence of listed species based on existing habitat may need to occur in order to meet agency requirements within project timeline.



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- Although assuming presence based on habitat might not be ideal, post-CEQA surveys for species presence/absence are not recommended due to possible resulting need for post-CEQA mitigations.

Meetings: One (1) agency consultation meeting

Deliverables:

- 1 electronic copy, draft Biological Report
- 1 electronic copy, final Biological Report
- 2 hard copies, final (1 bound/1 unbound)

Cultural Resources Investigation

Roscoe and Associates will conduct a cultural resources investigation of the APE. The objective of this cultural resources investigation is to identify known or unknown cultural resources located within the proposed project area.

The California Environmental Quality Act, as part of the environmental review process, requires that project proponents implement procedures to inventory cultural resources and to assess potential impacts on these resources located within projects conducted, funded, or permitted by State Agencies. The aim of this investigation is to demonstrate that the project proponents have complied with CEQA prior to project implementation by: (1) identifying and recording cultural resources within the project area's horizontal and vertical extent, (2) offering a preliminary significance evaluation of the identified cultural resources, (3) assessing the potential impacts to cultural resources resulting from the implementation of proposed project activities, and (4) offering recommendations designed to protect resource integrity, as warranted.

Pre-field research will include conducting background and archival research at local libraries, historical societies, and any other repositories that might contain information about the project area. A formal records check of the project area and an additional ½ mile radius will be conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System. All relevant documents will be reviewed and information pertinent to the project area will be included in the report. Roscoe and Associates will conduct correspondence with the Native American Heritage Commission and the local area tribes throughout the duration of the survey.

This investigation will consist of an intensive pedestrian reconnaissance (10 meter wide transects) of the entire project area. All previously and newly identified historic period or prehistoric cultural resources will be recorded on DPR 523 series archaeological site records to a standard consistent with the Department of the Interior guidelines for recording historical resources. In coordination with the area tribes, subsurface survey may be necessary in sensitive areas.



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A report detailing the regional prehistoric chronology, ethnographic background, historic background, study methods and findings, recommendations and Native American consultation will be prepared. Maps will be provided, showing the project area, cultural resources survey area, ethnographic sites, archaeological site locations, and historic maps. The final report will be supplied to the client and the NWIC.

Deliverables:

- 1 electronic copy, draft Cultural Resources Survey Report
- 1 electronic copy, final Cultural Resource Survey Report
- 2 hard copies, final (1 bound/1 unbound)

Task 1.2 – CEQA Categorical Exemption

As part of this Task, GHD will also prepare a CEQA Categorical Exemption for the project. It is our belief that the proposed work falls into the “Class 2 (15302) replacement or reconstruction of existing utility systems” Categorical Exemption. GHD will prepare a Notice of Exemption Document for District review, approval and filing with the County Recorder’s Office by the District. If the Special Studies outlined above find that wetlands, special status species or cultural resources may be impacted by the project or if it is determined that the project does not fit into the Class 2 Categorical Exemption, then a Mitigated Negative Declaration would have to be prepared for the project. If this is the case, the scope and fee for this task would have to be further negotiated with the District and FEMA/CalOES.

Deliverables:

- 1 electronic copy, draft Categorical Exemption
- 1 electronic copy, final Categorical Exemption
- 3 hard copies, final Categorical Exemption, one filed with the County Recorder’s Office

Task 1.3 – PG&E Permitting

As part of this Task, GHD will also prepare an application to PG&E for a change of service. PG&E will have to move their current drop to the existing switchgear to the new location and will require a permit review and approval to do this work. GHD will prepare the application package with the site drawings, electrical drawings, load details, etc. and submit it with the applicable permit fees to PG&E for review and approval. GHD will follow up with PG&E on status and answer any required questions to try to help ensure that PG&E processes the application in a timely fashion; however, GHD ultimately cannot guarantee PG&E will issue the permit in a timely fashion. It is also assumed that the District will pay PG&E directly for any charges for the construction of the actual movement of the service connection, and these charges should be grant eligible for reimbursement from FEMA/CalOES.



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Deliverables:

- 1 electronic copy, of draft PG&E Permit application for District Review
- 1 electronic copy, final PG&E Permit application to the District
- 3 hard copies, final PG&E Permit Application, one submitted to PG&E, two submitted to the District

Task 2.1 – 12kV Design Plans, Specifications, Contract Documents, and Bid Package

GHD will develop plans, specifications and the other necessary contract documents for the construction and connection of the new switchgear to the PG&E service and the existing cable runs from the existing switchgear to the various Essex equipment. GHD will design the concrete pad and enclosure for the new switchgear as well as develop the grading and trenching plans for the new switchgear site. One of the first subtasks required will be a discussion with the District on the type of security and site improvements desired for the switchgear locations. Item including whether a building is required versus an enclosure similar to the existing one, whether a fence with razor wire or floodlights or cameras are required or desired. Improvements desired for the railroad right of way will be discussed including whether to gravel or pave it and whether steps down to the Essex yard are desired. Design plans and specifications will then be developed for the new switchgear including the cable terminations, utility main/gen breaker, main breaker PTs and CPT, a feeder section (2 CBs), and a bus tie. GHD will work with the District to ensure that the equipment specified meets the District's needs and preferences. GHD will develop construction drawings consisting of a cover sheet showing project location; plans showing the existing switchgear and electrical utilities as well as other site features; a site plan showing existing utilities, access routes, laydown areas, and limits of work; new switchgear construction details, plan and details showing decommissioning of the existing switchgear, plans and details for the connection to the PG&E service and connection to the feeds from the existing switchgear to the equipment, and other slab, trenching, etc. standard details as required. The technical specifications will detail the specific requirements of the switchgear components and other technical details as required and will also detail the system testing and commissioning and power switchover requirements to be implemented by the Contractor. GHD will also develop the standard contract documents required for a complete bid package including the necessary Federal contracting requirements needed for a HMG project and including the necessary Advertisement for Bid, Notice of Award, and Notice to Proceed documents.

Deliverables:

- Submittals will consist of three (3) hardcopies of the 60%, 90% and Final Plans, Specifications & Contract Documents for District review. We will incorporate the District's comments after each submittal and prepare "Issued for Bid" Plans, Specifications, and Contract Documents for approval prior to issuing for bid. We will submit one (1) electronic copy and three (3) hardcopies of the final plans and specifications.



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Task 2.2 – Surveying

GHD will perform a topographic survey of the Alternative 1 location for the new switchgear as well as the area down to the existing switchgear and the access route along the railroad grade. We will collect elevation data as well as locate underground utility appurtenances, e.g. electrical and water lines, valves, manholes, blowoffs, drop inlets, storm drains, sanitary sewers, manholes, telephone poles and vaults as necessary. Invert elevations and pipe size and type will be determined for gravity lines if accessible and shown on survey. Ditch flow lines, tops, toes, and grade breaks of ditches and ground surface within survey limits will be surveyed as required in order to generate one foot contours meeting National Map Accuracy Standards. Existing easements will be determined based on data provided by HBMWD deeds; rights of way of public roads will be determined based on available public records. The project control will be based on the California State Plane Coordinate System of 1983 (CCS83) and bootstrapped to a real elevation basis, the North American Datum of 1988 (NAVD 88) via a GPS Control Survey. Sufficient survey control will be set and shown on the survey to facilitate future construction. All project data will be plotted using Autodesk Civil 3D 2010 and will include one foot contours and spot elevations along with planimetric features, and plotted atop existing aerial imagery.

Deliverables: Deliverables for this task will be included with the plans and figures submitted as part of Tasks 1 through 3.

Task 3 – Bid Assistance and Construction Management

This task would consist of GHD providing assistance in the bidding and bid review process as well as Construction Observation services. Bid Assistance will include issuing the bid package, providing copies to the Humboldt County, Shasta, and Sacramento Builders Exchange and selected contractors, maintaining a plan holders list, responding to contractor questions and issuing bid addenda, facilitating the bid opening, and reviewing and preparing a recommendations memo on the final contract award. GHD will prepare the Advertisement for Bids; however, it is assumed that the District will submit the Ad to a local newspaper for publishing and pay the necessary fees, which should be reimbursable by the grant. GHD will assist HBMWD in obtaining and reviewing the necessary contract documents including the required payment and performance bonds from the selected contractor and certificates of insurance, as well as assist in the preparation of the Notice of Award and Notice to Proceed documents.

GHD will provide periodic onsite construction observation throughout the construction process. GHD will document quantities as well as observe construction and general conformance with the intent of the plans and specifications. Field notes and photographs will be collected throughout the construction process. GHD will organize and facilitate a construction Kick-off Meeting including scheduling the meeting with the Contractor and Staff from the District. GHD will prepare the agenda, facilitate the meeting, and prepare and distribute meeting minutes. GHD will also oversee and facilitate biweekly construction progress meetings throughout the



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construction process. It is anticipated that construction meetings will be held with the GHD Project Engineer, Contractor Construction Manager, and applicable Staff from the District. GHD will review, respond, and track Contractor Submittals and Requests for Information (RFI). GHD will also prepare, review and track Change Orders, pay requests and Certified Payrolls. Change Orders will be reviewed with District Staff and CalOES staff prior to approval to compare with grant requirements. Pay requests will be reviewed and confirmed with the quantity of work evaluated in the field. Comments will be provided back to the Contractor if required, and approved pay requests will be forwarded on to the District. Certified Payroll documentation will also be reviewed and copies maintained at GHD for future reference.

Following final completion of the construction work, GHD will prepare the Notice of Completion for recording with the County Clerk and will assist with final grant administration activities. In addition, GHD will prepare a Final Report for the project consisting of Contract Record Drawings utilizing the Contractor plan sheet markups as well as other markups prepared by GHD during construction observations, photographs documenting the phases of construction, copies of the daily field notes, copies of any testing performed during construction, and copies of the contract change orders. Copies of the Final Report will be provided to the District in hardcopy and electronic format.

Deliverables:

- Electronic version of Contract Documents to Humboldt, Shasta, & Sacramento Builder's Exchanges
- Copies of Plan Holders List to District & stakeholders
- Bid Addendums distributed to all parties
- Final Award Recommendation Memo for distribution to HBMWD Board Copies in pdf format of CM meeting agendas and minutes
- Copy in pdf format of contract Change Orders
- 2 hard copies of project close out Final Report binders with applicable construction notes, equipment cut sheets, equipment operation and maintenance manuals, construction photographs and other construction information as appropriate
- 1 electronic copy in AutoCAD and pdf format and 3 hard copies of half-size (11"x17") sets of Contract Record Drawings

General Assumptions/Exclusions

This proposal is based on the following assumptions:

1. The cost associated with Task 3 assumes a 3-month construction period.
2. This Scope of Services assumes that the project qualifies for a Categorical Exemption under CEQA and there will be no impacts to wetlands or ESHAs.
3. The Environmental Special Studies will be required, and no additional special California Environmental Quality Act (CEQA) studies are included in the cost estimate (i.e. sedimentation, stormwater, noise, etc.) other than those outlined above.



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- 4. Assumes \$1,500 permit fees to PG&E for their service modification application and does not include fees charged by PG&E for the actual construction of the new service drop.
- 5. Does not include any other permit fees beyond the PG&E permit fees.
- 6. Does not include establishing property corners or other boundary survey.

Professional Service Fee

GHD will provide the above described scope of services at our Standard Labor Rates in place at the time of execution of the work for an estimated fee detailed below. We have also included columns detailing the grant amount awarded for each task and the difference between the grant award amount and our anticipated budget. All of these proposed tasks and fees should be eligible for reimbursement under the grant

Task Description	Revised GHD Budget	Original GHD Budget	Grant Budget
1.1-Envir. Special Studies	\$37,000	\$37,000	
1.2-CEQA Categorical Exemption	\$5,000	\$17,000	
1.3-PG&E Permitting	\$17,000	\$17,000	
Task 1 Subtotal	\$59,000	\$71,000	\$71,000
2.1-Design Plans & Specifications	\$130,000	\$130,000	
2.2-Surveying	\$7,000	\$13,000	
Task 2 Subtotal	\$137,000	\$143,000	\$143,000
3.0- Bid & Construction Management	\$135,000	\$143,000	
Task 3 Subtotal	\$135,000	\$143,000	\$143,000
TOTAL ALL TASKS	\$331,000	\$357,000	\$357,000

As always, we appreciate the opportunity to assist you on this project. Please do not hesitate to call me if you have any questions.

Sincerely,

Patrick Kaspari, P.E.
District Engineer

	<p style="text-align: center;">HUMBOLDT BAY MUNICIPAL WATER DISTRICT</p> <p style="text-align: center;">Request for Qualifications</p> <p style="text-align: center;">12kV Switchgear Replacement, Arcata, California</p> <p style="text-align: center;">Engineering, Design, Environmental Review and Compliance, Permitting, Construction Management and Grant Program Management</p>
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A. Invitation

You are invited to submit a Statement of Qualifications (SOQ) and other materials, in accordance with the outline below, to be considered for selection by the Humboldt Bay Municipal Water District (District) to:

- 1) complete a variety of engineering, environmental, and construction management services for the District's 12kV Switchgear Replacement, and
- 2) assist the District with the administration and management of the FEMA Hazard Mitigation grant which will fund this project.

The deadline to submit a SOQ is 3:00 p.m. on Friday September 28, 2018.

B. Categories of Services

The District is seeking a consultant firm or team to provide services necessary to proceed with demolition, construction and replacement of the District's electrical system 12kV Switchgear located at the District's Essex Control Facility near Arcata, California. It is anticipated that a single consultant firm or team will be selected encompassing all the required engineering and environmental disciplines. The disciplines that are required include:

1. Project planning and preliminary engineering
2. Engineering economic analysis
3. Surveying, topographic mapping and right-of-way engineering
4. Geotechnical evaluation and engineering
5. Electrical design of new 12kV switchgear and associated electrical connections
6. Civil design of new facility to house 12kV switchgear
7. Environmental – completion of special studies, preparation and circulation of appropriate CEQA document, and support of FEMA's NEPA process
8. Permitting – preparation of all required permit applications and related work to secure required permits
9. Preparation of Plans and Specifications, and cost estimates for project construction
10. Engineering and construction management services during bid process and project construction

C. Project Overview

The proposed Project would consist of the design, permitting, bidding and construction oversight for the relocation of the District's existing electrical system's 12kV Switchgear and its replacement with new state of the art 12kV Switchgear at a new location approximately 100 feet to the southeast of the existing switchgear, within the old North Coast Railroad Authority railroad bed, to move out of the Mad River floodplain and outside the dam failure inundation zone. The 12kV Switchgear was constructed in the 1960's and serves as the District's electrical system switchgear for the entire pumping and operations center at the Essex control facility and Ranney collector wells.

The 12kV Switchgear needs to be removed and replaced with new state of the art 12kV Switchgear. This project would include the project management, permitting, design, preparation of Bid and construction documents, and construction management associated with the project. Permits that will likely be required for this project include an encroachment permit or lease with the North Coast Railroad Authority, and a PG&E connection permit. Construction documents will detail the site grading work, fencing, installation of a new concrete slab and switchgear enclosure, a new service drop from the existing 12-kV utility line, new switchgear, installation of new wire, conduit, and handholes for the electrical connections required to connect to the existing power for the Essex facility gear, and the final testing and commissioning requirements for the new switchgear.

D. Funding Sources

Funding for this project will be provided from the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (CalOES) via the Robert T. Stafford Emergency Assistance and Disaster Relief Act for a FEMA Hazard Mitigation Program project.

E. Selection Process

The District will establish a Selection Committee to review the SOQ submittals received. The Selection Committee will request a price proposal from the most qualified firm/team that is subject to negotiation of a fair and reasonable price. The District's Board of Directors will approve the final proposal.

F. Work to be Completed

The Consultant shall develop the design, plans, specifications, and cost estimates for this project. Required tasks include:

1. Project Management

- 1.1 Attend and document design meetings
- 1.2 Draft correspondence
- 1.3 Manage subcontractors
- 1.4 Maintain project files
- 1.5 Manage and direct overall design and environmental teams

2. Quality Control and Quality Assurance of all work products

3. Grant Administration

- 3.1 Coordinate the FEMA Hazard Mitigation grant administration with FEMA and/or CalOES and District staff
- 3.2 Ensure scope of the project is consistent with scope defined in the grant applications and/or agreements
- 3.3 Ensure compliance with the grant program requirements and funding agreements
- 3.4 Completion of Quarterly Status Reports for submittal to CalOES documenting progress of the project

4. Preliminary Engineering

- 4.1 Propose demolition process and cost estimate
- 4.2 Propose replacement structure, components and cost estimate

5. Environmental

- 5.1 Special Studies - Conduct site specific biological survey, wetlands survey, and sensitive habitat survey, as required for NEPA and CEQA and other necessary permits
- 5.2 Cultural Resources Investigation – Conduct cultural resources investigation to identify any cultural resources located in or adjacent to the project area
- 5.3 Phase I Investigation – Complete a limited Phase I investigation to assess whether it is likely that any hazardous materials or impacted soil or groundwater will be encountered during the construction of the proposed project
- 5.4 CEQA Documentation - Prepare the California Environmental Quality Act documentation including an Initial Study, the appropriate CEQA document (which will likely be a Mitigated Negative Declaration), a Mitigation Monitoring Program, and required notices
- 5.5 Studies required by the Coastal Commission, FEMA or CalOES

6. Permitting

- 6.1 Prepare permit applications, coordinate with and respond to requests of the permitting or regulatory agencies, and acquire all necessary permits
- 6.2 The following permits may be required, as well as others, depending on the final design and regulatory jurisdiction:
 - U.S. Army Corps of Engineers Section 404 permit
 - CA Regional Water Quality Control Board Section 401 Certification and NPDES Construction permit
 - Coastal Development Permit

7. Project Design

- 7.1 Review utility records or surveys, geotechnical data, and relevant reports to support project scoping and preliminary engineering
- 7.2 Complete necessary surveying
- 7.3 Conduct necessary geotechnical investigations
- 7.4 Develop design documents including plans, specifications, other necessary bid and contract documents & cost estimates at three stages of completion - 60%, 90% and 100%
- 7.5 Document basis of design

8. Bid Assistance

- 8.1 Distribute and advertise Plans and Specifications for a competitive sealed bid process for project construction
- 8.2 Review and evaluate construction bids for compliance with project specifications. Ensure the low-cost bidder is responsible and responsive (per CA state law), meets the project bond requirements, holds a valid contractor license, is registered with the California Department of Industrial Relations, and is not ineligible for participation in federal assistance programs.
- 8.3 Following review, recommend award to District staff and Board of Directors

9. Inspection and Construction Management Services

- 10.1 Provide inspection and construction observation services to ensure contractor meets obligations of the specifications
- 10.2 Develop agendas and minutes for project construction coordination meetings
- 10.3 Respond to Contractor's Requests for Information
- 10.4 Review and assist District with processing legitimate Change Orders
- 10.5 Review and assist the District with processing Pay Requests
- 10.6 Ensure contractor provides as-built drawings and review for adequacy
- 10.7 Prepare contract closeout documents and file Notice of Completion

G. Consultant Selection Schedule

- | | |
|--|--------------------|
| 1. Issue Request for Qualifications: | September 1, 2018 |
| 2. SOQ Submittal Deadline: | September 28, 2018 |
| 3. Selection Committee review: | October 4 2018 |
| 4. Request proposal from most qualified firm/team: | October 16, 2018 |
| 5. District Board approves award: | November 8, 2018 |

H. Statement of Qualifications

Firms or teams who are interested in providing the consultant services described above are to submit a Statement of Qualifications (SOQ) **not exceeding 30 pages in length** (not including cover letter and table of contents) that includes the following:

- 1. Identification of prime and sub consultants: Include key personnel (those who will provide the majority of the labor hours) and lead persons to be assigned to the project. Please be specific about education and background of the key staff as well as current

and past participation directly with the primary applicant. Short resumes of key participants must be included.

2. Demonstration of firm/team technical competency and firm/team capacity to complete the required work.
3. Provide a minimum of two project descriptions of projects that were completed within the last ten years similar to the 12kV Switchgear project. Please provide a reference name and contact information for the project owner.
4. Demonstration of knowledge of Federal, State and local laws, rules, regulations or ordinances relevant for this project.
5. Demonstration of knowledge of FEMA's Hazard Mitigation Grant program as it relates to this project. Identification of CalOES or FEMA grant administration staff with whom firm/team has worked.
6. A written description of projects recently completed. Be specific regarding projects that are the same, or similar in nature to what is described in this SOQ. Provide contact data for references. Please cross reference key team members to the listed projects.
7. Conceptual approach, and schedule for services requested.
8. Present workload and staff availability.
9. List any potential conflicts of interest and a strategy for negating them.

Applicants shall submit five bound copies of their SOQ, one unbound copy, and one electronic pdf copy on a CD or flash drive.

I. Selection Criteria

The District's Selection Committee will evaluate all submitted SOQs in accordance with the criteria stated below. The District reserves the right to request interviews of the top ranks firms. The Selection Committee will decide which applicant will be invited to submit a proposal. The Selection Committee may also elect to select a consultant team based upon the SOQ submittals. Evaluation and selection criteria will include the following:

1. Consultant firm or team's qualifications and experience on similar projects, including transmission-level water infrastructure, design of industrial pressure relief appurtenances and demolition of industrial steel structures – 20 points
2. Qualifications and experience of the project manager and key personnel – 20 points
3. Consultant's understanding of the project and conceptual approach – 20 points
4. Consultant's experience with FEMA Hazard Mitigation Grant Program, including working successfully with grant administration staff – 20 points
5. Consultant Team's present workload and staff availability – 5 points
6. Consultant Team's ability to meet established project schedule – 5 points
7. References for prime and key sub consultants – 5 points
8. Consultant Team's ability to negate any identified conflicts of interest – 5 points

J. Submittal Deadline

Applicants who are interested in providing the services for this project are required to submit a Statement of Qualifications no later than 3:00 pm on Friday September 28, 2018. All SOQs and materials submitted in response to this RFQ will become the property of the District and will not be returned. The District is not responsible for any costs incurred in the preparation of a response to this RFQ. Please submit the SOQ to:

John Friedenbach
General Manager
Humboldt Bay Municipal Water District
828 7th Street
Eureka, CA 95501-1114

Receipt in the above office must be by the deadline regardless of postmark.

RFQ Distribution List - see attached Appendix A

Appendix A

Submittal and Contact Information
Paul Helliker, General Manager, Humboldt Bay Municipal Water District
828 7th Street, Eureka, CA 95501
Telephone: (707) 443-5018
friedenbach@hbmwd.com
Distribution List

This is not an exclusive list. You may team up with an individual or firm not listed.

Atlas Engineering
252 G Street
Arcata, CA 95521

Baird Engineering
1257 Main Street
Fortuna, CA 95540

GHD
718 Third Street
Eureka, CA 95501

LACO
21 W 4th Street
Eureka, Ca 95501

Omsberg & Preston
434 7th Street
Eureka, CA 95501

Ontiveros & Associates
404 N. Fortuna Blvd.
Fortuna, CA 95504

Oscar Larson & Associates
317 3rd Street
Eureka, CA 95501

Penfold Engineering
2107 1st Street
Eureka, CA 95501

SHN
812 W. Wabash
Eureka, CA 95501

Whitchurch Engineering
610 9th Street
Fortuna, CA 95540

Greenway Partners
1385 8th Street
Arcata, CA 95521

Pacific Affiliates
990 W. Waterfront Drive
Eureka, CA 95501

Planwest Partners
1125 16th Street
Arcata, CA 95521

Points West Surveying Company
5201 Carlson Park Drive
Arcata, CA 95521

Streamline Planning
1062 G Street, Suite I
Arcata, CA 95521

Manhard Consulting
611I Street, Suite A
Eureka, CA 95501

ACWA

A NEW CHAPTER AT ACWA

BY TIMOTHY QUINN OCT 24, 2018 VOICES ON WATER



Dave Eggerton joins our association's staff next month as ACWA Executive Director Designate and arrives with a strong advantage. He's one of you.

Dave takes the helm at ACWA with 15 years' experience in water agency management. His experience in local government and perspective as an active, long-term representative of an ACWA member agency made him an ideal candidate for the job. ACWA's Board of Directors agreed by unanimously approving his appointment on Sept. 28.

Currently general manager at Region 3's Calaveras County Water District, Dave will officially come on board at ACWA's Sacramento office Nov. 1 as Executive Director Designate. He and I will work alongside each other until Dec. 3, when Dave will assume responsibility as Executive Director. I will then remain in an advisory capacity until my official retirement date at the end of 2018.

Dave's hiring followed a national recruitment search. Several exceptionally well-qualified candidates were interviewed by the ACWA Board Selection Committee. But in the end, it was Dave's experience and extensive engagement within ACWA that made the difference.

Many ACWA members will recognize Dave from the past 15 years, when he worked with ACWA members El Dorado Irrigation District, El Dorado County Water Agency and Calaveras County Water District. During this time, Dave has served on ACWA's State Legislative Committee, Water Management Committee, Federal Affairs Committee, Region 3 Board and Board of Directors.

Dave understands what you expect from ACWA and knows what it's like as a steward of our most precious natural resource, delivering reliable, safe water while navigating myriad state and federal regulations. You can learn more about Dave in a Q&A on pages 8 and 9 of this edition of ACWA News. You may also see him at upcoming ACWA events, including the Fall Conference & Exhibition. If you haven't already met Dave in person, I hope the conference provides that opportunity.

On a personal note, I have known Dave since he first went to work for the El Dorado Irrigation District as its deputy general counsel. I genuinely like and respect your future Executive Director. He possesses an uncanny ability to listen and learn, which is the most important characteristic of a leader.

This ACWA Conference will be my last as ACWA Executive Director, capping a nearly 40-year career in the California water industry. Leading ACWA for the past 11 years has been an incredibly rewarding

experience. I've had the pleasure of learning about all of our member agencies and have worked with many of you in overcoming seemingly insurmountable challenges, yet resolving them to create better water policy that benefits all Californians. The amazing responsiveness and collaboration among ACWA members has always made the ultimate difference in any successful outcome, from our input on state policy through ACWA's Statewide Water Action Plan for California — a key step leading to the state's own California Water Action Plan — to the Sustainable Groundwater Management Act and our ability to secure public funding for our member agencies' water infrastructure improvement projects.

I am now closing a loop by returning to my academic roots. I began my career in water by writing a PhD dissertation on groundwater management and working with water economists at the RAND Corporation. Entering the next phase of my career, I have accepted a position as a fellow at Stanford University to further explore California water policy.

Water policy is a subject where I've learned from the best, and I owe thanks to all ACWA members for that, and for the privilege to serve your association. I look forward to seeing you at the ACWA Fall Conference & Exhibition in San Diego.



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**Federal Regulatory Issues
November 2018 Update**

Environmental Protection Agency		
Issue	Summary	Status
Clean Water Act Rule	The 2015 rule was designed to “provide clarity for determining where the Clean Water Act applies and where it does not.” However, ACWA believes the rule expands the number of water bodies falling under the law’s jurisdiction. ACWA’s comment letter requested water conveyance systems and water infrastructure adjacent to “navigable waters” be excluded from the proposed rule.	President Trump issued an executive order remanding the 2015 rule back to the Agencies for review and revision on 2/28/2017. ACWA provided written recommendations on potential new revisions to the definition of “waters of the United States” on 11/17/2017. Implementation of the 2015 Rule has been delayed until 2/6/2020. New rule anticipated November 2018.
Subsurface/ groundwater connection and NPDES permits	EPA is seeking public comments on the proper scope of its authority under the CWA to regulate discharges of pollutants from a point source to navigable waters regardless of whether the pollutant enters navigable waters directly or indirectly from another source, such as groundwater. In its request for comment, EPA explained that conflicting court decisions and past EPA statements in rulemakings, permitting actions, and guidance documents have raised questions about whether releases to groundwater or other subsurface flow that reach jurisdictional surface waters should be subject to CWA jurisdiction.	ACWA’s comment letter emphasizes that the potential groundwater connection that water re-use facilities, stormwater management basins, groundwater recharge basins, constructed wetlands and similar water and wastewater infrastructure have to jurisdictional waters is not sufficient to require National Pollution Discharge Elimination System (NPDES) permits. ACWA requested EPA clarify in rulemaking that these water and wastewater infrastructure facilities do not require NPDES permits for their potential subsurface connection to “waters of the United States.” Comments submitted May 21, 2018.
WIFIA Implementation Rules on Credit Assistance and Fees	This new source of funding can be used to finance water infrastructure projects that cost at least \$20 million for large communities and \$5 million for small communities (population of 25,000 or less). WIFIA assistance may not exceed 49% of a project’s eligible costs and total federal assistance may not exceed 80% of a project’s eligible costs.	Congress provided \$63 million in funding for FY 2018. Letters of interest, the first step in the project application process, are due 7/6/2018. For FY 2017, EPA selected 12 projects to move forward in the loan application process on, four of them are located in California.
Evaluation of Existing Regulations	EPA is seeking input on regulations that may be appropriate for repeal, replacement, or modification	Comments due 5/15/2017. EPA received over 400,000 letters.



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Environmental Protection Agency		
Issue	Summary	Status
Technical Report on Protecting Aquatic Life From the Effects of Hydrologic Alteration	Technical report "was developed because hydrologic alteration can be a contributor of impairment for water bodies that are designated to support aquatic life." It has both legal and policy implications as states are encouraged to set flow targets for every river. The report touches on everything from dam operations to water diversions and groundwater regulations and fails to recognize state sovereignty.	Water community united in opposition to this report and requested the policy and legal sections of the document be removed. ACWA participated in a variety of coalitions that provided comment. Final document released 12/21/2016 and is more technically focused than the draft but concerns remain.
Revised Lead and Copper Rule	EPA is currently evaluating and developing supporting materials for proposal and seeking more stakeholder input on how to set partial line replacement requirements. Also examining how water utility customers will pay for replacements.	EPA held a federalist consultation meeting on proposed updates to the rule on 1/8/2018. ACWA worked with AWWA and AMWA to provide comments on 3/8/2018. New proposed rule anticipated 02/2019.
Perchlorate	EPA made a determination to regulate perchlorate on 2/2/11. SAB submitted final report to EPA using novel method for assessing risk to children 5/29/2013.	NRDC sued EPA to force them to establish a national standard last February. Judge ruled in favor of NRDC 9/19/2016. EPA was unable to meet its 10/18/2017 deadline to complete the study that will be the foundation for the drinking water standard. EPA under a consent decree to issue proposed standard for perchlorate by 10/31/2018 and a final standard by 12/19/2019.



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Army Corps of Engineers		
Issue	Summary	Status
7001 Project Requests	Section 7001 of WRRDA 2014 requires that the Secretary of the Army to submit an annual report to Congress that identifies, for potential congressional authorization, completed feasibility reports, proposed feasibility studies, and proposed modifications to authorized projects or studies that meet specific criteria. The Annual Report is to be based, in part, upon requests for proposals submitted by non-Federal interests	Proposals by non-Federal interests for feasibility studies and modifications to an authorized USACE water resources development project or feasibility study are due 8/9/2017. Two California projects were included in the Report to Congress released 2/1/2018.
Water Supply Rule	The proposed rule is intended to update policies to enhance the Corps' "ability to cooperate with state and local interests in the development of water supplies." Topic areas addressed by the proposal include explanation of the purpose and scope of Corps authority to include storage for water supply; the definition of "surplus water"; and pricing methodologies for surplus water contracts and water supply storage agreements.	Proposed on 12/16/2016. Comments period extended to 11/16/2017. ACWA, along with NWRA and the Texas Water Conservation Association, asked for the rule to be held in abeyance.
Clean Water Act Rule	See information under EPA.	Implementation of the 2015 Rule has been delayed until 2/6/2020. New rule anticipated November 2018.
Evaluation of Existing Regulations	The Corps seeking input on regulations that may be appropriate for repeal, replacement, or modification.	Comments due 10/18/2017. ACWA worked with the Texas Water Conservation Association to provide comments.



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Endangered Species Act Implementation		
Issue	Summary	Status
Mitigation Policy Executive Order 3349	Directs the Department of Interior to suspend, revise, or rescind existing agency actions on the recently updated mitigation policies including the FWS Mitigation Policy and Compensatory Mitigation Policy described below.	Issued on 3/28/2017. By April 28, the Deputy Secretary shall determine whether to proceed with reconsideration, modification, or rescission. If actions require modification, the heads of each bureau must submit draft revisions or substitutions to the Deputy Secretary for review.
Mitigation Policy Review	Per E.O. 3349, FWS is soliciting public review of and comment on its Mitigation Policy and its Endangered Species Act - Compensatory Mitigation Policy. Specifically, FWS is looking for input on whether to retain or remove "net conservation gain" as a mitigation planning goal.	ACWA, working with NESARC, provided comments on 1/5/2018.
Revisions to FWS Mitigation Policy	Updates FWS 1981 mitigation policy and applies it to the ESA for the first time. The proposed mitigation framework uses a landscape scale approach to achieve mitigation that takes into account climate change. It sets a goal of a "net conservation gain" for proposed mitigation projects and establishes a floor of "no net loss".	Withdrawn 7/27/2018. "It is no longer appropriate to retain the 'net conservation gain' standard throughout various Service-related activities and is inconsistent with the current Executive branch policy."
FWS/NMFS Notice of Proposed Rulemaking: Revisions to Section 7 Consultation Requirements	Addresses the consultation between the Services and federal action agency on whether a proposed action will jeopardize the continued existence of a threatened species. Revises the adverse modification definition; eliminates the categorization of effects as direct, indirect, interdependent, or interrelated; proposes new regulatory language defining a "framework" for applying the reasonably certain to occur standard; proposes numerous streamlining measures for the informal consultation process and formal consultation process designed to reduce redundancies.	Proposed 7/25/2018. ACWA, working with NESARC, provided comments on 9/24/2018.



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Endangered Species Act Implementation		
Issue	Summary	Status
FWS/NMFS Notice of Proposed Rulemaking: Revisions to Section 4 Critical Habitat Designations	Proposes adoption of a framework for determining the “foreseeable future” as applied in determining whether a species is threatened; clarification of the factors informing the delisting of a species; revisions of the factors informing a decision that designation of critical habitat is not prudent; and clarification of the requirements for designation unoccupied critical habitat. Allows reference but not consideration of economic and other impacts in listing determinations.	Proposed 7/25/2018. ACWA, working with NESARC, provided comments on 9/24/2018.
FWS Notice of Proposed Rulemaking: Rescind the blanket 4(d) Rule	Proposal to revise FWS rule to make it consistent with the approach taken by NMFS. Protections of Section 9 of the ESA would no longer automatically apply to newly classified threatened species.	Proposed 7/25/2018. ACWA, working with NESARC, provided comments on 9/24/2018.
National Marine Fisheries Service listing and recovery priority guidelines	NMFS states that it is “revising the guidelines to better prioritize limited agency resources to advance the recovery of threatened and endangered species guided by the immediacy of the species’ overall extinction risk, extent of information regarding major threats, and certainty that management or protective actions can be implemented successfully.”	Issued on 5/31/2017, comment period extended to 8/28/2017. ACWA worked with NESARC to provide comments.
Evaluation of Existing Regulations: ESA	The Department of Interior seeking input on regulations that may be appropriate for repeal, replacement, or modification.	ACWA, working through NESARC, provided input on how Fish and Wildlife Service could improve implementation of the ESA on 11/1/2017.

RREDC/RCEA



Redwood Coast Energy Authority

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SECTION K4 PAGE NO. 1

BOARD OF DIRECTORS MEETING AGENDA

Humboldt Bay Municipal Water District Office
828 7th Street, Eureka, CA 95501

October 15, 2018
Monday, 3:15 p.m.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the Clerk of the Board at the phone number, email or physical address listed above at least 72 hours in advance.

Pursuant to Government Code section 54957.5, all writings or documents relating to any item on this agenda which have been provided to a majority of the Board of Directors, including those received less than 72 hours prior to the RCEA Board meeting, will be made available to the public in the agenda binder located in the RCEA lobby during normal business hours, and at www.redwoodenergy.org.

PLEASE NOTE: Speakers wishing to distribute materials to the Board at the meeting are asked to provide 12 copies to the Clerk of the Board.

OPEN SESSION Call to Order

1. REPORTS FROM MEMBER ENTITIES

2. ORAL COMMUNICATIONS

This time is provided for people to address the Board or submit written communications on matters not on the agenda. At the conclusion of all oral and written communications, the Board may respond to statements. Any request that requires Board action will be set by the Board for a future agenda or referred to staff.

3. CONSENT CALENDAR

All matters on the Consent Calendar are considered to be routine by the Board and are enacted on one motion. There is no separate discussion of any of these items. If discussion is required, that item is removed from the Consent Calendar and considered separately. At the end of the reading of the Consent Calendar, Board members or members of the public can request that an item be removed for separate discussion.

3.1 Approve Minutes of September 17, 2018, Board Meeting.

3.2 Approve Disbursements Report.

3.3 Accept Financial Reports.

4. REMOVED FROM CONSENT CALENDAR ITEMS

Items removed from the Consent Calendar will be heard under this section.

5. OLD BUSINESS

5.1 HSU Special Projects Fund Subcontract

Approve Humboldt State University Sponsored Programs Foundation Research Subaward Agreement and authorize the Executive Director to execute all associated documents.

6. NEW BUSINESS

6.1 PG&E Energy Watch Contract

Approve PG&E Energy Watch Contract Master Service Agreement General Conditions and authorize Executive Director to execute any associated documents contingent on final review and approval of any revisions by RCEA legal counsel.

COMMUNITY CHOICE ENERGY (CCE) BUSINESS (Confirm CCE Quorum) Items under this section of the agenda relate to CCE-specific business matters that fall under RCEA's CCE voting provisions, with only CCE-participating jurisdictions voting on these matters with weighted voting as established in the RCEA joint powers agreement.

7. OLD CCE BUSINESS – None.

8. NEW CCE BUSINESS

8.1 Energy Risk Management Quarterly Report

Accept Energy Risk Management quarterly report.

8.2 Local Renewable Power Solicitation

Provide comments on staff's proposal to develop and issue a renewable power solicitation.

Authorize staff to develop all solicitation materials and bring these back to the Board for review and approval.

8.3 Feed-In Tariff Concept Presentation

Provide staff with feedback on the proposed feed-in tariff design.

Direct staff to draft materials for project implementation and bring them back for Board approval.

END OF COMMUNITY CHOICE ENERGY (CCE) BUSINESS

9. STAFF REPORTS

- 9.1 Report by Executive Director Matthew Marshall**
- Offshore Wind Project Update
 - Potter Valley Project Update
 - October, Energy Action Month

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

NEXT REGULAR MEETING
Monday, November 19, 2018, 3:15 p.m.
Humboldt Bay Municipal Water District Office
828 7th Street, Eureka, CA 95501



DRAFT BOARD OF DIRECTORS MEETING MINUTES

**Humboldt Bay Municipal Water District Office
828 7th Street, Eureka, CA 95501**

**September 17, 2018
Monday, 3:15 p.m.**

A regular meeting of the Board of Directors of the Redwood Coast Energy Authority was held on the above date at 3:14 p.m. with Chair Pro Tem Michael Sweeney presiding. Notice of this meeting was posted on September 13, 2018. Present: Austin Allison, Alternate Director Barbara Hecathorn, Dwight Miller (arrived at 4 p.m.), Alternate Director Paul Pitino, Bobbi Ricca, Chair Pro Tem Michael Sweeney. Absent: Estelle Fennell, Dean Glaser, Frank Wilson, Michael Winkler, Sheri Woo. Staff Present: Operations Director Dana Boudreau, Acting Executive Director Richard Engel, Clerk of the Board Lori Taketa.

The meeting was called to order at 3:14 p.m. by Acting Executive Director Richard Engel.

ELECT CHAIR PRO TEM

As both Chair Sheri Woo and Vice Chair Michael Winkler were absent to attend the Bureau of Ocean Energy Management California Intergovernmental Task Force meeting in Sacramento, Acting Executive Director Engel called for nominations for a Chair Pro Tem. Alternate Director Hecathorn nominated Director Sweeney.

Acting Executive Director Engel invited public comment. No one came forward to speak. Acting Executive Director Engel closed public comment.

M/S: Hecathorn, Ricca: Elect Michael Sweeney Chair Pro Tem to preside over this meeting. Ayes: Allison, Hecathorn, Pitino, Ricca, Sweeney. Noes: None. Absent: Fennell, Glaser, Wilson. Abstentions: None.

REPORTS FROM MEMBER ENTITIES

Director Ricca announced that her service on RCEA's Board was ending and introduced Blue Lake Council Member Summer Daugherty, who will begin serving on the RCEA Board at the next meeting.

ORAL COMMUNICATIONS

Chair Pro Tem Sweeney invited public comment. No one came forward to speak. Chair Pro Tem Sweeney closed public comment.

CONSENT CALENDAR

- 5.1 Approve Minutes of August 20, 2018, Board Meeting.
- 5.2 Approve Disbursements Report.
- 5.3 Accept Financial Reports.

Acting Executive Director Engel called the Directors' attention to a discrepancy in the financial reports. He stated that Finance staff were made aware of the error and would correct the report for approval at the Board's October meeting.

Chair Pro Tem Sweeney invited public comment. No one came forward to speak. Chair Pro Tem Sweeney closed public comment.

M/S: Hecathorn, Ricca: Approve consent calendar items, including item 5.3 as provided. Ayes: Allison, Hecathorn, Pitino, Ricca, Sweeney. Noes: None. Absent: Fennell, Glaser, Wilson. Abstentions: None.

NEW BUSINESS - Presentation by Terra-Gen on the Humboldt Wind Project at Monument Ridge. (Information only)

Terra-Gen's Vice President of Origination and Development Don Vawter and Senior Director of Wind Development Nathan Vajdos presented information about Terra-Gen and the Humboldt Wind Project on Monument Ridge. Mr. Vawter stated that Terra-Gen is a 10-year-old company known for wind development in California, is owned by Energy Capital Partners private equity fund and focuses on development, construction and operation of renewable energy power generation facilities.

Chair Pro Tem Sweeney invited public comment.

Mr. Vawter described wind development in California, stating that most prime wind spots have been developed, and noting the desirability of wind's relatively flat energy generation profile to assist with daily energy supply fluctuation. In response to questions from the Board and member of the public Beverly Chang, Mr. Vawter discussed the replacement and upgrading of older turbines and typical wind power contracts.

Mr. Vajdos described the Humboldt Wind Project's location on Russ Ranch and Humboldt Redwood Company land south of Rio Dell, and its size of up to 155 megawatts and 55 turbines. He stated the target date for supplying electricity is the end of 2020, the project will connect to the electrical grid at PG&E's 115 kilovolt Bridgeville substation, that capacity for the expanded supply exists and that as the project proceeds, Terra-Gen would be required to pay for grid upgrades identified by the California Independent System Operator (CAISO) interconnection study. Terra-Gen's representatives stated the project's primary heavy equipment transport will leave Highway 101 at Jordan Creek and continue to the project site on private roads, and that the project is undergoing the County of Humboldt's public scoping process in compliance with the California Environmental Quality Act (CEQA). Mr. Vajdos expects the draft Environmental Impact Report (EIR) to be ready for public inspection in spring 2019.

The project's wind, wildlife and view impact studies were described, as were the reasons for the site's selection.

Director Miller arrived at 4:00 p.m.

In response to questions from member of the public Beverly Chang, Terra-Gen representatives said the maximum turbine blade or tip height may be 590 feet and the tower radius could be up to 25 feet. Final equipment selection has not been made, Mr. Vawter stated, and the company is pursuing permits that allow maximum equipment selection flexibility. CAISO interconnection study results, Mr. Vawter added, are generally proprietary and focus on improvements like upgraded breakers and fencing to ensure secure, stable electric supply.

Upon inquiry by Director Allison, Mr. Vajdos reported that his company supplied RCEA with a confidential term sheet that reflects competitively priced power, that one landowner required a decommissioning bond so timber can be harvested in the future, and that it is possible the company would pursue repermitting for portions of the project area so wind energy production can continue.

The project's expected creation of 15 permanent jobs and County tax revenue resulting from construction and operation were discussed.

Chair Pro Tem Sweeney closed public comment.

STAFF REPORTS - Report by Operations Director Dana Boudreau (Information only)

- Public Agency Fleet Manager Conference Scholarship

Staff Director Boudreau reported that RCEA is funding scholarships to the NorCal Clean Technology Forum and Expo in Sacramento and encouraged Board members to share application materials with fleet managers in their jurisdictions and other public and private sector organizations so they can learn about current innovations in low- and no-emission light, medium and heavy duty vehicles.

Chair Pro Tem Sweeney invited public comment. No one came forward to speak. Chair Pro Tem Sweeney closed public comment.

ADJOURNMENT

Chair Pro Tem Sweeney adjourned the meeting at 4:58 p.m.

Respectfully Submitted,

Lori Taketa
Clerk of the Board



Redwood Region Economic Development Commission
 Prosperity Center 520 E Street, Eureka, California 95501
 Phone 707.445.9651 Fax 707.445.9652 www.rredc.com

REDWOOD REGION ECONOMIC DEVELOPMENT COMMISSION
Regular meeting of the Board of Directors
 At the Prosperity Center 520 E Street, Eureka
October 22, 2018 at 6:30 pm
AGENDA

- I. **Call to Order & Flag Salute**
- II. **Approval of Agenda and Minutes**
 - A. Approval of Agenda for October 22, 2018
 - B. Approval of Minutes of the Board of Directors Meeting September 24, 2018
- III. **Public Input for non-agenda items**
- IV. **Introduction to Cody Roggatz – Director, Department of Aviation**

Program – Tony Smithers – Executive Director, Eureka-Humboldt Visitors Bureau – Presentation on the EHVB Marketing Plan
- V. **Consent Calendar**
 - A. Acceptance of Agency-wide Financial Reports: August 2018 and September 2018
- VI. **Reports – No Action Required**
 - A. Loan Portfolio Report: August 2018 and September 2018
 - B. Executive Director's Report
- VII. **Old Business**
 - A. Update on Development of Humboldt County Comprehensive Economic Development Strategy
- VIII. **New Business**
 - A. Discussion of Potential Air Services Agreement with United Airlines for Service to Denver International Airport
 - B. Discussion and Update of RREDC Revolving Loan Fund Plan
- IX. **Member Reports**
- X. **Agenda/Program Requests for future Board of Directors Meetings**
- XI. **Adjourn**

The Redwood Region Economic Development Commission will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact the Board Secretary at (707) 445-9651. Notification 48 hours prior to the meeting will enable the Commission to make reasonable arrangements for accommodations.



*Cities Arcata · Blue Lake · Eureka · Ferndale · Fortuna · Rio Dell · Trinidad
 Community Services Districts Humboldt · Manila · McKinleyville · Orick · Orleans · Redway · Willow Creek
 Humboldt Bay Harbor, Recreation and Conservation District · Humboldt Bay Municipal Water District
 County of Humboldt · Hoopa Valley Tribe · Redwoods Community College District*